

**Record of Proceedings
Regular Village of Peninsula Council**

Held: Tuesday, July 9, 2024

CALL TO ORDER: Mayor Schneider called the meeting to order at 7:00 p.m.

ROLL CALL:

Mayor Daniel Schneider, Jr.	Present	Steve Schultz	Present
Richard Slocum	Present	George Haramis	Present
Daniel Schneider	Present	John Najeway	Present
Douglas Steidl	Present		

OTHERS PRESENT: Solicitor Brad Bryan, Fiscal Officer Katie Iaconis, and Chief Jay Nagy.

PRESENTATION OF AGENDA AND AMENDMENT OF THE AGENDA: Mr. Slocum made a motion to accept the agenda that was seconded by Councilperson Schneider. Roll call vote: Council Schneider, yes; Mr. Steidl, yes; Mr. Slocum, yes; Mr. Schultz, yes; Mr. Haramis, yes; Mr. Najeway, yes. The motion was approved.

SPECIAL PRESENTATIONS: None.

PRESENTATION AND CONSIDERATION OF RECORD OF PROCEEDINGS:

June 11, 2024 Regular Council Meeting Minutes.

Mr. Slocum made a motion to accept the Minutes that was seconded by Mr. Najeway. Roll call vote: Councilperson Schneider, yes; Mr. Steidl, yes; Mr. Slocum, yes; Mr. Schultz, yes; Mr. Haramis, yes; Mr. Najeway, yes. The Minutes were approved.

CITIZEN PARTICIPATION:

Amy Frank-Hensley thanked the Mayor for addressing the trash pick-up timing with Republic. She asked why the website stated Council was asking residents to send letters to Hudson stating it wanted the City to provide water to the Village when Council has not taken any official action on that issue. She stated it is also not clear at this time whether the community actually wants water. The Mayor stated the first step of the process is to determine whether water can be brought to the Village. The next step is to determine the cost and whether residents want to pay that cost. He apologized for the poor wording of that request and stated it was removed from the website after Ms. Frank-Hensley brought the matter to his attention.

Jodi Padrutt complained about short-term rental properties that have bedrooms with improper egress and sofa beds in rooms that are not bedrooms. She stated the septic permits do not list the number of bedrooms in the house and asked what is on the Village inspection checklist.

Mr. Canda shared the concern about the requirement that the number of available bedrooms listed on the short-term rental application match the number listed on the Summit County Public Health Department permit.

Mo Riggins stated she prefers Version 2.1 of the amended short-term rental ordinance. She feels making sure the inspections are performed is more important than the actual details of the Type A rental rules.

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REPORTS :

Mayor, Daniel Schneider, Jr.:

Motion to Cancel the August 2024 Regular Council Meeting for Summer Recess.

Mr. Haramis made a motion to cancel the August 2024 Regular Council Meeting for a summer recess that was seconded by Councilperson Schneider. Mr. Schultz and Mr. Slocum asked whether that was a good idea due to the items currently pending before Council. Mr. Haramis stated Council has regularly taken a break in August for the last few years and people may be scheduled to go out of town. Mr. Najeway stated a special meeting can be scheduled if necessary. It was determined that a vote on the issue would be deferred to the end of the meeting.

The Mayor thanked the Collins Group for its efficient work on fixing the Riverview Road drainage pipe emergency repair. He also thanked the Police Department and Township Road Department for their work on the project.

Mr. Slocum asked the Mayor if there is any update on the CVSR parking issue. The Mayor stated he recently spoke with Mr. Mazur about coming up with a permanent plan. Mr. Slocum thanked Mark Anson for assisting with picking up spilled trash in the Village. Mr. Slocum expressed his concern about an old drainpipe and culvert that was paved over at the G.A.R. Hall. The Mayor stated he is not sure whether it was connected to anything, but he will look into it with the G.A.R. Hall people and Mr. Andexler.

The Mayor was asked whether there were any updates on the sewer project or water. Mr. Najeway said that he would provide updates on those issues later in the meeting.

Fiscal Officer, Ms. Iaconis: Ms. Iaconis outlined the alterative tax budget legislation that is on the agenda and needs to be submitted to the County by July 15. Mr. Bryan noted that the road levy will need to be renewed next year. Ms. Iaconis stated Village revenues are \$400,000 ahead of last year to date and spending is up \$200,000 from last year to date.

Street Commissioner, Mr. Anderson: The Mayor indicated Mr. Anderson had no report.

Finance Liaison, Mr. Schultz:

Acknowledgement of Receipt of Financial Reports: No reports were received.

