

RECORD OF PROCEEDINGS  
Village of Peninsula Council  
REGULAR SESSION

Held: November 11, 2013

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**Call to order:** The Village of Peninsula Council convened from 7:00 p.m. to 8:35 p.m. in the Peninsula Village Hall. Mayor Douglas Mayer, called the meeting to order. Mr. Mayer initiated the Pledge of Allegiance and asked for a moment of silence for veterans with the following members and visitors present:

|                           |         |                              |         |
|---------------------------|---------|------------------------------|---------|
| Douglas Anderson          | Present | Mary Booth                   | Present |
| Dee Holody                | Absent  | Charles Moyer                | Absent  |
| Brian Schall              | Present | Dan Schneider                | Present |
| Douglas Mayer, Mayor      | Present | John Stiegel, Fiscal Officer | Present |
| Chris Teodosio, Solicitor | Present | Joseph Varga, Police Chief   | Present |

**Visitors:**

Patrick Huth, Whitney Harris, Nancy Brunswick, Debbie D'Andrea, Jack D'Andrea, Roger Robinson

**Citizen Participation:** Douglas Mayer

Mr. Huth gave a recording of past events with regard to the proposal for a wine bar within Peninsula. Ms. Harris, also related to the wine bar proposal, explained the business plan, which was emailed to Council Members. She also discussed the type of establishment they wished to open. Mr. Mayer then brought the water and sewer conditions of the property to their attention. Ms. Harris asked if the liquor license transfer could be approved by Council prior to the "readiness" of the septic system. Mr. Huth expressed the need to have the transfer approved prior to meeting the regulatory requirements of the EPA and Health Department. Mr. Huth guaranteed Council that the system would be updated. He reiterated that the Health Department and EPA stated that the business could open with conditions. Mr. Mayer noted the meetings attended by Village staff regarding wastewater concerns within the Village. Mr. Mayer stated that he did not feel comfortable approving the liquor permit transfer. Ms. Harris stated that their intent was to "just sell bottles of wine." Ms. Booth noted that at last month's meeting it was said that the EPA stated the business could open with a one year grace period for the replacement of the septic system. Ms. Booth also asked Council if they would approve the transfer for retail purposes only.

Mr. Huth asked members if the reason for not approving the transfer is due to the non compliant state of the wastewater system. He stated that a viable system will be estimated and provided to the EPA. With a compliance schedule would Council approve the transfer? He reiterated that the intention of the business at this time would be only retail wine.

Mr. Mayer responded, he said that providing a liquor license at this time is placing the cart before the horse. Mr. Anderson noted that the Zoning standards are met, Council does not have jurisdiction over the business. Mr. Anderson also said that the liquor permit is an administrative action. Mr. Huth asked if Council wanted them to wait to open until the EPA has approved the Permit to Install. Mr. Mayer explained that there are much larger wastewater concerns for the Village itself. Mr. Mayer then explained the administrations efforts to pursue sewers.

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**Mayor's Report:** Douglas Mayer

Ms. Brunswick asked about the new income tax rate. Mr. Stiegel explained the new income tax rates and requirements.

Mr. Mayer then asked Council for three volunteers as JEDD Board members. He noted that Mr. Stiegel would be the treasurer. He asked if the current Council members would be involved for 2013 allowing for the paperwork to be started. Members agreed, and appointed were: Dan Schneider, Brian Schall, and Dee Holody. Mr. Schneider made a comment about the involvement of Ms. Holody. Mr. Mayer noted that she is the finance part of Council and should have involvement.

Mr. Mayer introduced the **Ordinance** to adjust the income tax from 1% to 2% for CCA.

Mr. Anderson offered the **Ordinance** as a first reading. **Ordinance 17-2013**

Mr. Mayer asked members to review the contract for Foot Patrol with the National Park Service.

A motion was made by Douglas Anderson, seconded by Daniel Schneider, to approve the contract for Foot Patrol services with the National Park Service within the core business district of the Village of Peninsula. Votes were: Mary Booth, aye; Brian Schall, aye; Douglas Anderson, aye; Daniel Schneider, aye.

**(Motion 127-2013)**

Mr. Mayer reported on the Records Commission meeting. He said that records had been reviewed and awaiting destruction approval from the Ohio Historical Society.

