

RECORD OF PROCEEDINGS

Minutes of Peninsula Council & Joint Council - Boston Township Trustees

Meeting

Revised

National Graphics Corp., Cinc., O. Form No. 1897-625

Held

February 8,

88

19

Officers present: Mayor Ruoff, Solicitor Cole, Clerk Rutledge.
Council Members present: Brunswick, Collins, Hansen, Schneider,
P. Tesser, T. Tesser.

The following bills were presented for payment:

Akron Welding & Spring	9.00	Levinson's	195.25
Alltel Corporation	210.25	Mn. Lillienthal & Sons	192.00
Blue Cross, Blue Shield	451.16	Mayors Assoc. of Ohio	10.00
Bolin Associates	590.53	Monroe Systems for Busn.	45.00
Robert Brunswick	100.00	Nordonia Auto Wash	46.00
Central Reserve Life	1,226.67	Ohio Edison	631.52
City of Brecksville	90.00	Olde Eight Auto Parts	59.11
Cleveland Mobile Phone	15.50	Peninsula Police Dept.	15.23
Cole Co., L.P.A.	1,200.00	Police Pension Fund	4,612.84
Distillate	5.50	Quick Photo	28.58
John A. Bonofrio	473.20	Quill	231.43
East Ohio Gas Company	381.91	Bruce Robb	15.00
Federal Licensing, J.V.	15.00	Polly Rutledge	3.60
Ink Spot	274.53	Summit City Conf of Mayors	75.00
Insurance & Finan Serv	350.00	Corinna R. Thiel	139.50
John's Sohio	167.50	Valley Tire & Auto	370.13
Kent State University	150.00	Jean Wurzbacher	814.00
Kovach Sanitation	841.50		

The regular meeting of the Peninsula Council was called to order at 7:03 p.m. on February 8, 1988 by Mayor Ruoff.

Collins made a motion, seconded by T. Tesser, to approve the minutes of the January 19, 1988 meeting. All vote aye: Brunswick, Collins, Hansen, Schneider, P. Tesser, T. Tesser.

Mayor's Report

Ruoff told council that he had received a letter from Siegfried Buerling about the Cuyahoga Valley Line. Plans are to schedule the first steam train ride the week of June 12th. Ruoff said that he would keep council informed of any further progress.

Ruoff passed out the Mayor's Court report for January.

Village of Peninsula Mayor's Court
January 1988

01/26/88	Check #360 - Peninsula Mayor's Court Bond Account	\$ 115.00
01/29/88	Check #361 - Village of Peninsula Fines - \$2,164.00 Costs - 1,002.00	3,166.00
01/29/88	Check #362 - Treasurer of State Victim's Assistance - \$336.00 General Revenue - 448.00	784.00
	TOTAL	\$4,965.00

New Business

Ruoff told council that he had attended a meeting on February 3, 1988 with representatives from Summit County about the establishment of an enterprise zone which could include Peninsula. Six communities, Twinsburg Township, Boston Township, Boston Heights, Hudson Township, and Peninsula, would have to cooperate to form this zone. Its formation would allow tax abatement for new or expanding industries within the zone. Since space is available near Terry Lumber & Supply, it could be to our advantage to join and it would be of no cost to us. The enterprise zones target communities which have lost part of their tax base. Nestles is considering building in Twinsburg and setting up this zone would benefit them. Each local community will set up its abatement plan, but all communities within a zone must approve joining. Ruoff recommended that Peninsula join for two reasons, the county asked us and Twinsburg wants us. They

RECORD OF PROCEEDINGS

063

Minutes of Peninsula Council & Council-Boston Township Trustees

Meeting

Revised 1988

National Graphics Corp., Clev., O. Form No. 1007-411

Held

February 8,

88
19

each may be able to help us at another time. Hansen said that another community could grab the opportunity if we don't. Ruoff gave council a copy a letter which he received from Mark Hansel, Coordinator for Economic Development in the Planning and Economic Development Department of Summit County, in which the enterprise zones are more fully explained.