Ratification of Submitted Bills List: Ms. Iaconis explained the Village had to pay a \$50,000 advance deposit to Stow Court for camera ticket filing fees. That money will be reimbursed and superseded by fine money the Village will receive from the Court when the ticket payments are made. Mr. Schultz asked about some of the larger payments such as the Wichert Insurance and Hall Public Safety payments. Ms. Iaconis stated the insurance payment was an annual payment for this year's Village policy and the Hall Public Safety charge was for outfitting new cruisers.

Mr. Schultz made a motion to ratify the Submitted Bills List that was seconded by Mr. Slocum. Roll call vote: Councilperson Schneider, yes; Mr. Steidl, yes; Mr. Slocum, yes; Mr. Schultz, yes; Mr. Haramis, yes; Mr. Najeway, yes. The motion was approved.

Police Department Liaison, Councilperson Schneider: Councilperson Schneider reported the Village is discussing cost figures with the Township for running its camera ticket program.

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Roads and Public Works Liaison, Mr. Haramis: Mr. Haramis reported he has discovered that mowing around guard rails on Rt. 303 is the homeowner's responsibility, not the Village's, even though the Village has been assisting with that work for multiple decades. Therefore, the Village Service Department will not be cutting grass and weeds in those areas going forward.

Planning Commission Representative, Mr. Steidl: Mr. Steidl reported the Planning Commission met on June 24. After months of discussion, the Commission recommended the amendments to the short-term rental ordinance that are on the agenda this evening. Even though the Planning Commission was not asked to weigh in on the issue by Council, the Commission voted to recommend to Council that marijuana facilities be prohibited in the Village.

Zoning Officer, Mr. Hemming: The Mayor stated there is a new home being built on Rt. 303.

Board of Zoning Appeals, Mayor Schneider: Nothing to report.

Buildings and Grounds Liaison, Mr. Steidl: Mr. Steidl reported the windows in the administration office have been replaced. He is hoping to get the Village Hall renovation project started this fall. A question was asked about the status of the Players Barn property swap with the National Park and whether that was a good idea as opposed to the Village selling the property. Mr. Steidl stated progress on the swap is moving slowly but steadily. He stated the Barn is a liability to the Village, not an asset. The Barn is in poor shape and needs to be razed. It contains asbestos, and the soil on the property is not suitable for a septic system. It is therefore cost prohibitive to build anything of any significance on the property. Based upon a 2022 analysis, the Barn property has an estimated value of between \$110,000 and \$190,000.

Chamber of Commerce & Economic Development Liaison, Mr. Slocum: Mr. Slocum reported the Chamber met the week between the 2 Art Festival weekends. Music on the Porches will take place on September 11.

Community Events Liaison, Mr. Najeway: Mr. Najeway noted the second Peninsula Live event of the year will take place on July 12. The final one will be on the first Friday night in August. The Fire Department/Police Department Reverse Raffle will be held on August 17 at the Township Hall.

Policies & Procedures Liaison, Mr. Slocum: Mr. Slocum suggested it would be helpful to have a list of the changes made to the short-term rental ordinance when reviewing the pending version of the ordinance. Councilmembers pointed out the legislation shows the current version and the proposed amendments via under linings and strikethroughs.

Fire Board, Mr. Slocum: Mr. Slocum reported the old ambulance was sold to the Auburn private fire department for \$10,000. The Fire Board is implementing mandatory weekend shifts and held a K9 medic class. The next meeting is scheduled for July 15.

Cemetery Board, Councilperson Schneider: Councilperson Schneider reported there is a Board meeting next Thursday. The Mayor remarked that the Cemetery looks great.

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JEDD Board, Mr. Schultz: Mr. Schultz reported there is a JEDD Board meeting scheduled for tomorrow evening. Mr. Slocum noted the Board is expected to approve the resolution of an outstanding matter with Vail Resorts.

Wastewater/Stormwater/Water Liaison, Mr. Najeway:

Mr. Najeway reported he has been in touch with Mary Ann Driscoll from Burgess & Niple, the Engineering firm designing the Village sewer system. The company is still conducting testing, sampling, and core drilling and is waiting for property owners to return their questionnaires. Mr. Schultz asked about the criteria for inclusion or exclusion from the district. Mr. Najeway stated it is important for everyone to return their questionnaire so that the County can make those determinations. Mr. Bryan stated he is not aware of an exact formula, but it is based on a cost benefit analysis of how expensive it is to extend the line to a location and how much sewer fee revenue is expected to be received from the property. The practical ability to and cost of hooking up to the system, compared to other properties, would surely be considered. Mr. Najeway encouraged anyone who had any questions or information about their property they want to convey to the Sewer District or contractor that was not contained in their questionnaire responses to provide that information to him. He will then pass it along to the County. He explained residents can make their case for not wanting to be in the sewer district if they choose to do so. Mr. Craig emphasized the need to return the questionnaires for future planning purposes.