Mr. Mayer then reported on the NEFCO meeting noting attendees as: Larry Sulzer, Foundation; Douglas Mayer; Mary Booth; John Stiegel; and Rebecca Garner. Mr. Mayer also discussed the 2004 Feasibility Study.

Mr. Mayer asked for Council to consider extending the Solicitor contract to January 31, 2014.

A motion was made by Douglas Anderson, seconded by Daniel Schneider, to approve extending the Solicitor Contract to January 31, 2013. Votes were: Mary Booth, aye; Brian Schall, aye; Douglas Anderson, aye; Daniel Schneider, aye.

**(Motion 128-2013)**

Mr. Mayer introduced Chris Teodosio as a representative from the Solicitor's office.

**Treasurer's Report:** John Stiegel

Mr. Stiegel presented the November 7, 2013 Village of Peninsula Council special meeting minutes for review and approval.

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A motion was made by Douglas Anderson, seconded by Daniel Schneider, to review and consider the November 7, 2013 Village of Peninsula Council special meeting minutes. Votes were: Mary Booth, abstain; Brian Schall, aye; Douglas Anderson, aye; Daniel Schneider, aye.

**(Motion 129-2013)**

A Motion was made by Douglas Anderson, seconded by Dan Schneider, to approve the meeting minutes of the November 7, 2013 Special Council meeting. Votes were: Mary Booth, abstain; Brian Schall, aye; Douglas Anderson, aye; Daniel Schneider, aye.

**(Motion 130-2013)**

A motion was made by Douglas Anderson, seconded by Daniel Schneider, to review and consider the November 11, 2013 Village of Peninsula Council regular meeting minutes. Votes were: Mary Booth, aye; Brian Schall, aye; Douglas Anderson, aye; Daniel Schneider, aye.

**(Motion 131-2013)**

A Motion was made by Doug Anderson, seconded by Daniel Schneider, to approve the meeting minutes of the November 11, 2013 Council regular meeting. Votes were: Votes were: Mary Booth, aye; Brian Schall, aye; Douglas Anderson, aye; Daniel Schneider, aye.

**(Motion 132-2013)**

Mr. Stiegel presented the Village of Peninsula September Financial Reports to Council for review.

A Motion was made by Douglas Anderson, seconded by Daniel Schneider, to acknowledge and receive the October Village of Peninsula Financial Reports. Votes were: Votes were: Mary Booth, aye; Brian Schall, aye; Douglas Anderson, aye; Daniel Schneider, aye.

**(Motion 133-2013)**

**Council President's Report:** Douglas Anderson

A Motion was made by Douglas Anderson, seconded by Daniel Schneider, to remove the Boston Township Contract from the Table for consideration. Votes were: Votes were: Mary Booth, aye; Brian Schall, aye; Douglas Anderson, aye; Daniel Schneider, aye.

**(Motion 134-2013)**

Mr. Anderson provided an update as to the Boston Township Police Contract. He noted that the November 7, 2013 special meeting representatives had tabled the contract for clarifications. He explained the clarifications within the contract focusing on the dispute resolution section. Members reviewed the newest version of the contract noted as Version 1.2013 Amended.

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A Motion was made by Douglas Anderson, seconded by Daniel Schneider, to accept the Boston Township Contract Version 1 amended. Votes were: Votes were: Mary Booth, aye; Brian Schall, aye; Douglas Anderson, aye; Daniel Schneider, aye.

**(Motion 135-2013)**

A Motion was made by Douglas Anderson, seconded by Daniel Schneider, to approve submittal of the Police Contract Version 1.203 Amended to the Boston Township Trustees. Votes were: Votes were: Mary Booth, aye; Brian Schall, aye; Douglas Anderson, aye; Daniel Schneider, aye.

**(Motion 136-2013)**

**Street Liaison Report:** Brian Schall

Nothing reported.

**Police Department:** Douglas Anderson

Mr. Anderson then addressed Council regarding the Village's Codified Ordinances. Each member received a packet last month. He noted that an Ordinance will be forthcoming to amend the Codified Ordinances.

Mr. Anderson then asked Council for an amendment to **Ordinance 12-2013** (the Pick Up Plan) allowing for a correction to the effective date.

