

RECORD OF PROCEEDINGS
Village of Peninsula Council
REGULAR SESSION

Held: June 10, 2013

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Call to order: The Village of Peninsula Council convened from 7:03 p.m. to 9:25 p.m. in the Peninsula Village Hall. Mr. Mayer initiated the Pledge of Allegiance with the following members and visitors present:

Douglas Anderson	Present	Mary Booth	Present
Dee Holody	Present	Charles Moyer	Absent
Brian Schall	Present	Dan Schnieder	Present
Douglas Mayer, Mayor	Present	John Stiegel, Fiscal Officer	Present
Mark Reimer, Solicitor	Present		

Visitors:

Pam Lifke, Chanah Spencer, Roger Robinson, Patty Tesmer, Joanne Noragon, Kevin and Carol Kramer, Paul Shaver, Diane Seskes

Mayor's Report: Douglas Mayer

Mr. Mayer reported that the Chief of Police interviews have continued. He was anticipating conclusion of the interviews this week. Mr. Anderson asked Mr. Mayer if he was still communicating with Chief Morgan of Richfield. Mr. Mayer responded, yes.

Citizen's Participation:

Moved to near the end of the meeting, Mr. Mayer explained that he moved the participation to near the end so that citizens could participate throughout the entire meeting.

Mr. Anderson read the **Ordinance 7-2013** presented to Council: A Joint Economic Development District contract with Boston Township and **declaring an emergency**.

Mr. Reimer suggested that the motion include the incorporation of the comments made during the public hearing.

A motion was made by Douglas Anderson, seconded by Dan Schneider, to approve **Ordinance 7-2013** the Joint Economic Development District contract with Boston Township, Version 6, incorporating the comments and updates made during the Public Hearing, and **declaring an emergency**. Votes were as follows: Mary Booth, aye; Brian Schall, aye; Douglas Anderson, aye; Dee Holody, aye; Dan Schneider, aye.

(Motion 57-2013)

Mr. Mayer announced that mosquito spraying will occur within the Village June 12. He also updated Council with regards to the Foot Patrol. The Foot Patrol will proceed once payment has been worked out with the Park. Mr. Reimer suggested that Council not approve a contract for Foot Patrol if sustentative changes to the contract are required. The contract would need to be resubmitted to Council for approval. He also noted that once the contract for the Park for Foot Patrol is agreed upon Council would need to hold a special meeting.

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Mr. Anderson asked Mr. Reimer, if the only change to the contract is the method of payment could the contract be agreed upon by the Mayor and Fiscal Officer. Mr. Reimer explained that as long as the terms of the contract are not negotiated and the only change would be the method of payment, Council could then vote to authorize the Mayor and Fiscal Officer to enter into the contract.

Mr. Anderson made a motion to authorize the Mayor and Fiscal Officer of the Village of Peninsula, Summit County, Ohio, to **enter into an agreement with the National Park Service for Foot Patrol** pending an agreement for payment structure. Mary Booth seconded. Votes were as follows: Mary Booth, aye; Brian Schall, aye; Douglas Anderson, aye; Dee Holody, aye; Dan Schneider, aye.

(Motion 58-2013)

Fiscal Officer's Report: John Stiegel

Mr. Stiegel presented the May 13, 2013, Village of Peninsula Council meetings minutes for consideration.

A motion was made by Mr. Anderson, seconded by Mr. Schneider, to approve the Village of Peninsula Council meeting minutes as submitted. Votes were as follows: Mary Booth, aye; Brian Schall, aye; Douglas Anderson, aye; Dee Holody, aye; Dan Schneider, aye.

(Motion 59-2013)

Mr. Stiegel presented the Village of Peninsula May Financial Reports to Council for review and consideration.

A Motion was made by Douglas Anderson, seconded by Dan Schneider, to acknowledge and approve the Village of Peninsula May **Financial Reports**. Votes were as follows: Mary Booth, aye; Brian Schall, aye; Douglas Anderson, aye; Dee Holody, aye; Dan Schneider, aye.

(Motion 60-2013)

Council President's Report: Douglas Anderson

Mr. Anderson presented a **Resolution 2-2013** to authorize renewal of the Village of Peninsula Insurance contract with Wichert Insurance for \$15,225.00. Council discussed coverages and the costs associated as stipulated within the contract.