Ruoff informed council that Paul Swanson, the Summit County Engineer, had sent letters to the mayors of the communities through which Riverview Road passes. Swanson had estimated the cost to improve the road from Bath Road north to the Cuyahoga County line. Swanson then called a meeting which was attended by representatives from the engineering office, the City of Cuyahoga Falls, Ohio Department of Transportation, the Cuyahoga Valley National Recreation Area, and the county solicitor, along with Ruoff from the Village of Peninsula. Extensive work is needed on the road and the major item on the agenda was financing the project. Ruoff said that he would like to see the park's bicycle trails included in the project so that the hazard of cyclists and motorists on the same road would be eliminated. The two top park officials who were there said that they agreed with his idea but that the park has no money. The consensus was that although the park has no money, the federal government does and that would be the only possible way to finance this project. Swanson said that he is proposing a bill to be sponsored by Congressmen Sawyer and Regula for the federal government to resurface this road. If it were necessary to split the project, resurfacing would begin at Bath Road. Swanson said that he would work up the costs of the project.

Ruoff asked Swanson when the Route #383 bridge over the Cuyahoga River would be repaired. Swanson said that it would probably be done in 1989. Ruoff said that he had told Swanson that we would need one lane of the bridge open during the repair.

Ruoff reported that the contract which the village had proposed to the county to take over the maintenance of Riverview Road had been turned down by the county. They wanted more money. Rutledge said that they wanted all of the permissive tax money including the \$5 that is scheduled to come directly to the village.

Ruoff said that if we would accept this new contract, we would give up our flexibility. There is also a general feeling that the amount would be too much if Riverview is resurfaced. If we give up our money and they get federal money, they're ahead and we're not. Brunswick asked where the money was coming from. Ruoff said that it was the additional \$5 tax which the council had voted to impose. When the vote had been taken, this contract was not proposed. T. Tesmer asked how long the mayor wanted us to wait since we are behind in maintenance and the road is now a law suit waiting to happen.

Ruoff said that the proposal was to start repairing Riverview at the south end and work north. Schneider said that if the park would be included in the project, there would be federal money available. Ruoff asked that council delay making a decision for 90 days. Hansen said that we need the delay to think. Ruoff asked council to think about the problem until the next meeting.

Hansen made a motion, seconded by Schneider, to adjourn to a joint meeting with Boston Township at 7:37 p.m. All vote ayes! Brunswick, Collins, Hansen, Schneider, P. Tesmer, T. Tesmer.

JOINT BOSTON TOWNSHIP TRUSTEES - PENINSULA VILLAGE COUNCIL MEETING

Boston Township Officer present: Solicitor Pullekins.
Boston Township Officer absent: Clark Morgan.
Boston Township Trustees present: Bergdorf, Schneider, Jr.
Boston Township Trustee absent: Fisher.

RECORD OF PROCEEDINGS

Minutes of Peninsula Council & Joint Council-Boston Township Trustees

Meeting

Held

February 8,

88

11

Peninsula Village Officers present: Mayor Ruoff, Solicitor Cole, Clerk Rutledge.

Peninsula Council members present: Brunswick, Collins, Hansen, Schneider, P. Tesner, T. Tesner.

Ruoff called the joint meeting to order at 7:38 p.m. He said that he wanted to hear the opinions of everyone present, but would like to have people raise their hands to be recognized by the chair so that the business on the agenda could be conducted in an orderly fashion.

Ruoff recommended that the joint body commend everyone involved in the rescue operations following an auto accident which occurred on February 1, 1988. Resolution #1164-1988 was offered by P. Tesner, seconded by Bergdorf, to commend the Valley Fire Department and the Peninsula Police Department for their heroic efforts on behalf of the victims of the accident of February 1, 1988. All vote aye: Bergdorf, Schneider, Jr., Brunswick, Collins, Hansen, Schneider, P. Tesner, T. Tesner.

Resolution #1165-1988 was offered by P. Tesner, seconded by Bergdorf, commending all other volunteers and the George Cull family for their help throughout the night. All vote aye: Bergdorf, Schneider, Jr., Brunswick, Collins, Hansen, Schneider, P. Tesner, T. Tesner.

