



VILLAGE OF PENINSULA

AGENDA REGULAR MEETING OF COUNCIL

Tuesday November 12, 2024, 7:00 p.m.
1582 Main Street
Peninsula, Ohio 44264

CALL TO ORDER

ROLL CALL

PRESENTATION OF AGENDA AND AMENDMENT OF THE AGENDA

SPECIAL PRESENTATIONS

Presentation from Summit County regarding wastewater project

PRESENTATION AND CONSIDERATION OF RECORD OF PROCEEDINGS

October 8, 2024 Regular Council Meeting Minutes

CITIZEN PARTICIPATION

COUNCIL VACANCY

REPORTS

Mayor, Daniel Schneider, Jr.

Fiscal Officer, Ms. Iaconis

Motion to Authorize the Mayor to Renew the Village Employee Summit County Health Connection Insurance Plan for 2025 through NFP Corporate Services at the Current 2024 Rates

Street Commissioner, Mr. Anderson

Finance Liaison,

Acknowledgement of Receipt of Financial Reports
Ratification of Submitted Bills List

Police Department Liaison, Councilperson Schneider

Roads and Public Works Liaison, Mr. Haramis

Rt. 303 Road Repairs

Planning Commission Representative, Mr. Steidl

Zoning Officer, Mr. Hemming

Board of Zoning Appeals, Mayor Schneider

Buildings and Grounds Liaison, Mr. Steidl

Motion to Authorize the Mayor to Accept the Proposal of Mark N. Gilles, AIA for Bidding Assistance and Construction Administration Services for the Village Hall and Police Station Renovations Project for an Amount Not to Exceed \$10,500

Cardinal Group Building Asbestos Survey and \$5,000 Proposal to Remove the Additional Found Asbestos from the Players Barn to Prepare it for Demolition

Chamber of Commerce & Economic Development Liaison, Mr. Rosales

Community Events Liaison, Mr. Najeway

Policies & Procedures Liaison, Mr. Slocum

Fire Board, Mr. Slocum

Cemetery Board, Councilperson Schneider

JEDD Board, Councilperson Schneider

Wastewater/Stormwater/Water Liaison, Mr. Najeway

Area Master Plan, Mr. Slocum

Solicitor, Mr. Bryan

LEGISLATION:

Third Reading: None.

Second Reading: None.

First Reading:

Resolution No. 19-2024

Mayor Schneider

An Emergency Resolution Amending the Employee Position List and Wage Scale for 2025, 2026, and 2027

Resolution No. 20-2024

Fiscal Officer Iaconis and Solicitor Bryan

A Resolution Requesting the Summit County Fiscal Officer, in the Year 2025, to Advance to the Village Monies to which the Village is Entitled from the Proceeds of Tax Levies for the Tax Year 2024

Ordinance No. 21-2024

Councilperson Slocum

An Ordinance Amending Chapter 741 of the Business Regulation Code Titled Short-Term Rental Regulations

Resolution No. 22-2024

Fiscal Officer Iaconis

A Resolution Establishing a Temporary Operating Budget and Making Temporary Appropriations for Current Expenses and Other Expenditures of the Village for the Period from January 1, 2025 through March 31, 2025

UNFINISHED BUSINESS/NEW BUSINESS

PayByPhone Process Functionality

EXECUTIVE SESSION (IF NECESSARY)

ADJOURNMENT

Record of Proceedings
Regular Village of Peninsula Council
Held: Tuesday, October 8, 2024

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

ROLL CALL:

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

OTHERS PRESENT: Solicitor Brad Bryan, Fiscal Officer Katie Iaconis, Police Chief Jay Nagy, and Administrative Assistant Faith Dorton.

PRESENTATION OF AGENDA AND AMENDMENT OF THE AGENDA: None

SPECIAL PRESENTATIONS: None

PRESENTATION AND CONSIDERATION OF RECORD OF PROCEEDINGS:

September 10, 2024 Regular Council Meeting Minutes

Mr. Najeway requested an amendment under his Wastewater/Stormwater/Water report. He asked for the last sentence to be changed to read “He reported he presented the list of unanswered questions to the County that were provided to him by Councilperson Schultz and asked the County to answer them.”

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

CITIZEN PARTICIPATION:

Greg Canda noted that the amendment made by Council to eliminate the distinction between Type A and Type B Owner-Occupied Short-Term Rentals will result in more properties not counting toward the 10-permit limit for the R-2/Commercial/Mixed Use Districts. As a result, he thinks Council should consider lowering the permit limit number even more.

Jodi Padrutt requested Council to establish a definition of a bedroom in the Short-Term Rental Ordinance and questioned whether Non-Owner-Occupied Short-Term Rental property owners should be allowed to have their own personal events at their Short-Term Rental properties. Mr. Bryan explained that the owner of a Short-Term Rental property is allowed to use their property for their own events just like any other property owner when they are not renting the property.

Mo Riggins shared her view that Short-Term Rental property owners should be prohibited from having their own events on those properties.

COUNCIL VACANCY:

It was noted that 6 letters of interest for the vacant Council position were received. Mr. Bryan explained there is no set procedure for determining who the replacement should be other than the appointment being made by a majority of the remaining Councilmembers. Council’s window to make the appointment runs for 30 days from the date the vacancy occurred. In this

Record of Proceedings
Regular Village of Peninsula Council
Held: Tuesday, October 8, 2024

case, Council has until October 30 to make the appointment. After that date, the authority to make the appointment reverts to the Mayor.

Council discussed how it wanted to proceed with respect to this appointment. Mr. Slocum announced that Sara Leffler has removed herself from consideration. He also shared that Michael Loftus is not a resident of the Village, which automatically disqualifies him. Council then provided the 3 applicants that were present with the opportunity to address Council as to their interest and qualifications.

Keith Saffles introduced himself and shared that he appreciates the location of the Village, its history, and the challenge of balancing community growth and the Village's small-town charm. Mr. Steidl asked Mr. Saffles to explain why he only owns his companies for 4 to 5 years before moving on from them. Mr. Saffles explained he likes to start and build businesses and then sell them. He is always trying new things. Some of the businesses have worked out, and others have not. Mr. Slocum asked about his specific involvement with the Cuyahoga Falls Front Street revitalization. Mr. Saffles explained that he worked closely with the Cuyahoga Falls Mayor and Council as a property owner to economically revitalize the area.

Eliud Rosales introduced himself and acknowledged that sewers and water are at the forefront of the Village's concerns. His personal interest, if he were a Councilmember, would be to provide insights and empathy on behalf of his constituents. He volunteers a lot of his time and strives to be a steward to his home. He would like to extend his energy toward serving the community at large.

Amy Frank-Hensley introduced herself and thanked Council for their time. She voiced that Short-Term Rentals, Water, and Sewers are immediate concerns for the Village. She noted she is a member of the Area Master Plan Steering Committee and has a history of attending and participating in Village Meetings. Her main concerns are preserving the Village's identity and incorporating those desires into the updated Village Long Range Plan.

Mr. Slocum reminded Council that Emily Slovan also submitted a letter of interest. He asked whether she should be taken out of consideration due to her not being in attendance. Mr. Haramis stated he was able to speak to her and thinks she could be a benefit to Council. Mr. Najeway reminded Council that none of the applicants were specifically asked to attend the Meeting. Mr. Haramis stated when he spoke to Ms. Slovan, he told her Council would be discussing how to make the selection process at this Meeting, so she was probably unaware that she should attend. It was mentioned that if someone was seriously interested in the appointment, they should have decided to show up to the Meeting on their own without being asked or specifically notified Council that they were unable to attend. After discussing whether to move forward at this Meeting, Council decided to make the appointment this evening, if possible.

Mr. Slocum made a motion to appoint Amy Frank-Hensley. That motion did not receive a second.

Mr. Haramis made a motion to appoint Emily Slovan. That motion did not receive a second.

Councilperson Schneider made a motion to appoint Eliud Rosales. Mr. Haramis seconded the motion.

Mr. Steidl stated he would now second a motion to appoint Amy Frank-Hensley. Mr. Bryan stated there was a motion on the floor to appoint Mr. Rosales. If he was not appointed, Council would then take a vote on whether to appoint Ms. Frank-Hensley.