A Motion was made by Douglas Anderson, for **Resolution 2-2013** authorizing the Mayor and Fiscal Officer of the Village of Peninsula, Summit County, to enter into a written agreement with Wichert Insurance Agency to extend the current policy related to property and liability insurance coverage and **declaring an emergency**. Votes were as follows: Mary Booth, aye; Brian Schall, aye; Douglas Anderson, aye; Dee Holody, aye; Dan Schneider, aye.

(Motion 61-2013)

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Mr. Anderson present the Ordinance 4-2013 entitled: Ordinance to amend the 2013 budget for the Village of Peninsula and **declaring an emergency**. Council reviewed the Ordinance pertaining to adjustments to appropriations from Mayor's Court Salaries (\$3,000); Mayor's Court Insurance (\$300); and, Mayor's Staff Salary (\$1,700), to Buildings and Grounds (\$5,000).

A Motion was made by Douglas Anderson, seconded by Dee Holody, **Ordinance 4-2013** to amend the 2013 budget for the Village of Peninsula and **declaring an emergency**. Votes were as follows: Mary Booth, aye; Brian Schall, aye; Douglas Anderson, aye; Dee Holody, aye; Dan Schneider, aye.

(Motion 62-2013)

Mr. Anderson thanked Patty Tesmer for her efforts with the Memorial Day Parade.

Street Liaison: Brian Schall

Mr. Schall updated Council as to the Town Hall septic system and tree trimming performed within the Village. He explained that Mr. Robinson picked up the brush but had chipped at the garage. He asked if Council would consider advertising for the part-time Service Department position. Council discussed the position as a 24 hour work week, according to schedule, at a \$12.00 per hour rate. Mr. Robinson concurred with the suggestion.

Mr. Schall expressed to Council that he would like to have the advertisements published, the interview process started, and possibly have a candidate for next month's Council meeting. Interviews will be performed by Brian Schall, Douglas Anderson, and Douglas Mayer.

A motion was made by Brian Schall, seconded by Dan Schneider, to authorize advertisement for the Part Time Service Department position, up to 24 hours per week at a rate of \$12.00 per hour. Votes were as follows: Mary Booth, aye; Brian Schall, aye; Douglas Anderson, aye; Dee Holody, aye; Dan Schneider, aye.

(Motion 63-2013)

Police Department Report: Douglas Anderson

Mr. Anderson updated Council as to the availability of Officer Westfall, stating that he thought that August would be the earliest date Officer Westfall would return to work.

Mr. Anderson asked Council and the Solicitor for advisement regarding taking the police cars in for service. He stated that he would like to follow the officer to the service appointment in his personal car. Would they be a concern with liability? Mr. Reimer asked if Mr. Anderson would be compensated for his time. Mr. Anderson replied, no. Mr. Reimer would look into the liability concerns and report back to Mr. Anderson.

Zoning Official's Report: Douglas Mayer

Mr. Mayer reported that Chuck Hemming had recently resigned from his position as Zoning Inspector. He reported that since the resignation 4 (four) people had applied for the position. He stated the

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Rebecca Garner had applied, he further noted that she is an hourly employee; the position of Zoning Inspector is currently a salary position. She will be at all meetings and can report.

Mr. Mayer asked Council to consider Rebecca Garner as Zoning Inspector. Ms. Holody asked if the activity of the Zoning within the Village would pose a concern with hours slated for the Village of Peninsula. Mr. Anderson asked if that job would be absorbed into Ms. Garner's current duties. Mr. Mayer and Mr. Stiegel, responded, yes. Further discussion regarding the duties existed. Ms. Holody asked Ms. Garner about furlough days. Mr. Reimer explained his review of the duties and the rate of pay; he also noted that the position is a Mayor appointed position. Mr. Reimer would prepare the required legislation for presentation next month.

Mr. Mayer, as acting Zoning Inspector, updated Council as to the fence issue presented to him. He explained the concern. Council discussed. Mr. Mayer did talk with the individuals involved; he stated that he told the violator of the fence to correct the boundary prior to repairing or replacing the fence. He also noted that the emergency vehicles would have difficulty entering the property due to the location of the current fence.

Mr. Mayer also noted that a property off of Conger Lane that has received numerous nuisance complaints. He stated that the property owner is trying to clean up the area, they have shown some effort.

Mr. Mayer also noted an application for an addition on Bronson Street. The application and plans were received and are being processed.