Ruoff recommended that the Fire Board further remunerate those present. Doug Anderson, Fire Captain, who was also present, said that there is already a provision to pay \$6 per hour instead of \$8 per call if a call lasts over 2 or 3 hours. This one did. Ruoff said that he would like to emphasize that this provision should go into effect by a statement of the joint body. Resolution #1166-1988 was offered by Brunswick, seconded by Schneider, to recommend that the Fire Board consider using the \$8 per hour compensation rule for the firemen who worked the accident of February 1, 1988. All vote aye: Bergdorf, Schneider, Jr., Brunswick, Collins, Hansen, Schneider, P. Tesner, T. Tesner.

Ruoff said that the Culls need some kind of barrier to keep people out of their yard. Schneider, Jr. said that the Fire Department could put up a snow fence.

Fire Resolution

Ruoff asked that everyone consider the Fire Resolution Amendment which he had passed out. Brunswick asked when Tom Morehouse's term was up. Hansen said December 31, 1990. Brunswick asked what would happen to the terms of the other two whose first terms would not last 3 years. Ruoff said that they would be eligible for two more terms. Schneider, Jr. said that this situation would not necessarily apply to the first two. Someone could resign and another person be appointed to fill his or her unexpired term. Ruoff said that the amendment could be rewritten so that everyone could serve two full terms not including their partial term.

Pullekins told council that Fisher was neutral on whether or not to have a five member Fire Board and that the other two trustees were leaning towards agreement to a five member board, but that they will need more time to review the amendment since they had just received it. Ruoff asked why they couldn't review now. Schneider, Jr. said that some people had not liked the way he had run the last joint meeting, but he didn't want to be forced into doing something that he was not ready to do. Ruoff said that if they need more time, that was no problem. Cole and Pullekings said that a joint meeting is not necessary to ratify an amendment. Each body has to vote separately.

Ruoff asked if there was anything else that can be done this evening. Schneider, Jr. said that the snag was with the contract, not the budget.

RECORD OF PROCEEDINGS

065

Minutes of Peninsula Council & Council-Boston Township Trustees

Meeting

1988

National Graphic Corp., Cal., O. Form No. 107-4

Held

February 8,

19 88

Fire Contract

Ruoff asked that everyone consider the contract changes. Change #2 states that "...if a deficit exists, VILLAGE and TOWNSHIP will take under consideration paying to VALLEY an amount equal to said deficiency..." Ruoff said if the township or village does not have any more money available, neither one would want to take on an additional expense. Schneider, Jr. said that it could be the township as easily as the village.

Change #3 states that overages would reduce the next year's budget unless appropriated for a specific purpose. Hansen said that this will give the governing bodies a better idea of how the money is spent.

Two changes were made to section 8. The first requires that an annual report of projected use of the 4.5 mill levy be added to the list of reports. The second requires that all reports be due by May 31, 1988. Hansen said that the new date would help the budgeting process.

Schneider, Jr. said that the trustees would be meeting on the second Tuesday from this date and would consider the contract changes then. P. Tesner requested that Pullekens call Cole with the result of the township's vote on the contract.

Rutledge asked if the split would still be 60% - township, 40% - village. Hansen said that it always seems to fall out close to those numbers. Pullekens said that he could include those figures if they are agreeable to everyone.

Fire Budget

P. Tesner asked where the sale of the rescue squad was included. Anderson said that there was a timing problem. The vehicle was put up for sale after the budget had been presented by the Fire Board. Pullekens said that the money could be used as carry-over money. The Fire Board would now operate on appropriations which they had never done before.

Bergdorf asked if an increased board would increase the budget. Hansen said that it would only be \$240 which could be covered by the budget as it stands. Resolution #1167-1988 was offered by Schneider, Jr., seconded by T. Tesner, to approve the \$145,710.00 budget recommended by the Fire Board. All vote aye: Bergdorf, Schneider, Jr., Brunswick, Collins, Hansen, Schneider, P. Tesner, T. Tesner.