Record of Proceedings
Regular Village of Peninsula Council
Held: Tuesday, October 8, 2024

Roll call vote (on motion to appoint Mr. Rosales): Councilperson Schneider, yes; Mr. Steidl, no; Mr. Slocum, no; Mr. Haramis, yes; Mr. Najeway, yes. The motion passed. Mr. Rosales was congratulated then sworn into office by Mr. Bryan. Mr. Rosales took his seat at the Council dais.

REPORTS:

Mayor, Daniel Schneider, Jr.: The Mayor announced that Trick or Treating will take place on Thursday October 31, 2024, from 6:00 p.m. to 8:00 p.m.

Fiscal Officer, Ms. Iaconis: Ms. Iaconis stated she hopes to have information for next year's budget for Council to consider at next month's Meeting.

Street Commissioner, Mr. Anderson: The Mayor stated there was nothing to report.

Finance Liaison:

Acknowledgement of Receipt of Financial Reports

Action on this matter was deferred to the next Council Meeting.

Ratification of Submitted Bills List

Councilperson Schneider made a motion that was seconded by Mr. Najeway to ratify the submitted of bills list. Roll call vote: Councilperson Schneider, yes; Mr. Steidl, yes; Mr. Slocum, yes; Mr. Rosales, abstain; Mr. Haramis, yes; Mr. Najeway, yes. The motion was adopted. Mr. Bryan explained the purpose of Council acting on acknowledging receipt of financial statements and ratifying the submitted bills list to Mr. Rosales.

Police Department Liaison, Councilperson Schneider:

Motion to Confirm the Mayor's Appointment of Michael Taylor, Jr. as a Full-Time Village Police Officer

Councilperson Schneider made a motion that was seconded by Mr. Najeway to confirm the Mayor's appointment of Michael Taylor Jr., as a Full-Time Police Officer. Roll call vote: Councilperson Schneider, yes; Mr. Steidl, yes; Mr. Slocum, yes; Mr. Rosales, yes; Mr. Haramis, yes; Mr. Najeway, yes. The motion was approved.

Chief Nagy explained that Officer Taylor will be the Village K-9 Officer. Prior to working for the Village on a part-time basis, he was with the Summit County Sheriff's Office for seven years and was also a Boston Heights Police Officer.

Motion to Confirm the Mayor's Appointment of Crystal Casterline as a Full-Time Village Police Officer

Councilperson Schneider made a motion that was seconded by Mr. Najeway to confirm the Mayor's appointment of Crystal Casterline as a Full-Time Police Officer. The Chief shared that she has fifteen years of experience as a police officer. Officer Casterline will take on the midnight shift role. She will be the first Full-Time female Village Police Officer. Roll call vote: Councilperson Schneider, yes; Mr. Steidl, yes; Mr. Slocum, yes; Mr. Rosales, yes; Mr. Haramis, yes; Mr. Najeway, yes. The motion was approved.

Record of Proceedings
Regular Village of Peninsula Council
Held: Tuesday, October 8, 2024

Roads and Public Works Liaison, Mr. Haramis:

Mr. Haramis stated what was supposed to be a patch in the road on St. Rt. 303 has now turned into a road reconstruction project that the Village cannot afford. ODOT has provided detailed engineering support to determine the condition of the road and what action is needed. Soil samples have been taken. Mr. Bryan reported ODOT has agreed to make a temporary road fix before the asphalt plants shut down for the season. It is the Village's expectation that ODOT will contract and pay for the significant long-term repairs that are necessary to fix the affected areas of St. Rt. 303. Steps are also being taken to correct the Mill Street flooding issue.

Planning Commission Representative, Mr. Steidl:

Mr. Steidl reported the site plan for the wastewater treatment plant was reviewed by the Planning Commission. The Commission asked for the plan to be revised to permit access for hikers and bikers past the plant on the southeast side near the creekbank. The revised plan with the requested revisions has been submitted and will be on the agenda for approval at the October 28 Meeting. Mr. Steidl also stated he would like to request the Commission to examine rezoning the west side of North Locust Street back to Residential.

Zoning Officer, Mr. Hemming: The Mayor stated there was nothing to report.

Board of Zoning Appeals, Mayor Schneider: The Mayor stated he had nothing to report.

Buildings and Grounds Liaison, Mr. Steidl:

Mr. Najeway announced he received quotes for the Players Barn and distributed copies of the quotes. He reiterated that the building is a safety hazard and a liability. There is no septic system, but it would still cost \$30,000 to demolish.

Mr. Najeway made a motion that was seconded by Mr. Slocum to authorize Cardinal Environmental Group to perform the Ohio EPA pre-demolition survey for cost not to exceed \$500 and also remove the asbestos for an amount not to exceed \$4,200. The total cost would be \$4,700. Roll call vote: Councilperson Schneider, yes; Mr. Steidl, yes; Mr. Slocum, yes; Mr. Rosales, yes; Mr. Haramis, yes; Mr. Najeway, yes. The motion was approved.

Chamber of Commerce & Economic Development Liaison, Mr. Slocum:

Mr. Slocum asked Mr. Rosales to be the new liaison. Mr. Slocum then shared that the Chamber hosted a representative from Summit County to discuss holding a business walk. Attendance at Music on the Porches was down from last year due to hot weather. The annual candlelight walk is scheduled for December 5, 2024. A special concert will be held at the G.A.R. Hall that day, and there will also be live music at the Library. Reindeer Day is scheduled for December 7, 2024. The Blue Heron Project will get going soon. A new Chamber website is being built. The Library is hosting a minnie-Christmas tree raffle. Brandywine will have a fall festival ski swap event.

Community Events Liaison, Mr. Najeway:

There is a free concert at the G.A.R. Hall on October 27, and Trunk or Treat will be on October 25.

Record of Proceedings
Regular Village of Peninsula Council
Held: Tuesday, October 8, 2024

Policies & Procedures Liaison, Mr. Slocum:

Mr. Slocum pointed out Mr. Rosales needs to receive a copy of the Rules of Council.

Fire Board, Mr. Slocum:

Mr. Slocum shared that a second full-time firefighter was hired. A third one might also be needed. These appointments will require the Department to provide benefits to those employees.

A Special Meeting was held to deal with issues related to the appointment of a part-time Chief to replace Chief Reidel, who is retiring on December 21. Department funding gaps will still need to be addressed to maintain 24-hour fire service.

Cemetery Board, Councilperson Schneider: Councilperson Schneider reported there will be a Board Meeting on Thursday October 10, 2024.

JEDD Board, Councilperson Schneider:

Councilperson Schneider made a motion that was seconded by Mr. Slocum to appoint Eliud Rosales to the JEDD Board. The responsibilities associated with serving on that Board were explained to Mr. Rosales. Mr. Najeway asked if Mr. Rosales was willing to serve. Mr. Rosales indicated he was. Roll call vote: Councilperson Schneider, yes; Mr. Steidl, yes; Mr. Slocum, yes; Mr. Rosales, abstain; Mr. Haramis, yes; Mr. Najeway, yes. The motion was approved.

Wastewater/Stormwater/Water Liaison, Mr. Najeway:

Mr. Najeway reported the County presented a proposed site plan for the wastewater treatment plant to the Village Planning Commission, and a revised plan requested by the Commission has been submitted. The County Engineers will stake the footprint of the plant and submit landscaping information. Mr. Najeway announced he presented the County with a list of unanswered questions. The Department of Sanitary Sewers and Summit County Public Health will review the document and attend an upcoming Council Meeting to discuss the project.

Mr. Najeway drafted a letter to send to surrounding communities indicating that the Village is interested in receiving Water from other communities and estimates for the cost of providing that service. The City of Akron is still waiting for the federal court of appeals to rule on its appeal. If that appeal is successful, more federal money may be available to provide Water to the Village.

Area Master Plan, Mr. Slocum:

Mr. Slocum reported a flyer has been sent to residents instructing them how to use a QR code to take and submit their Area Master Plan survey. People can also obtain hard copies from Village Hall or the Library. Mr. Slocum noted that a replacement Council Steering Committee representative is needed due to Mr. Schultz's resignation.

Mr. Haramis made a motion that was seconded by Mr. Najeway to appoint Mr. Steidl to the Area Master Plan Steering Committee. Roll call vote: Councilperson Schneider, yes; Mr. Steidl, yes; Mr. Slocum, yes; Mr. Rosales, yes; Mr. Haramis, yes; Mr. Najeway, yes. The motion was approved.