Mr. Slocum asked about the orange dots that are on trees in the Village. Mr. Haramis stated those markings were made by Ohio Edison to identify the trees that need trimming to keep the lines clear.

Mr. Najeway and the Mayor addressed the request to send letters to Hudson. They acknowledged there was no motion passed by Council on that issue. The request was removed from the website when Amy Frank-Hensley brought the matter to the Mayor's attention. The Mayor acknowledged the request should have been worded differently.

Mr. Schultz explained there is a pending bill at the state level that would provide money to the City of Hudson to bring water to the Village or other neighboring communities. Mr. Bryan stated his understanding is that the request was for congressional earmark funding from the federal budget. He acknowledged Mr. Schultz may have better information than he does regarding the state budget proceedings and this issue. Mr. Schultz suggested conducting a public survey regarding whether the residents want water.

Mr. Najeway made a motion for Council to prepare and mail out a survey to Village residents on the water issue that was seconded by Mr. Slocum. Roll call vote: Councilperson Schneider, yes; Mr. Steidl, yes; Mr. Slocum, yes; Mr. Schultz, yes; Mr. Haramis, yes; Mr. Najeway, yes. The motion was approved. Mr. Schultz was asked to prepare a draft of the survey.

Area Master Plan, Mr. Schultz and Mr. Slocum: Mr. Slocum stated other than the Steering Committee Meeting scheduled for July 10, there is no update.

Short-Term Rentals: This topic will be discussed in connection with the pending legislation.

Solicitor, Mr. Bryan: Mr. Bryan reported a citizen made a request to the federal government to make geographic name changes to 3 places in the Village. Two areas are in the National Park.

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The other area involves officially designating the name Peninsula Quarry Lake to the Quarry property that is privately owned. These matters do not impact Village business, and there is no obligation for the Villate to get involved in this matter.

LEGISLATION:

Second Reading:

Resolution No. 09-2024

Requested by Mayor Schneider and Chief Nagy

A Resolution Authorizing the Approval and Adoption of the 2024 Summit County Multi-Hazard Mitigation Plan

Mr. Bryan read the legislation by title. He reminded everyone this Plan is required to be updated by the County every five years. It is required to be approved by the Village in order to be eligible for FEMA disaster relief funds. Mr. Najeway made a motion to suspend the three-reading rule that was seconded by Mr. Haramis. Roll call vote: Councilperson Schneider, yes; Mr. Steidl, yes; Mr. Slocum, yes; Mr. Schultz, yes; Mr. Haramis, yes; Mr. Najeway, yes. The motion was approved. Mr. Steidl made a motion to pass that was seconded by Councilperson Schneider. Roll call vote: Councilperson Schneider, yes; Mr. Steidl, yes; Mr. Slocum, yes; Mr. Schultz, yes; Mr. Haramis, yes; Mr. Najeway, yes. The legislation was adopted.

Ordinance No. 10-2024

Requested by Mayor Schneider and Fiscal Officer Iaconis

An Ordinance Amending Section 137.02 of the Village Administrative Code Pertaining to the Service Department Employee Uniform Allowance

Mr. Bryan read the legislation by title. Mr. Steidl made a motion to suspend the three-reading rule that was seconded by Councilperson Schneider. Roll call vote: Councilperson Schneider, yes; Mr. Steidl, yes; Mr. Slocum, yes; Mr. Schultz, yes; Mr. Haramis, yes; Mr. Najeway, yes. The motion was approved. Mr. Najeway made a motion to pass that was seconded by Councilperson Schneider. Roll call vote: Councilperson Schneider, yes; Mr. Steidl, yes; Mr. Slocum, yes; Mr. Schultz, yes; Mr. Haramis, yes; Mr. Najeway, yes. The legislation was adopted.

Ordinance No. 12-2024, Version 1

Requested by Mayor Schneider

An Ordinance Amending Chapter 731 of the Village Business Regulation Code Relating to Medical and Adult Use Marijuana

Ordinance No. 12-2024, Version 2

Requested by Mayor Schneider

An Ordinance Amending Chapter 731 of the Village Business Regulation Code Relating to Medical and Adult Use Marijuana

Mr. Bryan read the legislation by title and shared that the Village Planner and Councilperson Slocum were not able to find any locations that would currently allow such businesses based upon the distance requirements. After discussion, Council determined the legislation would move on to a third reading at the next Council Meeting.