Police Budget

Schneider, Jr. said that he had discussed the police budget with the village and that it had been reduced. Ruoff said that the village is working on improving a personnel issue. There is a rebuilt vehicle in the budget that Chief Kruty had said that he can use very well in place of a new vehicle. Schneider, Jr. said that we all looked at the budget and it is about as low as it can get. Reductions were made in insurance, gas, and the car. Hansen said that the benefits alone take 25% and there isn't much that can be done about them.

For Boston Township, Resolution #1168-1988 was offered by Schneider, Jr., seconded by Bergdorf, to accept the police budget of \$225,017.00 for 1988. All vote aye: Bergdorf, Schneider, Jr.

Fire Peninsula Village, Resolution #1169-1988 was offered by Brunswick, seconded by Schneider, to accept the police budget of \$225,017.00 for 1988. All vote aye: Brunswick, Collins, Hansen, Schneider, P. Tesner, T. Tesner.

Cemetery Board

Resolution #1170-1988 was offered by Schneider, Jr., seconded by Hansen, to appoint Bergdorf to the Cemetery Board. All vote aye: Bergdorf, Schneider, Jr., Brunswick, Collins, Hansen, Schneider, P. Tesner, T. Tesner.

Hansen reported that roads would be the subject of the next Cuyahoga Communities Council meeting. Roy Ray would be present at the Taverne at Richfield and information is needed to impress upon him the condition of the roads. Issue 2 funds will also be discussed.

RECORD OF PROCEEDINGS

Minutes of Peninsula Council & Joint Council-Boston Township Trustees

Meeting

National Graphics Corp., Clev., O. Form No. 300-40

Held

February 8,

1988

Schneider, Jr. made a motion to adjourn the joint meeting at 8:23 p.m. Schneider seconded.

PENINSULA COUNCIL MEETING

The Peninsula council meeting reconvened at 8:29 p.m., Mayor Ruoff presiding.

Ruoff requested that council consider paying his dues to the Summit County Conference of Mayors Association and to the Mayors Association of Ohio. Resolution #1171-1988 was offered by Collins, seconded by T. Tesmer, to pay the \$75.00 annual dues to the Summit County Conference of Mayors and \$10.00 annual dues to the Mayors Association of Ohio. All vote aye: Brunswick, Collins, Hansen, Schneider, P. Tesmer, T. Tesmer.

Clerk's Report

Rutledge told council that it was time to renew the 2-year depository contract. Resolution #1172-1988 was offered by Hansen, seconded by Brunswick, to request the submission of bids for the depository of intermediate funds of the Village of Peninsula. All vote aye: Brunswick, Collins, Hansen, Schneider, P. Tesmer, T. Tesmer.

First National Bank of Ohio submitted depository information. Resolution #1173-1988 was offered by Collins, seconded by Schneider, to authorize the First National Bank of Ohio to be the depository of intermediate village funds. All vote aye: Brunswick, Collins, Hansen, Schneider, P. Tesmer, T. Tesmer.

Rutledge requested that the council approve the following rates as determined by the Summit County Budget Commission:

Fund	Rate	Total
Inside the 10 mill limit		
General	.62	\$ 4,743.83
Outside the 10 mill limit		
Road & Bridge	3.00	20,751.17
Police	3.50	15,362.36

Resolution #1174-1988 was offered by Schneider, seconded by Collins, to approve the above rates. All vote aye: Brunswick, Collins, Hansen, Schneider, P. Tesmer, T. Tesmer.

Rutledge said that the village had received a statement for dues in the amount of \$150.00 from the Summit County Council of Governments. She said that the village had not paid this in the past because it had been felt that there had been no benefit to the village in belonging. Ruoff said that the organization primarily benefits cities. Resolution #1175-1988 was offered by P. Tesmer, seconded by T. Tesmer, to not pay the dues. All vote aye: Brunswick, Collins, Hansen, Schneider, P. Tesmer, T. Tesmer.