Zoning Board of Appeals: Douglas Mayer

Nothing reported.

Planning Commission: Douglas Mayer

Mr. Mayer noted that the Planning Commission meetings will now be held the third Monday of every month. The next meeting will be Monday, July 15th.

Buildings and Grounds: Mary Booth

Mr. Robinson responded to Ms. Booth that the Village Hall is slated for painting the end of June or beginning of July.

Chamber of Commerce Liaison: Douglas Anderson

Mr. Anderson reported that the "Best Hometown" sign will be displayed at Terry Lumber in June and at the Peninsula Foundation in July. He noted that the Peninsula Foundation is no longer called the Historical Foundation.

Ms. Seskes also reported that 47 Plein Air painters had registered for the event, the most ever, with one registrant from California. She provided details of the event.

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Mr. Anderson reported on the following events: Art Walk the weekend of June 29th; Python Day July 20; Food Fest August 4. Mr. Anderson also addressed concerns with the scenic railroad. He explained that there are current concerns of safety near the depot. People were getting too close to the train. Ms. Seskes noted that the Chamber has also been working to address the concerns. Mats were laid down; the Park is aware and are trying to address concerns. Council discussed possible improvements to address concerns including "way finding signs" or kiosks. Council members were invited to attend the Chamber meeting, the second Wednesday of every month noting that July will be held at Hale Farm, August at the Library, September at Brandywine, October and November at the Library, and December at Heritage Farms.

Council members discussed signage within the Village of Peninsula. It was agreed that a comprehensive sign plan needs to be established to address all signage within the Village. Ms. Seskes recommended a committee be formed including Chamber members and Council members to discuss and present way of finding signage proposal. Mr. Mayer will review the current zoning policies and get back with the Chamber regarding what signage is allowed within the rights of way. The Chamber members were invited to attend the next Planning Commission meeting. Mr. Reimer will review the rights of way related to location signage (not street/stop which are regulated by federal guidelines), the Village of Peninsula's jurisdiction, and report back to Council. Mr. Mayer stated that the Village of Peninsula has the authority to regulate directional signage within the Village. Mr. Anderson said he would provide to Chamber what is allowed within the rights of way within the Village of Peninsula.

Fire Board Liaison: Dan Schneider

Mr. Schneider reported that the Fire Board will meet on Thursday to discuss the contract with Boston Heights.

Cemetery Board: Dan Schneider

Mr. Schneider reported that the improvements to the Cemetery roads were made and should be good for 20 years.

Finance: Dee Holody

Third Reading

Ms. Holody performed the third reading of legislation regarding the pay station proposal. "**Ordinance** to authorize the Village of Peninsula ("Village") through the Mayor and Fiscal Officer, to purchase a Parking Pay Station from Signature Control Systems.

Third Reading

Ms. Holody also performed the **third reading** of the legislation regarding the pay station proposal. "**Resolution** Authorizing the Fiscal Officer to inquire into obtaining loan to purchase a Parking Pay Station."

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Council members discussed the payment options and procedures involved with the enforcement of Pay Station proposal. Members discussed the involvement of the new Peninsula Police Chief with regards to enforcement and the possibility of establishing a parking bureau as a revenue source. Ms. Holody explained that the revenue would not be derived from the enforcement of the pay station but from the payments made to the pay station. Mr. Anderson stated that he was not against establishing a parking bureau. Voting was asked to be deferred by Ms. Holody until next meeting when Mr. Moyer, liaison to the Planning Commission may be present.

Solicitor: Mark Reimer

Nothing reported.

Old Business:

Third Reading

Mr. Reimer performed the **third reading** of the legislation: "An Ordinance Amending the Village of Peninsula Codified Ordinances, Title Nine- Taxation, Chapter 181.03 Imposition of Tax, Income Tax; by submitting to the electors an increase in the income tax from one percent (1%) to two percent (2%) to fund the General Operating Budget of the Village of Peninsula for the purpose of general municipal operations."

A motion was made by Mr. Anderson, seconded by Ms. Holody, to adopt the **Ordinance 6-2013** amending the Village of Peninsula Codified Ordinances, Title Nine- Taxation, Chapter 181.03 Imposition of Tax, Income Tax; by submitting to the electors an increase in the income tax from one percent (1%) to two percent (2%) to fund the General Operating Budget of the Village of Peninsula for the purpose of general municipal operations. Votes were as follows: Mary Booth, aye; Brian Schall, aye; Douglas Anderson, aye; Dee Holody, aye; Dan Schneider, aye.