Record of Proceedings
Regular Village of Peninsula Council
Held: Tuesday, October 8, 2024

Solicitor, Mr. Bryan: Mr. Bryan reported there will be legislation on the November Meeting agenda to adopt a temporary budget for 2025 and a Resolution to update the employee pay scale for future years, since the pay scale only runs through this year.

LEGISLATION:

Third Reading:

Ordinance No. 14-2024

Requested by Councilperson Steidl

An Ordinance Amending Chapter 741 of the Business Regulation Code Titled Short-Term Rental Regulations and Chapter 185 of the Administrative Code Titled Short-Term Rental Tax

Mr. Bryan read the legislation by title. Mr. Steidl stated he wanted to amend the Ordinance to add back the distinction between Type A and Type B Owner-Occupied Short-Term Rentals. Mr. Bryan noted Council voted to eliminate that distinction at its last Council Meeting. Mr. Steidl made a motion that was seconded by Councilperson Schneider to amend the Ordinance as requested. Roll call vote: Councilperson Schneider, yes; Mr. Steidl, yes; Mr. Slocum, no; Mr. Rosales, no; Mr. Haramis, no; Mr. Najeway, no. The motion failed.

Mr. Najeway made a motion that was seconded by Mr. Steidl to adopt the ordinance. Mr. Slocum asked whether the code section for Bed and Breakfast establishments should now be eliminated and whether those entities should be treated as Owner-Occupied Short-Term Rentals. He requested the Planning Commission to consider that issue in the future. Mr. Slocum also suggested the Ordinance should require a fire department inspection. He noted that the property owners would have to pay the appropriate inspection fee to the fire department. Mr. Najeway stated the Village should charge an inspection fee to cover the cost of its Short-Term Rental property inspections. Mr. Bryan opined that the inspection fee must be based upon the Village's costs related to performing those inspections. Therefore, the fee needs to be the same for Owner-Occupied and Non-Owner-Occupied properties. Mr. Najeway made a motion that was seconded by Councilperson Schneider to amend the Ordinance to add an annual \$250 Village inspection fee. Roll call vote: Councilperson Schneider, yes; Mr. Steidl, yes; Mr. Slocum, yes; Mr. Rosales, yes; Mr. Haramis, abstain; Mr. Najeway, yes. The motion passed.

Mr. Slocum made a motion that was seconded by Mr. Najeway to amend the Ordinance to add a fire department inspection requirement. Roll call vote: Councilperson Schneider, yes; Mr. Steidl, yes; Mr. Slocum, yes; Mr. Rosales, yes; Mr. Haramis, abstain; Mr. Najeway, yes. The motion passed. Mr. Bryan suggested that Council move to suspend the three-reading rule due to the two significant amendments that were made to the Ordinance, even though this Ordinance is already on third reading this evening.

Councilmembers commented on the results of the Short-Term Rental survey.

Mr. Najeway made a motion that was seconded by Mr. Steidl to suspend the three-reading rule. Mr. Bryan explained the three-reading rule to Mr. Rosales. Roll call vote: Councilperson Schneider, yes; Mr. Steidl, yes; Mr. Slocum, no; Mr. Rosales, yes; Mr. Haramis, yes; Mr. Najeway, yes. The motion passed.

Mr. Najeway made a motion that was seconded by Mr. Steidl to pass the legislation as amended. Roll call vote: Councilperson Schneider, yes; Mr. Steidl, yes; Mr. Slocum, no; Mr. Rosales, yes; Mr. Haramis, abstain; Mr. Najeway, yes. The Ordinance was adopted as amended.

Record of Proceedings
Regular Village of Peninsula Council
Held: Tuesday, October 8, 2024

Second Reading:

Ordinance No. 18-2024

Chief Nagy and Mayor Schneider

An Ordinance Establishing Section 147.16 of the Administrative Code Pertaining to a Cellphone Stipend for Full-Time Employees

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

Mr. Najeway made a motion that was seconded by Mr. Steidl to adopt the legislation. Roll call vote: Councilperson Schneider, yes; Mr. Steidl, yes; Mr. Slocum, yes; Mr. Rosales, yes; Mr. Haramis, yes; Mr. Najeway, yes. The Ordinance was adopted.

UNFINISHED BUSINESS/NEW BUSINESS:

Mr. Najeway reported he returned the road monument proof to Summit Memorial but asked whether a sign was needed for Parker Court. Mr. Bryan stated the County records do not currently show it as a Village owned roadway, but no one has been able to find when and how the property was vacated or transferred to the current property owner. Mr. Najeway also asked if he could use the Village Hall Council Chambers to have a meeting with residents to get their input from time to time. Mr. Bryan explained that Mr. Najeway was able to do so. It would need to be a public meeting if a majority of Council were present. Ms. Dorton reminded everyone residents can submit questions or comments on the Village website if they do not want to email or call Councilmembers directly.

EXECUTIVE SESSION (IF NECESSARY): None.

ADJOURNMENT:

Mr. Najeway 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. Rosales, yes; Mr. Haramis, yes; Mr. Najeway, yes. The motion was approved. The meeting was adjourned at 8:55 p.m.

Respectfully submitted:

Daniel Schneider Jr., Mayor

Date

Katie Iaconis, Fiscal Officer

Date



Village of Peninsula



2025 SUMMIT COUNTY HEALTH CONNECTION RENEWAL

In partnership with Summit County, we are pleased to present to you the renewal for the Summit County Health Connection program effective January 1, 2025.

On January 1, 2025, there will be no benefit changes to your existing plans.

The overall increase in 2025 is 0% for the medical and prescription drug coverage. The rates are illustrated below; please fill in the monthly employee contribution amount for each plan and tier in the blanks below.

	PPO 1000		
	Current Rates	2025 Rates	Employee Amount
Single	\$1,345.01	\$1,345.01	N/A
Employee/Spouse	\$2,824.52	\$2,824.52	N/A
Employee/Child(ren)	\$2,555.52	\$2,555.52	N/A
Family	\$4,297.60	\$4,297.60	N/A

Please sign below to acknowledge the acceptance of these new rates that will be effective January 1, 2025 – December 31, 2025. Please return to Samantha Geffert (Samantha.geffert@nfp.com)

Signature: _____

Date: _____

We appreciate the opportunity to be of service to you and your employees. Should you have any questions, you may reach Brady Sheets at 216-868-6091 or at brady.sheets@nfp.com.

Sincerely,

Jim Dustin
Managing Director, NFP Corporate Services-OH

Lisa Yeager
Deputy Director of Employee Benefits, Summit County

Insurance services provided through NFP Corporate Services (OH), Inc., a subsidiary of NFP Corp.

PROPOSAL

TO: Douglas Steidl, FAIA
2492 Main Street
Peninsula, Ohio 44264

FROM: Mark N. Gilles, AIA,

DATE: October 15, 2024

Re: **Construction Administrative Services for the Village Hall, Peninsula, Ohio**

Based on your October 11, 2024, request for proposal the following scope of work is offered.

Scope of Service

~~Like the completion of the construction documents and issuance of the building permit, I will be~~
recovering from my left knee replacement, September 23rd. The recovery is proceeding better than expected and should be able to participate in all aspects of the outlined expected duties. I understand the close relationship needed with the solicitor through the bidding process and by the time of the anticipated pre-bid meeting and walk through I will be driving

I understand due to project scheduling the majority of the project bidding is to proceed on a verbal authorization with the Council authorization to follow later.

Project Coordinator

Mark N. Gilles, AIA

M. N. Gilles, Architect

1708 Highbridge Rd., Cuyahoga Falls, OH 44223

Phone 330-573-1695, Email mngilles70@outlook.com

Professional Service

M .N. Gilles, Architect will provide:

BIDDING SERVICE

Advertising & Maintenance est. 8.5hr \$ 1,060.00

Contract award est. 8.5hr \$ 1,060.00

Travel, 2 round trips (24.0 mi. x 0.65/mi) \$ 31.20

CONSTRUCTION ADMINISTRATION

Assist & Execute Contracts 4.5hr \$ 562.50

Monthly Const. Mtg's 3.5hr x 4 mtg's \$ 1,750.00

Travel, 8 round trips (24.0 mi. x 0.65/mi) \$ 124.80

RFI's & Shop Dwg's est. 20hr \$ 2,500.00

Project Close Out est. 20hr \$ 2,500.00

Travel, 6 round trips (24.0 mi. x 0.65/mi) \$ 93.50

PROFESSIONAL SERVICE

\$ 9,557.20

Actual hours dedicated to the project will be invoiced with any reimbursable cost (printing, Consultant Fees, Permit fees, etc.) invoiced as received. Office billing rate is \$125/hour for Architect. The above proposed budget is presented as a not to exceed project.