COMMITTEE REPORTS

Safety: P. Tesmer said that she had been busy during the past month. Jail rates are being raised for Brecksville and the Summit County jails. Brecksville's rate has been raised from \$30 to \$45. Schneider said that prisoners used to be taken to Twinsburg, but Twinsburg is not accepting them any more. We have to go where space is available. Summit County didn't charge us anything in the past. Ruoff said that they can't afford to do that any more. We will be charged the same amount as other communities. The base rate is \$50.00 per hour with additional charges for additional services. Ruoff said that we should cooperate with the county. P. Tesmer said that we should go where it's cheaper if the space is available there. Resolution #1176-1988 was offered by P. Tesmer, seconded by Brunswick, for the mayor and clerk to enter into a contract with the Summit County Jail to establish rates. All vote aye: Brunswick, Collins, Hansen, Schneider, P. Tesmer, T. Tesmer.

RECORD OF PROCEEDINGS

067

Minutes of Peninsula Council & Council-Boston Township Trustees

Meeting

Record
Pages

National Graphing Corp., Cal., O. Form No. 197

Held February 8,

1988

Hansen asked if it were possible to recover the housing rates from the person who was put in jail. Cole said that that question is being tested in the courts now and if the result is positive, the village could recover the housing rates.

Resolution #1177-1988 was offered by P. Tesmer, seconded by Collins, for the mayor and clerk to enter into a contract with Brackville to set the jail rates. All vote aye: Brunswick, Collins, Hansen, Schneider, P. Tesmer, T. Tesmer.

P. Tesmer said that the Sagamore Hills Trustees would like the Peninsula Police to patrol Latta Lane. Rutledge had come up with a formula of about \$4,000 per year that the village would like to propose in a contract to Sagamore Hills. Ruoff said that the people who live on Latta Lane are in our community and that it would be a good gesture to patrol this area. Hansen said that they go to the same school. Schneider said that Boston Township maintains Stanford Road there.

Ruoff said that there is a problem in that Latta Lane is not a dedicated road and it isn't always plowed. We would have to work something out with the residents.

Schneider, Jr. from Boston Township is aware that we are considering this contract. P. Tesmer said that she met with him and he approved. Rutledge had come up with the figure of \$3,900 for this year. Resolution #1178-1988 was offered by P. Tesmer, seconded by Collins, for the mayor to negotiate a contract with Sagamore Hills Township to provide police protection for Latta Lane in return for a sum of \$3,900. All vote aye: Brunswick, Collins, Hansen, Schneider, P. Tesmer, T. Tesmer.

Hansen asked if the same could apply to Scobie Road residents. T. Tesmer said that Scobie Road is in Richfield Township and that they have a contract for police protection with the Summit County Sheriff's Department.

Roads: Schneider reported that signs have been ordered for Riverview Road. P. Tesmer asked if something couldn't be done tomorrow. Cole said that the matter should be taken up in executive session.

Schneider told council that he again contacted the guard rail people for an estimate on Route #303 and they said that they would get here as soon as possible.

Finance: No report.

Community Relations: Nothing to report.

Concerning a project which he began last year, Brunswick said that there is still a problem with the roof leaking. It must be reroofed.

Building & Grounds: Ruoff said that he had talked with Walt Herip who is very interested in renting the Players' Barn. Ruoff asked Cole to reopen negotiations with Herip.

T. Tesmer said that he had to get together with Brunswick to discuss the maintenance that needs to be done.

Utilities & Fire: Hansen said that the township has the proposed changes to the contract and the proposed amendment to consider. He thanked council for their support in the negotiation process.

Donald Matusz, also present, asked if council had received copies of a proposal of Hansen's which was dated November, 1987. Hansen said that they did. Matusz asked if Hansen is speaking for council at the Fire Board.

Matusz also asked if the public feeling was known. Ruoff said that he felt that the public had expressed their feelings at the two most recent meetings. Neither a council member nor a trustee can possibly agree on all the decisions. Cole stated that all resolutions require votes by the council and the trustees. Matusz asked that council think before they make any big changes.

RECORD OF PROCEEDINGS

Minutes of Peninsula Council & Joint Council-Boston Township Trustees

Meeting

Form No. 100-100

National Graphics Corp., Cdn., U. Form No. 100-100

Held

February 8,

1988

T. Tesmer made a motion, seconded by Brunswick, to pay the bills. All vote aye: Brunswick, Collins, Hansen, Schneider, P. Tesmer, T. Tesmer.