Motion (64-2013)

Third Reading

Mr. Reimer performed the **third reading** of the legislation: "A **Resolution 4-2013** specifying and hereby directing that on Tuesday, November 5, 2013, the date a general election is to be held, the Summit County Board of elections shall conduct an election in the Village of Peninsula regarding the imposition of taxation as set forth herein and otherwise authorized in Village of Peninsula Ordinance 6-2013."

A motion was made by Mr. Anderson, seconded by Mr. Schneider, to approve the **Resolution** specifying and hereby directing that on Tuesday, November 5, 2013, the date a general election is to be held, the Summit County Board of elections shall conduct an election in the Village of Peninsula regarding the imposition of taxation as set forth herein and otherwise authorized in Village of Peninsula Ordinance 6-2013.". Votes were as follows: Mary Booth, aye; Brian Schall, aye; Douglas Anderson, aye; Dee Holody, aye; Dan Schneider, aye.

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(Motion 65-2013)

Citizen Participation:

Members of the audience expressed disagreement with the decision to move the Citizens Participation to the end of the meeting. Ms. Seskes asked how Council could change their decision to vote on a proposal. She asked: Why wasn't a vote taken regarding the parking pay station proposal? Mr. Anderson explained that Council had performed the third reading of the proposals and because the third reading occurred that in itself did not obligate Council to vote on the proposal at that meeting. A motion and a second must occur in order to a vote to take place. Ms. Seskes also asked Council to explain the credit card payment option regarding the pay station proposal. Council also discussed the placement of the proposed pay station facility. A discussion ensued regarding possible alternatives to the parking pay station proposal. Ms. Holody detailed the parking station proposal to Council and citizens. Ms. Seskes read a letter from the Peninsula Area Chamber of Commerce to Council. The letter had recommended that Council and the Chamber engage in discussions for a comprehensive plan to provide solutions that will impact residents, businesses, and visitors, prior to Council's approval of the parking pay stations.

A discussion regarding the 1% income tax rate ensued. Mr. Mayer explained that no funds could be expended by the Village for promotion of the 2% income tax proposal. He also noted that several forums were held for the last proposal with little or no attendance by citizens. Ms. Tesmer expressed that she thought that retired citizens do not understand the proposal. Mr. Mayer explained that citizens need to "get the word" out regarding the proposal. Ms. Holody spoke again regarding the pay station proposal, she reiterated the possible revenue. A discussion regarding the cost of the proposal ensued. Mr. Shaver recommended Council consider a lease option for the pay station proposal.

Submitted Bills:

A motion was made by Mr. Anderson, seconded by Mr. Schneider, to authorize payment of the **Village of Peninsula bills** as submitted by the Fiscal Office. Votes were as follows: Mary Booth, aye; Brian Schall, aye; Douglas Anderson, aye; Dee Holody, aye; Dan Schneider, aye.

(Motion 66-2013)

A motion was made by Mr. Anderson, seconded by Mr. Schneider, to approve the quarterly payroll as submitted by the Fiscal Office. Votes were as follows: Mary Booth, aye; Brian Schall, aye; Douglas Anderson, aye; Dee Holody, aye; Dan Schneider, aye.

A motion was made by Mr. Anderson, seconded by Mr. Schneider, to adjourn the regular meeting of Council at 9:25 pm. Votes were as follows: Mary Booth, aye; Brian Schall, aye; Charles Moyer, aye; Douglas Anderson, aye; Dee Holody, aye; Dan Schneider, aye.

(Motion 67-2013)

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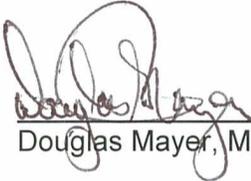
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The Village of Peninsula Council's next regular meeting will be held August 12, **2013**, at 7:00 pm. on the second floor of the Peninsula Town Hall, located at the corner of State Route 303 and Akron-Peninsula Road.

Respectfully submitted,



Douglas Mayer, Mayor

8-19-013
Dated



John D. Stiegel, Fiscal Officer

8/13/13
Dated

All formal actions of the Village of Peninsula concerning and relating to the adoption of resolutions and/or motions passed at this meeting were adopted in a meeting open to the public, in compliance with the law, including Section 121.22 of the Ohio Revised Code.

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