Retainer

The client shall pay to Architect., \$ 960.00 a non-refundable retainer, which shall be applied toward the total fee, unless determined and agreed otherwise.

Special Expense Consideration

It is also agreed by the parties that should the client be delinquent in the payment of the above fees for a period of more than 30 days, from the date of billing, M. N. Gilles, Architect, shall be entitled to charge and receive a monthly finance charge not to exceed 1½ percent per month on the unpaid balance. This charge is not intended to be punitive, but rather shall be reflected as an earned charge for carrying the client's account beyond a reasonable payment period beyond billing.

Termination

The Client and M. N. Gilles, Architect, both reserve the right to terminate this agreement after giving no less than 14 days' written notice, if the other party fails to fulfil the terms of this proposal. Expenses are to be paid to the date of termination. In the event of termination before completion of the project, the research remains the property of M. N. Gilles, Architect. Reproducible copies of any graphic documentation of the design will be provided to the client, upon receipt of any copy charges.

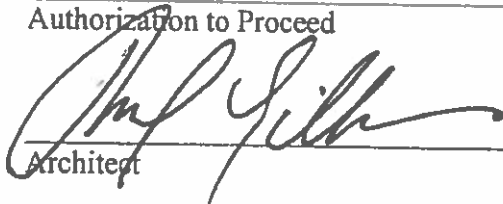
Authorization to Proceed

Your signature below and retainer check will provide actual notice of your authorization to continue work on this project through your determination of terminus. The client shall retain one original agreement for their file and return the other original executed agreement with the retainer check to M. N. Gilles, Architect., Principal.

Should additional written definition be required to amend this document, feel free to phone, fax or email your concerns to the principal architect. A revised proposal will be forwarded for execution.

Authorization to Proceed

Date



Architect



Date

Ray Brophy

From: Ray Brophy
Sent: Thursday, October 24, 2024 10:45 AM
To: 'jnajeway@williams-solis.com' <[REDACTED]>
Subject: FW: Players Barn

Ray Brophy
Chief Executive Officer
Cardinal Group
180 E. Miller Ave
Akron, OH 44301
ray@cardinal-group.com

P: +1.330.252.1047



**CARDINAL
GROUP**

cardinal-group.com

From: Ray Brophy
Sent: Wednesday, October 23, 2024 9:30 AM
To: John Najeway <[REDACTED]>
Subject: Players Barn

John

We finished up the survey and it will be emailed to you today.

Final summary is there is no other asbestos containing material except for that same (Asbestos Transite) ceiling material was discovered behind the drywall upstairs and in the attic on the walls.

Approximately 2900SF. Normally that material goes for \$4 -\$6 dollars a SF but since we already been in the building, we can do it for > \$2/SF so additional \$5000 the Barn would be ready for demolition with no Asbestos concerns.

Thankyou for the opportunity to perform this work and let me know if you have any questions.

Thanks

Ray Brophy
Chief Executive Officer
Cardinal Group
180 E. Miller Ave
Akron, OH 44301
ray@cardinal-group.com

P: +1.330.252.1047



**CARDINAL
GROUP**

cardinal-group.com



**CARDINAL
ENVIRONMENTAL**

A Cardinal Group Company

**Building Survey To Determine
Location of Asbestos-Containing
Building Materials at:**

**Commercial Property
Players Barn
1039 W. Streetsboro Road
Peninsula, Ohio 44264**

Report Prepared For:

**Mr. John Najeway
Village of Peninsula Council
1582 Main Street
Peninsula, Ohio 44264
330-657-2151**

October 23th 2024

180 E. Miller Avenue, Akron, Ohio 44301 / 330-252-1047 / cardinal-group.com

Serving Office & Industry Since 1962 MAINTENANCE / ENVIRONMENTAL / ROOFING / TRANSPORTATION



Cardinal Environmental Services, Inc. performed a survey for suspect asbestos containing materials on October 18th, 2024, as requested by the written notice to proceed to allow demolition of the commercial structure currently on this property. The assessment was conducted by Terry Collins CAHES #32552 for Village of Peninsula Council of the property located at 1039 W. Streetsboro Road, Peninsula, Ohio 44264.

ASBESTOS CONTAINING MATERIALS

The Scope of Work requested by Mr. John Najeway was to survey the building for suspect interior and exterior friable asbestos containing materials (ACM). Pursuant to Title II of the “Federal Toxic Substances Control Act” found in 40 CFR Part 763.86 (1986). The currently unoccupied building is scheduled to be demolished.

Asbestos containing materials (ACM) are divided into three-(3) types. They are Surfacing Materials, Thermal System Insulation (TSI) and Miscellaneous materials. A friable material is defined as a material which can be crumbled, pulverized, or reduced to powder by hand pressure. Most non-friable building materials are often listed as miscellaneous materials.

In determining the condition of the material, the following guidelines are used.

General Damage Category	AHERA Damage Category	Criteria
Good	No Damage	No Damage
Fair	Damage	Up to 10% overall damage Up to 25% localized damage
Poor	Significant Damage	Over 10% overall damage Over 25% localized damage

Suspect Materials found inside 1039 W. Streetsboro Road, Peninsula, Ohio 44264 from all accessible areas of the building were sampled and documented with results, location, and quantity amounts. Destructive techniques were utilized to determine if any suspect materials were hidden behind walls/ceilings or other building materials:

- Wall Drywall
- Ceiling Drywall
- Ceiling Tile

Suspect materials found outside 1039 W. Streetsboro Road, Peninsula, Ohio 44264:

- Roofing

There was no suspect ACM Thermal System Insulation found in the building as previously noted. Sampling for the surfacing materials (ceiling and wall plaster) was performed utilizing the EPA pink book “Asbestos in Buildings”: Simplified Sampling Scheme for Friable Surfacing Materials”. Miscellaneous materials were sampled utilizing the EPA recommendations. Three (3) samples of homogeneous materials that is 1,000 square feet or less, five (5) samples of homogeneous materials that is 5,000 square feet or less, and Seven (7) samples of homogeneous materials 7,000 square feet or less as a minimum per CFR 40 763.87 © (2).

Seventeen (17) suspect ACM materials were sampled in the building. Actual lab results for the current asbestos survey can be found in Appendix A. Analysis was performed by EMC Laboratories, Inc. the method used to verify the presence of asbestos was EPA 600/R-93/116, all layers were separated and analyzed separately. This laboratory is accredited by NVLAP and AIHA for asbestos bulk analysis.

THERMAL SYSTEM INSULATION MATERIALS: RESULTS AND RECOMMENDATIONS

We saw no thermal insulation in the building.

SURFACING MATERIALS: RESULTS AND RECOMMENDATIONS

No suspect surfacing materials were sampled inside the building.

MISCELLANEOUS MATERIALS: RESULTS AND RECOMMENDATIONS

All suspect miscellaneous materials were sampled from the building. Seven (7) wall drywall, six (6) ceiling drywall, and four (4) ceiling tile samples were obtained.