OLD BUSINESS

Ruoff reported that he had to get together with Bob Bishop concerning the Planning Commission. Ruoff said that he would report back to council next month.

Schneider made a motion, seconded by Hansen, to adjourn the meeting at 9:15 p.m. to executive session for a conference with Cole.

Mayor

Clerk

**TOWNSHIP MATTERS DISCUSSED AT THE JOINT MEETING
OF THE VALLEY FIRE DISTRICT, VILLAGE OF PENINSULA COUNCIL
AND BOSTON TOWNSHIP TRUSTEES
FEBRUARY 8, 1988**

THIS MEETING OF THE VILLAGE COUNCIL, TOWNSHIP TRUSTEES AND FIRE BOARD was called to order at 7:30 P.M. at the Village of Peninsula Town Hall. Present on behalf of the township were Trustees Randolph Bergdorf and Daniel Schneider, Jr. Absent: Clerk Longina Morgan and Trustee George Fisher, Jr. Also present was legal counsel, Edward C. Pullekens.

The Minutes of the joint meeting were to be taken by the Village Clerk, Polly Rutledge. The purpose of these minutes are merely to outline what was done by the Trustees at said meeting.

First item of business was discussion concerning the recent automobile tragedy which took place in the Village of Peninsula wherein the safety forces of the Valley Fire District and Peninsula Police Department spent hours. A joint resolution was made and entered into the Minutes of the Peninsula Village Council meeting acknowledging the dedicated work of the Valley Fire District and the Peninsula Police Department and other volunteer agencies. Mr. and Mrs. George Cull were also commended for their efforts in providing food, telephone and shelter for the rescue forces at the time of the tragedy.

The next item of business regarded the fire contract as presented. Mayor Ruloff of the Village of Peninsula indicated that various items in the contract wording should be modified. These were reviewed and entered into the Minutes of the Village Council. A copy of said Minutes are attached hereto and incorporated herein as it relates to items and matters voted upon and reviewed by the Township Trustees at the joint meeting.

The legal language of the fire contract will be revised by legal counsel, Edward C. Pullekens, and forwarded to Village Solicitor Lee Cole for further review. Hopefully, the matter can be voted upon by the respective bodies within the next few weeks.

Regarding the operating budget of the joint fire district, the Village and Township agreed that the budget as submitted, namely, \$145,710.00 be accepted. The contract will read that the Village will be responsible for 40% of the stated budget amount and the Township will be responsible for 60% of the stated amount. These percentages were based upon the number of calls made in each of the respective jurisdictions.

188-53
Motion by Bergdorf seconded by Schneider that the budget of \$145,710.00 be approved and that the Township pay 60% of said budget. Voting yes: Bergdorf, Schneider.

The Village presented an draft amendment to the joint fire district resolution indicating that the Board of Trustees of the Valley Fire District be increased from 3 members to 5 members. There was lengthy discussion relative to the amendment. The Township Trustees had not seen the amendment prior to the meeting. It was the consensus of the Trustees that no vote would be made on the amendment until such time as each of the Trustees have an opportunity to review the

amendment and have an independent discussion thereon. The amendment was tabled by the Trustees and Village Council was told that the amendment would be reviewed at a later date.

Regarding the police budget, it was reviewed by the Trustees. Daniel Schneider Jr. indicated that he had attended a meeting with Village officials concerning the budget and was pleased with the content of the budget. Motion by Schneider seconded by Bergdorf that the Trustees accept the police budget for the year 1988 as submitted. Voting yes: Schneider, Bergdorf. Copy of said budget is attached hereto as an Exhibit herein.

The next item of business concerned the appointment of a township representative to the Cemetery Board. Motion was duly made that Randolph Bergdorf be appointed as Township representative on the Union Cemetery Board on behalf of the Township. Voting yes: Bergdorf, Schneider. Also, the Village of Peninsula took a vote relative to the appointment of Bergdorf. Village also appointed Bergdorf.

At this time, the meeting was adjourned as it relates to the joint meeting and the Trustees left. The Village meeting which was in progress prior to the start of the joint meeting then continued.