A Motion was made by Douglas Anderson, seconded by Daniel Schneider, to approve an amendment to **Ordinance 12-2013** correcting the effective date to July, 2015. Votes were: Votes were: Mary Booth, aye; Brian Schall, aye; Douglas Anderson, aye; Daniel Schneider, aye.

**(Motion 137-2013)**

**Zoning Official Report:** Rebecca Garner

Ms. Garner reported that the sign at 1775 Main Street was removed. A proposal should be forthcoming for a new sign. Ms. Garner also updated the status of the forthcoming building permit for the updates performed to the deck at the Brandywine Country Club.

**Board of Zoning Appeals Report:** Rebecca Garner

Nothing reported.

**Fire Board Report:** Dan Schneider

Mr. Schneider reported that the meeting will be this Thursday. He also noted the new response times.

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Ms. Booth asked for an update regarding the train parking across the road. Mr. Anderson reported that he had spoke to individuals at the Chamber who in turn provided contact information for the train coordinator.

**Planning Commission Report:** Charles Moyer

Nothing reported.

**Buildings and Grounds Report:** Mary Booth

Mr. Robinson discussed the lights that were updated on the Village Hall. Chief Varga reported on power surges at the Village Hall. Ms. Booth asked about sidewalks, Roger stated he would call about getting the concern addressed. The sidewalks of concern are near the bridge but are part of the Village's property and responsibility. Roger will call and inquire with ODOT just in case.

**Chamber of Commerce Report:** Douglas Anderson

Mr. Anderson briefly reported on events December 5<sup>th</sup> is the Candlelight Walk; December 7<sup>th</sup> is Christmas in Peninsula. Mr. Anderson mentioned that this year the Chamber is hoping for more involvement with the events, they are also hoping to extend the luminaries.

**Cemetery Committee:** Mr. Daniel Schneider

Mr. Schneider reported on the drain concerns at the Cemetery. He asked Roger for some dirt and assistance with alleviating some of the drainage.

**Finance:** Mr. Stiegel

Mr. Stiegel reported that Healthcare Insurance will be increasing at least 6% next year. Mr. Stiegel proposed that additional monies received from the Township due to the JEDD be allocated to the Village of Peninsula General Fund.

A Motion was made by Douglas Anderson, seconded by Daniel Schneider, to approve additional funds received from Boston Township related to the JEDD be allocated into the Village of Peninsula General Fund. Votes were: Votes were: Mary Booth, aye; Brian Schall, aye; Douglas Anderson, aye; Daniel Schneider, aye.

**(Motion 138-2013)**

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Solicitor: Chris Teodosio

Nothing reported.

**Old Business:**

Nothing reported.

**Citizens Participation:**

Ms. Brunswick asked about no parking signs on East Mill Street. She stated that the current signs are faded and do not express that no parking is allowed on either side of the street. She requested two signs. Mr. Mayer confirmed the Ordinance regarding the street parking. It was decided that one sign stating No Parking on Both Sides of the Street would be appropriate and will be erected. Mr. Anderson will double check the requirements.

**New Business: John Stiegel, Fiscal Officer**

**Submitted Bills:**

A motion was made by Brian Schall, seconded by Daniel Schneider, to accept and acknowledge the submitted bills as presented by the Fiscal Office. Votes were: Mary Booth, aye; Brian Schall, aye; Charles Moyer, aye; Douglas Anderson, aye; Dee Holody, aye; Daniel Schneider, aye.

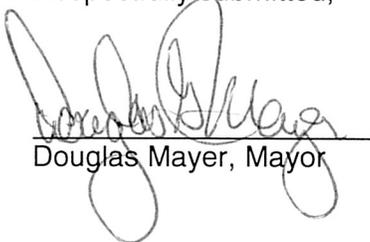
**(Motion 139 -2013)**

A motion was made by Daniel Schneider, seconded by Brian Schall, to adjourn at 8:35 pm. Votes were: Mary Booth, aye; Brian Schall, aye; Charles Moyer, aye; Douglas Anderson, aye; Dee Holody, aye; Daniel Schneider, aye.

**(Motion 140-2013)**

The Village of Peninsula's next regular meeting will be held December 9, 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

12-12-013  
Dated

  
John D. Stiegel, Fiscal Officer

12/10/13  
Dated

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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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