<u>SAMPLE #</u>	<u>TYPE OF MATERIAL</u>	<u>LOCATION</u>	<u>ASBESTOS %</u>
P-1	Wall	Layer #1 2 nd Floor CS	NAD
P-1	Wall	Layer #2 2 nd Floor CS	NAD
P-1	Wall	Layer #3 2 nd Floor CS	NAD
P-2	Ceiling	Layer #1 2 nd Floor SE	NAD
P-2	Ceiling	Layer #2 2 nd Floor SE	NAD
P-3	Wall	2 nd Floor CE	NAD
P-4	Ceiling	Layer #1 2 nd Floor CE	NAD
P-4	Ceiling	Layer #2 2 nd Floor CE	NAD
P-5	Wall	Layer #1 2 nd Floor SW	NAD
P-5	Wall	Layer #2 2 nd Floor SW	NAD
P-5	Wall	Layer #3 2 nd Floor SW	NAD
P-5	Wall	Layer #4 2 nd Floor SW	NAD
P-6	Wall	Layer #1 2 nd Floor SW	NAD
P-6	Wall	Layer #2 2 nd Floor SW	NAD
P-6	Wall	Layer #3 2 nd Floor SW	NAD
P-6	Wall	Layer #4 2 nd Floor SW	NAD
P-7	Ceiling	Layer #1 2 nd Floor NW	NAD
P-7	Ceiling	Layer #2 2 nd Floor NW	NAD
P-8	Ceiling	Layer #1 1 st Floor NW Text	NAD
P-8	Ceiling	Layer #2 1 st Floor NW Text	NAD
P-9	Ceiling	Layer #1 1 st Floor NW Text	NAD
P-9	Ceiling	Layer #2 1 st Floor NW Text	NAD
P-10	Ceiling	Layer #1 1 st Floor NW Text	NAD
P-10	Ceiling	Layer #2 1 st Floor NW Text	NAD
P-10	Ceiling	Layer #3 1 st Floor NW Text	NAD
P-10	Ceiling	Layer #4 1 st Floor NW Text	NAD

P-11	Wall	Layer #1 1 st Floor NW	NAD
P-11	Wall	Layer #2 1 st Floor NW	NAD
P-12	Ceiling Tile	Layer #1 1 st Floor NE 1X1	NAD
P-12	Ceiling Tile	Layer #2 1 st Floor NE 1X1	NAD
P-13	Ceiling Tile	1 st Floor NE 1X1	NAD
P-14	Wall	Layer #1 1 st Floor CS	NAD
P-14	Wall	Layer #2 1 st Floor CS	NAD
P-14	Wall	Layer #3 1 st Floor CS	NAD
P-15	Ceiling Tile	Layer #1 1 st Floor SW Hole 1X1	NAD
P-15	Ceiling Tile	Layer #2 1 st Floor SW Hole 1X1	NAD
P-16	Ceiling Tile	Layer #1 1 st Floor SW Hole 1X1	NAD
P-16	Ceiling Tile	Layer #2 1 st Floor SW Hole 1X1	NAD
P-17	Wall	Layer #1 1 st Floor SW	NAD
P-17	Wall	Layer #2 1 st Floor SW	NAD

NAD: No asbestos detected

Homogeneous Materials:

Sample #	Material	Location	Asbestos %	Square Footage	Damage Category	Friable
	Ceiling Drywall Textured					
P-8 P-9 P-10		1 st floor NW	NAD	282 sq. ft.	Good	Yes
	Roof					
Asphalt		Exterior	Asphalt	3,106 sq. ft.	Good	No
	Walls Drywall					
P-1 P-3 P-5 P-6 P-11 P-14 P-17		Throughout	NAD	8,428 sq. ft.	Good	No
	Ceiling Drywall					
P-2 P-4 P-7	Homogeneous with drywall walls	2 nd floor	NAD	2,582 sq. ft.	Good	No
	Ceiling Tile 1X1					
P-12 P-13		1 st floor NE	NAD	80 sq. ft.	Good	Yes
	Ceiling Tile 1X1 Hole					
P-15 P-16		1 st floor SW	NAD	1,190 sq. ft.	Fair	Yes

SUMMARY OF ASBESTOS SURVEY

In summary, we found no friable asbestos containing material in the building.

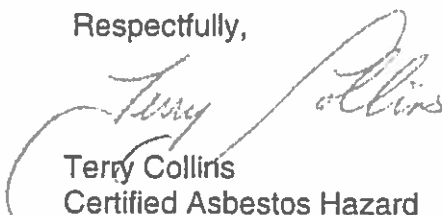
It is the responsibility of demolition contractor and owner to meet all notification requirements, NESHAP requirements for fugitive dust and local agency requirements. A copy of this report should be given to any contractor that will be working on this site to comply with the hazard communication requirements of the OSHA Asbestos in Construction Standard, 29 CFR 1926.1101. This facility is a two (2) story, built in 1910 with approximately 2,952 square feet of floor space.

This assessment and analytical methods have been used to provide you with information regarding the presence of suspect asbestos containing materials existing in the building(s) at the time of the inspection. Test results are valid only for the materials tested. There is a distinct possibility that conditions may exist which could not be identified with the scope of the survey, or which were not apparent during the inspection. This asbestos assessment does not contain the components required to serve as an Asbestos Project Design document or as an Asbestos Abatement Work Plan. The information and opinions in this report are exclusively for the use of the Village of Peninsula, who may rely upon the information given and conclusions in this assessment. No other representation is made to the client, expressed, or implied, and no warranty or guarantee is included or intended.

If alternative demolition methods are used such as burning, crushing (using a crusher) and others, it should be noted that additional data maybe required because in most incidents, the removal of non-friable asbestos materials is required.

We are pleased to have had the opportunity to provide you with a comprehensive inspection of your facility. CESI has performed this assessment within the guidelines of the applicable regulations and in a manner consistent with the level of care and skill ordinarily exercised by other professional consultants under similar circumstances.

Respectfully,



Terry Collins
Certified Asbestos Hazard
Evaluation Specialist #32552

State of Ohio
Environmental Protection Agency
Asbestos Program

Asbestos Hazard Evaluation Specialist

Terry
Collins



Cardinal Environmental Services, Inc.
180 E. Miller Avenue
Akron OH 44301



Certification Number Expiration Date
ES32562 12/15/55

DOB: 12/15/55



CHAIN OF CUSTODY

EMC Labs, Inc.
 9830 S. 51st St., Ste B-109
 Phoenix, AZ 85044
 (480) 940-5294 Fax (480) 893-1726

LAB#: 321046
 TAT: 1-2 day
 Rec'd: OCT 21 AM

COMPANY NAME: CARDINAL ENVIRONMENTAL BILL TO: _____ (If Different Location)
 Address: 180 E. Miller Ave
AKRON Ohio 44308 SAME
 CONTACT: TERRY Collins
 Phone/Fax: 330-252-1047 330-252-0261
 Email: TERRY@CARDINAL-Group.com
 Now Accepting: VISA / MASTERCARD Price Quoted: \$ _____ / Sample \$ _____ / Layers

COMPLETE ITEMS 1-4: (Failure to complete any items may cause a delay in processing or analyzing your samples)

- TURNAROUND TIME: [Same Day Rush] (1-2 Days) [3-4-5 Days] [6-10 Days]
 **** Prior confirmation of turnaround time is required
 **** Additional charges for rush analysis (please call marketing department for pricing details)
 **** Laboratory analysis may be subject to delay if credit terms are not met
- TYPE OF ANALYSIS: (Bulk-PLM) [Air-PCM] [Lead] [Point Count] [Fungi: AOC, W-C, Bulk, Swab, Tape]
- DISPOSAL INSTRUCTIONS: (Dispose of samples at EMC) / [Return samples to me at my expense]
 (If you do not indicate preference, EMC will dispose of samples 30 days from analysis.)

4. Project Name: 1039 W. STREETSBORE Rd PENNSULA, OHIO
 P.O. Number: _____ Project Number: _____

EMC SAMPLE #	CLIENT SAMPLE #	DATE & TIME SAMPLED	LOCATION/MATERIAL TYPE	Samples Accepted Yes / No	AIR SAMPLE INFO / COMMENTS		
					ON	OFF	FLOW RATE
1	P-1	10-18-24	wall 2 nd CS	Y N			
2	P-2	10-18-24	ceiling 2 nd SE	N			
3	P-3	10-18-24	wall 2 nd CE	N			
4	P-4	10-18-24	ceiling 2 nd CE	N			
5	P-5	10-18-24	wall SW	N			
6	P-6	10-18-24	wall 2 nd SW	N			
7	P-7	10-18-24	ceiling 2 nd NW	N			
8	P-8	10-18-24	ceiling 1 st NW TEST	N			
9	P-9	10-18-24	ceiling 1 st NW TEST	N			
10	P-10	10-18-24	ceiling 1 st NW TEST	Y N			
11	P-11	10-18-24	wall 1 st NW	Y N			
12	P-12	10-18-24	ceiling tile 1x1 1 st NE	N			
13	P-13	10-18-24	ceiling tile 1x1 1 st NE	N			
14	P-14	10-18-24	wall 1 st CS	N			
15	P-15	10-18-24	ceiling tile 1x1 Hole 1 st SW	N			

SPECIAL INSTRUCTIONS:
 Sample Collector: (Print) TERRY Collins (Signature) Terry Collins
 Relinquished by: _____ Date/Time: _____ Received by: Doreen Celagay Date/Time: 10/21/24
 Relinquished by: Doreen Celagay Date/Time: 10/21/24 Received by: Ryan G... .. Date/Time: 10/21/24
 Relinquished by: _____ Date/Time: _____ Received by: _____ Date/Time: _____

** In the event of any dispute between the above parties for these services or otherwise, parties agree that jurisdiction and venue will be in Phoenix, Arizona and prevailing party will be entitled to attorney's fees and court costs.