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First Reading:

Resolution No. 13-2024

Requested by Fiscal Officer Iaconis

A Resolution Adopting the Tax Budget of the Village of Peninsula for the Fiscal Year Beginning January 1, 2025 and Submitting the Same to the County Fiscal Officer

Mr. Bryan read the legislation by title. Mr. Steidl made a motion to suspend the three-reading rule that was seconded by Mr. Najeway. Roll call vote: Councilperson Schneider, yes; Mr. Steidl, yes; Mr. Slocum, yes; Mr. Schultz, yes; Mr. Haramis, yes; Mr. Najeway, yes. The motion was approved. Mr. Najeway made a motion to pass that was seconded by Mr. Steidl. Roll call vote: Councilperson Schneider, yes; Mr. Steidl, yes; Mr. Slocum, yes; Mr. Schultz, yes; Mr. Haramis, yes; Mr. Najeway, yes. The Resolution was adopted.

Ordinance No. 14-2024

Requested by Councilperson Steidl

An Ordinance Amending Chap. 741 of the Business Reg. Code Titled Short-Term Rental Regulations and Chap. 185 of the Admin. Code titled Short-Term Rental Tax

Mr. Bryan read the legislation by title. Council determined the legislation should advance to a second reading at the next Council Meeting. Mr. Slocum made suggestions regarding the requirements about advertising links and carbon monoxide detectors. A discussion took place as to whether Type B short-term renters should be able to choose whether to rent the main building or an accessory building as long as the other structure is not rented. After further discussion, Council decided to conduct a resident survey to gain more information. Mr. Slocum made a motion that was seconded by Mr. Schultz to create and distribute a survey on short-term rentals. Roll call vote: Councilperson Schneider, yes; Mr. Steidl, no; Mr. Slocum, yes; Mr. Schultz, yes; Mr. Haramis, abstain; Mr. Najeway, no. The motion was approved.

Mr. Slocum then passed out a survey he had already created. Council determined Mr. Slocum's proposed survey needed revisions before sending it out to residents. Mr. Bryan confirmed that another meeting and a vote of Council will need to take place before the water and short-term rental surveys could be distributed.

UNFINISHED BUSINESS/NEW BUSINESS: Council discussed whether or not Village Hall should have a message sign for community updates.

Councilperson Schneider made a motion to cancel the August Regular Council Meeting for a summer recess that was seconded by Mr. Najeway. Roll call vote: Councilperson Schneider, yes; Mr. Steidl, yes; Mr. Slocum, no; Mr. Schultz, no; Mr. Haramis, yes; Mr. Najeway, yes. The motion was approved.

EXECUTIVE SESSION (IF NECESSARY): At Mr. Bryan's request, Councilperson Schneider made a motion for Council to enter into executive session for the purpose of discussing a threatened litigation matter. The motion was seconded by Mr. Najeway. Roll call vote: Councilperson Schneider, yes; Mr. Steidl, yes; Mr. Slocum, yes; Mr. Schultz, yes; Mr. Haramis, yes; Mr. Najeway, yes. The motion was approved.

Mr. Slocum made a motion to exit from the executive session that was seconded by Mr. Najeway. Roll call vote: Councilperson Schneider, yes; Mr. Steidl, yes; Mr. Slocum, yes; Mr. Schultz, yes; Mr. Haramis, yes; Mr. Najeway, yes. The motion was approved. It was determined

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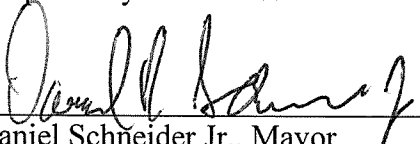
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that a hearing before Council on a short-term rental permit denial appeal would be held on Monday July 22, 2024 at 6:00 p.m. The surveys could also be discussed and authorized at that Special Council Meeting at which the hearing would take place.

ADJOURNMENT:

Mr. Slocum made a motion that was seconded by Councilperson Schneider to adjourn the meeting. Roll call vote: Councilperson Schneider, yes; Mr. Steidl, yes; Mr. Slocum, yes; Mr. Schultz, yes; Mr. Haramis, yes; Mr. Najeway, yes. The motion was approved. The meeting was adjourned at 10:15 p.m.

Respectfully submitted:



Daniel Schneider Jr., Mayor

9/10/24
Date



Katie Iaconis, Fiscal Officer

9/10/2024
Date