CHAIN OF CUSTODY

EMC Labs, Inc.
 9830 S. 51st St., Ste B-109
 Phoenix, AZ 85044
 (480) 940-5294 Fax (480) 893-1726

LAB#: <u>301044</u>
TAT:
Rec'd:

COMPANY NAME: CARDINAL ENVIRONMENTAL
 Address: 180 E. MILLER AVE
AKRON OHIO 44308
 CONTACT: TERRY COLLINS
 Phone/Fax: 330-232-1047, 330-252-0261
 Email: TERRY@CARDINAL-GROUP.COM

BILL TO: (If Different Location)
SAME

Now Accepting: VISA / MASTERCARD Price Quoted: \$ _____ / Sample \$ _____ / Layers

COMPLETE ITEMS 1-4: (Failure to complete any items may cause a delay in processing or analyzing your samples)

1. TURNAROUND TIME: [Same Day Rush] [1-2 Days] [3-4-5 Days] [6-10 Days]

*** Prior confirmation of turnaround time is required
 *** Additional charges for rush analysis (please call marketing department for pricing details)
 *** Laboratory analysis may be subject to delay if credit terms are not met

2. TYPE OF ANALYSIS: [Bulk-PLM] [Air-PCM] [Lead] [Point Count] [Fungi: AOC, W-C, Bulk, Swab, Tape]

3. DISPOSAL INSTRUCTIONS: [Dispose of samples at EMC] / [Return samples to me at my expense]
 (If you do not indicate preference, EMC will dispose of samples 30 days from analysis.)

4. Project Name: 1039 W. STREETSBORO RD, PENINSULA, OHIO
 P.O. Number: _____ Project Number: _____

EMC SAMPLE #	CLIENT SAMPLE #	DATE & TIME SAMPLED	LOCATION/MATERIAL TYPE	Samples Accepted Yes / No	AIR SAMPLE INFO / COMMENTS		
					ON	OFF	FLOW RATE
<u>16</u>	<u>P-16</u>	<u>10-18-24</u>	<u>ceiling tile 1x1 Hole (1st SW)</u>	<u>Y N</u>			
<u>17</u>	<u>P-17</u>	<u>10-18-24</u>	<u>wall (1st SW)</u>	<u>Y N</u>			
				<u>Y N</u>			
				<u>Y N</u>			
				<u>Y N</u>			
				<u>Y N</u>			
				<u>Y N</u>			
				<u>Y N</u>			
				<u>Y N</u>			
				<u>Y N</u>			
				<u>Y N</u>			
				<u>Y N</u>			
				<u>Y N</u>			

SPECIAL INSTRUCTIONS:
 Sample Collector: (Print) TERRY COLLINS (Signature) Terry Collins
 Relinquished by: _____ Date/Time: _____ Received by: Doreen Celay Date/Time: 10/21/24
 Relinquished by: Doreen Celay Date/Time: 10/21/24 Received by: Ryan O'Donoghue Date/Time: 10/21/24
 Relinquished by: _____ Date/Time: _____ Received by: _____ Date/Time: _____

** In the event of any dispute between the above parties for these services or otherwise, parties agree that jurisdiction and venue will be in Phoenix, Arizona and prevailing party will be entitled to attorney's fees and court costs.

EMC LABS, INC.

9830 S. 51st Street, Suite B109, Phoenix, AZ 85044
Phone: 800-362-3373 or 480-940-5294 - Fax: (480) 893-1726

Laboratory Report
0321046

Bulk Asbestos Analysis by Polarized Light Microscopy

NVLAP# 101926-0

Client: CARDINAL ENVIRONMENTAL SVCS
Address: 180 E. MILLER AVE
AKRON, OH 44301

Collected: 10/18/2024
Project Name: 1039 W. STREESTSBORO RD.,
PENINSULA, OHIO

Address:

Job# / P.O. #: _____
Date Received: 10/21/2024
Date Analyzed: 10/22/2024
Date Reported: 10/22/2024
Submitted By: TERRY COLLINS
Collected By: _____

EPA Method: App.E to Sub.E of 40 CFR Part 763 and EPA/600/R-93

Lab ID Client ID	Sample Location	Layer Name / Sample Description	Asbestos Detected	Asbestos Type (%)	Non-Asbestos Constituents
0321046-001 P-1		LAYER 1 Drywall, Lt. Gray/ Brown	No	None Detected	Cellulose Fiber 10% Gypsum Quartz Non-Fibrous Binder/Filler 90%
		LAYER 2 Joint Compound, White	No	None Detected	Fibrous Glass <1% Carbonates Mica Non-Fibrous Binder/Filler 99%
		LAYER 3 Wall Paper, Belge/ Lt. Green/ Lt. Red	No	None Detected	Cellulose Fiber 40% Carbonates Quartz Non-Fibrous Binder/Filler 60%
0321046-002 P-2		LAYER 1 Drywall, Off White/ Brown	No	None Detected	Cellulose Fiber 10% Gypsum Quartz Non-Fibrous Binder/Filler 90%
		LAYER 2 Texture/ Paint, White/ Off White Note: Sample is mainly Paint - little Texture present	No	None Detected	Carbonates Quartz Non-Fibrous Binder/Filler 100%
0321046-003 P-3		Drywall, Off White/ Brown	No	None Detected	Cellulose Fiber 10% Gypsum Quartz Non-Fibrous Binder/Filler 90%
0321046-004 P-4		LAYER 1 Drywall, Off White/ Brown	No	None Detected	Cellulose Fiber 10% Gypsum Quartz Non-Fibrous Binder/Filler 90%
		LAYER 2 Texture, White/ Off White	No	None Detected	Carbonates Perlite Non-Fibrous Binder/Filler 100%

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Laboratory Report
0321046

Bulk Asbestos Analysis by Polarized Light Microscopy

NVLAP# 101926-0

Client: CARDINAL ENVIRONMENTAL SVCS Job# / P.O. #:
Address: 180 E. MILLER AVE Date Received: 10/21/2024
AKRON, OH 44301 Date Analyzed: 10/22/2024
Collected: 10/18/2024 Date Reported: 10/22/2024
Project Name: 1039 W. STREESTSBORO RD., Submitted By: TERRY COLLINS
PENINSULA, OHIO Collected By:

EPA Method: App.E to Sub.E of 40 CFR Part 763 and EPA/600/R-93

Lab ID Client ID	Sample Location	Layer Name / Sample Description	Asbestos Detected	Asbestos Type (%)	Non-Asbestos Constituents
0321046-005 P-5		LAYER 1 Drywall, Off White/ Brown	No	None Detected	Cellulose Fiber 10% Gypsum Quartz Non-Fibrous Binder/Filler 90%
		LAYER 2 Joint Compound, White	No	None Detected	Carbonates Mica Non-Fibrous Binder/Filler 100%
		LAYER 3 Tape, Off White	No	None Detected	Cellulose Fiber 95% Carbonates 5%
		LAYER 4 Texture, White/ Off White	No	None Detected	Carbonates Mica Non-Fibrous Binder/Filler 100%
0321046-006 P-6		LAYER 1 Drywall, Off White/ Brown	No	None Detected	Cellulose Fiber 10% Gypsum Quartz Non-Fibrous Binder/Filler 90%
		LAYER 2 Joint Compound, White	No	None Detected	Carbonates Mica Non-Fibrous Binder/Filler 100%
		LAYER 3 Tape, Off White	No	None Detected	Cellulose Fiber 95% Carbonates 5%
		LAYER 4 Texture, White/ Off White	No	None Detected	Carbonates Mica Non-Fibrous Binder/Filler 100%

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Laboratory Report
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Bulk Asbestos Analysis by Polarized Light Microscopy

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PENINSULA, OHIO Collected By:

EPA Method: App.E to Sub.E of 40 CFR Part 763 and EPA/600/R-93

Lab ID Client ID	Sample Location	Layer Name / Sample Description	Asbestos Detected	Asbestos Type (%)	Non-Asbestos Constituents
0321046-007 P-7		LAYER 1 Drywall, Lt. Gray/ Brown	No	None Detected	Cellulose Fiber 10% Gypsum Quartz Non-Fibrous Binder/Filler 90%
		LAYER 2 Texture/ Paint, White/ Off White Note: Sample is mainly Paint - little Texture present	No	None Detected	Carbonates Mica Non-Fibrous Binder/Filler 100%
0321046-008 P-8		LAYER 1 Drywall, Beige/ Brown	No	None Detected	Cellulose Fiber 10% Gypsum Quartz Non-Fibrous Binder/Filler 90%
		LAYER 2 Texture, White/ Off White	No	None Detected	Carbonates Perlite Non-Fibrous Binder/Filler 100%
0321046-009 P-9		LAYER 1 Drywall, Lt. Gray/ Brown	No	None Detected	Cellulose Fiber 10% Gypsum Quartz Non-Fibrous Binder/Filler 90%
		LAYER 2 Texture, White/ Off White	No	None Detected	Carbonates Perlite Non-Fibrous Binder/Filler 100%

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Bulk Asbestos Analysis by Polarized Light Microscopy

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Collected: 10/18/2024 Date Reported: 10/22/2024
Project Name: 1039 W. STREETSBORO RD., Submitted By: TERRY COLLINS
PENINSULA, OHIO Collected By:
Address:

EPA Method: App E to Sub.E of 40 CFR Part 763 and EPA/600/R-93

Lab ID Client ID	Sample Location	Layer Name / Sample Description	Asbestos Detected	Asbestos Type (%)	Non-Asbestos Constituents
0321046-010 P-10		LAYER 1 Drywall, Beige/ Brown	No	None Detected	Cellulose Fiber 10% Gypsum Quartz Non-Fibrous Binder/Filler 90%
		LAYER 2 Joint Compound, White	No	None Detected	Carbonates Perlite Non-Fibrous Binder/Filler 100%
		LAYER 3 Tape, Off White	No	None Detected	Cellulose Fiber 95% Carbonates 5%
		LAYER 4 Texture, White/ Off White	No	None Detected	Carbonates Mica Non-Fibrous Binder/Filter 100%
0321046-011 P-11		LAYER 1 Drywall, Lt. Gray/ Brown	No	None Detected	Cellulose Fiber 10% Gypsum Quartz Non-Fibrous Binder/Filler 90%
		LAYER 2 Texture/ Paint, White/ Off White Note: Sample is mainly Paint - little Texture present	No	None Detected	Carbonates Quartz Non-Fibrous Binder/Filler 100%
0321046-012 P-12		LAYER 1 1x1 Ceiling Tile, White/ Tan	No	None Detected	Cellulose Fiber 85% Carbonates Quartz Non-Fibrous Binder/Filler 15%
		LAYER 2 Insulation, Gray	No	None Detected	Fibrous Glass 95% Cellulose Fiber 1% Carbonates Quartz Non-Fibrous Binder/Filler 4%

EMC LABS, INC.

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Laboratory Report
0321046

Bulk Asbestos Analysis by Polarized Light Microscopy

NVLAP# 101926-0

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Address: 180 E. MILLER AVE Date Received: 10/21/2024
AKRON, OH 44301 Date Analyzed: 10/22/2024
Collected: 10/18/2024 Date Reported: 10/22/2024
Project Name: 1039 W. STREETSBORO RD., Submitted By: TERRY COLLINS
PENINSULA, OHIO Collected By:

EPA Method: App.E to Sub.E of 40 CFR Part 763 and EPA/600/R-93

Lab ID Client ID	Sample Location	Layer Name / Sample Description	Asbestos Detected	Asbestos Type (%)	Non-Asbestos Constituents
0321046-013 P-13		1x1 Ceiling Tile, White/ Tan	No	None Detected	Cellulose Fiber 85% Carbonates Quartz Non-Fibrous Binder/Filler 15%
0321046-014 P-14		LAYER 1 Drywall, Off White/ Brown	No	None Detected	Cellulose Fiber 10% Gypsum Quartz Non-Fibrous Binder/Filler 90%
		LAYER 2 Tape, White/ Off White	No	None Detected	Synthetic Fiber 60% Fibrous Glass 20% Carbonates Quartz Non-Fibrous Binder/Filler 20%
		LAYER 3 Texture, White/ Off White	No	None Detected	Carbonates Mica Non-Fibrous Binder/Filler 100%
0321046-015 P-15		LAYER 1 1x1 Ceiling Tile, White/ Tan	No	None Detected	Cellulose Fiber 85% Carbonates Quartz Non-Fibrous Binder/Filler 15%
		LAYER 2 Mastic, Brown	No	None Detected	Carbonates Quartz Non-Fibrous Binder/Filler 100%
0321046-016 P-16		LAYER 1 1x1 Ceiling Tile, White/ Tan	No	None Detected	Cellulose Fiber 85% Carbonates Quartz Non-Fibrous Binder/Filler 15%
		LAYER 2 Mastic, Brown	No	None Detected	Carbonates Quartz Non-Fibrous Binder/Filler 100%

EMC LABS, INC.

9830 S. 51st Street, Suite B109, Phoenix, AZ 85044
Phone: 800-362-3373 or 480-940-5294 - Fax: (480) 893-1726

Laboratory Report
0321046

Bulk Asbestos Analysis by Polarized Light Microscopy

NVLAP# 101926-0

Client: CARDINAL ENVIRONMENTAL SVCS Job# / P.O. #:
Address: 180 E. MILLER AVE Date Received: 10/21/2024
AKRON, OH 44301 Date Analyzed: 10/22/2024
Collected: 10/18/2024 Date Reported: 10/22/2024
Project Name: 1039 W. STREETSBORO RD., Submitted By: TERRY COLLINS
PENINSULA, OHIO Collected By:
Address: EPA Method: App E to Sub.E of 40 CFR Part 763 and EPA/600/R-93

Lab ID Client ID	Sample Location	Layer Name / Sample Description	Asbestos Detected	Asbestos Type (%)	Non-Asbestos Constituents
0321046-017 P-17		LAYER 1 Drywall, Lt. Gray/ Brown	No	None Detected	Cellulose Fiber 10% Gypsum Quartz Non-Fibrous Binder/Filler 90%
		LAYER 2 Texture/ Paint, White Note: Sample is mainly Paint - no Texture present	No	None Detected	Carbonates Quartz Non-Fibrous Binder/Filler 100%



Analyst - Ryan McDonough



Signatory - Lab Director - Kurt Kettler

Distinctly stratified, easily separable layers of samples are analyzed as subsamples of the whole and are reported separately for each discernible layer. All analyses are derived from calibrated visual estimates and measured in area percent unless otherwise noted. The report applies to the standards or procedures identified and to the sample(s) tested. The test results are not necessarily indicative or representative of the qualities of the lot from which the sample was taken or of apparently identical or similar products, nor do they represent an ongoing quality assurance program unless so noted. This report is for the exclusive use of the addressee client and will not be reproduced wholly or in part for advertising or other purposes over our signature or in connection with our name without special written permission. The report shall not be reproduced except in full, without written approval by our laboratory. The samples not destroyed in testing are retained a maximum of sixty days. The laboratory measurement of uncertainty for this test method is approximately less than 1 by area percent. Accredited by the National Institute of Standards and Technology, Voluntary Laboratory Accreditation Program for selected test method(s) for asbestos. The accreditation or any reports generated by this laboratory in no way constitute or imply product certification, approval, or endorsement by the National Institute of Standards and Technology. The report must not be used by the client to claim product certification, approval, or endorsement by NVLAP, NIST, or any agency of the Federal Government.

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- [Retax Payments](#)
- [Special Assessment](#)
- [Values](#)
- [Value History](#)
- [Sales](#)
- [Sketch](#)
- [Band](#)
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- [Permits](#)
- [Map - Parcel Viewer](#)
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- [Board of Revision](#)
- [Documents - Recorded](#)
- [Documents - Other](#)
- [Bill Notes](#)

PARID: 1100327
VILLAGE OF PENINSULA

ROUTE: BO0002802032000
1039 STREETSBORO RD

1 of 1

[Return to Search Results](#)
 Asmt Year: 2024

BASIC INFORMATION

Alternate ID	BO0002802032000
Site Address	1039 STREETSBORO RD , , PENINSULA 44264-
Description 1	LOT 23 24 N OF RD RICH HUDSON .490A
Description 2	
Description 3	AUD#10226
Taxing District	11 - PENINSULA VILLAGE-WOODRIDGE LSD
Inter-County	00060
# of Cards	1
Lister No., Date	842, 01-JAN-20
Vacant/Abandon	
Special Flag	E
Land Use Code	640 - E - EXEMPT PROPERTY OWNED BY MUNICIPALS
Class	E - EXEMPT
Neighborhood	21100401 -

- [Neighborhood Sales](#)
- [Printable Summary](#)
- [Printable Version](#)

[Sales Export \(CSV\)](#)

OWNER(S)

Owner 1	Owner 2
VILLAGE OF PENINSULA	

HOMESTEAD, OOC, RENTAL REG

Homestead Exemption	NO
2006 Reduction Amount	
Owner Occupancy Credit	NO
Rental Registration Date (M/D/Y)	
Rental Registration Exemption Date (M/D/Y)	

LAND SUMMARY

Line #	Land Type	Square Feet	Acres	Market Land Value
1	S - SqFt	18,025	.4138	58,580.00

COMMERCIAL

Tax Year	2024
Card Number	1
Building Number	1
Year Built	1910
Effective Year Built	
Structure Code	373 - RETAIL SINGLE OCCUP
Improvement Name	ANTIQUES
Class	-
Grade	050
Square Feet	5,969
Base RCN	\$200,640
Percent Good	24.79%
Percent Complete	%
Total RCNLD	\$49,740
Building Factor	1
Cost Value	\$49,740
ADJ	-

Units

Other Improvements
Other Imp Value

OTHER FEATURE DETAILS

Card	Int/Ext Line	Code	Area	Measurement 1	Measurement 2	Identical Units	RCN
1	1	PR1	11	8		1	\$1,690

SUMMARY OF INTERIOR/EXTERIOR DATA

Card	Line Number	Section	From Floor	To Floor	Area
1	1	01	01	01	2,952
1	2	01	02	02	2,952
1	3	02	01	01	65

INTERIOR/EXTERIOR DETAILS

10F3 >

Card 1
Line Number 1
Section 01
From Floor 01
To Floor 01
Area 2,952
Use Group 034-034
Year Built 1910
Class
Physical Condition 2
Function 2
Construction Type 1 - WOOD FRAME/JOIST/BREAM
Wall Height 10
External Wall 02 - FRAME
MS Class
MS QualityType
Heat 1 - HOT AIR
Air 1 - CENTRAL
Plumbing 3 - ABOVE NORMAL
Units
Base RCN \$100,110
% Complete %
Depreciation 30
Functional Depr.
Functional Depr. Reason -
Economic Depr. 83
Economic Depr. Reason 70 - MARKET ADJUSTMENT
Final Cost Value \$24,930

APPRAISED VALUE (100%)

Year 2024
Appraised Land \$58,580
Appraised Building \$49,740
Appraised Total \$108,320

CAUV \$0

ASSESSED VALUE (35%)

Assessed Land \$20,500.00
Assessed Building \$17,410.00
Assessed Total \$37,910.00
CAUV \$0.00

SUMMARY INFORMATION

Mailing Name VILLAGE OF PENINSULA
Mailing Address P O BOX 177

PENINSULA OH 44264

Bank Name
Treasurer Code -

Current Year Refund
Prior Year Refund
Money in Escrow \$ 00
Money in Pretax

CAUV N
Forest N - \$0
Stub
Certified Year
Delinquent Contract
Bankruptcy
Foreclosure

TAXES DUE

Tax Year 2024
Prior Due \$ 00
First Half Due \$ 00
1st Half Due Date 11/27/2024
Second Half Due \$0 00
2nd Half Due Date 07/19/2024
Total Due \$ 00

GENERAL NOTES

Comments
PLAYERS BARN

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Summit County Fiscal Office
Kristen M. Scalise CPA, CFE, Fiscal Officer
175 South Main Street, Akron OH 44308
1-888-388-5613 summittreas@summitoh.net
DISCLAIMER

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REGULATIONS, DEFINITIONS & ACRONYMS

OSHA 29 CFR 1926.1101 Sections
(g)(1), (g)(2)&(g)(3)

Paragraph (g)(1) states that the following engineering controls and work practices must be implemented:

- a) vacuum cleaners equipped with high efficiency particulate air filters to collect all debris and dust;
- b) wet methods, or wetting agents to control employee exposure during asbestos handling, mixing, removal, cutting, application and cleanup: and
- c) prompt cleanup and disposal of wastes and debris contaminated with asbestos in leak tight containers.

Paragraph (g)(2) states that in addition to the above requirements the following control methods must be implemented to be in compliance the time weighted average (TWA) permissible exposure limit and excursion limit as set forth in the Standard:

- a) local exhaust ventilation equipped with HEPA filter dust collection systems;
- b) exposure or isolation of processes producing asbestos dust;
- c) ventilation of the work area to move contaminated air away from the breathing zone of employees and toward a filtration collection device equipped with a HEPA filter;
- d) use of other feasible OSHA accepted work practices and engineering controls; and
- e) use of respiratory protection when the above stated engineering controls and work practices are not sufficient to reduce employee exposures below the permissible exposure limit and/or excursion limit.

Paragraph (g)(3) states that the following work practices and engineering controls must be for work related to asbestos or for work which disturbs ACMs:

- a) high speed abrasive disc saws that are not equipped with point of cut ventilator or enclosures with HEPA filtered exhaust air;
- b) compressed air unless the compressed air is used in conjunction with an enclosed ventilation system designed to capture the dust cloud created by the compressed air;
- c) dry sweeping , shoveling or other dry cleanup of dust and debris containing ACMs; and
- d) employee rotation as a means of reducing employee exposure to asbestos

The Occupational Safety and Health Administration's (OSHA) Asbestos Standard for General Industry (29 CFR 1910.1001) regulates occupational exposures to asbestos in all industries except construction and ship building. The amount of asbestos identified in a building material would determine which applicable sections of OSHA's Asbestos Standard for General Industry must be implemented. Section 1910.1001(j) Communications of Hazards to Employees outlines specific communication relaying requirements that must be implemented by the employers and building owners. Section 1910.1001(k) outlines specific housekeeping requirements. A determination of which

Applicable sections of the Standard are required to be implemented by the Client will be dependent upon the future plans for the subject building.

The Occupational Safety and Health Administration's (OSHA's) Asbestos Standard for the Construction Industry (29 CFR 1926.1101) regulates all renovation and/or demolition work involving building materials which contain any amount of asbestos. The amount of asbestos identified in a building material would determine which applicable sections of OSHA's Asbestos Standard must be implemented. Building owners and/or contractors who perform renovation and/or demolition activities which disturb building materials identified as containing less than or equal to one (1) percent asbestos are only required to be in compliance with paragraphs (g)(1), (g)(2) and (g)(3) of the Standard. These paragraphs describe the required engineering and work practice controls that must be implemented when building materials containing less than one (1) percent asbestos (i.e. drywall joint compound), are disturbed. Building owners and/or contractors who perform renovation and/or demolition activities which disturb building materials identified as containing greater than one (1) percent asbestos, are required to be in compliance with all applicable sections of the Standard.

Unlike OSHA, the EPA under NESHAP regulates all renovation and/or demolition work involving building materials identified as containing greater than one (1) percent asbestos. Unlike OSHA, NESHAP regulates which ACM's must be removed prior to renovation and/or demolition activities being performed. The EPA defines three (3) classifications of building materials: regulated ACM (RACM), Category I Nonfriable ACM and Category II Nonfriable ACM. A regulated ACM is defined as 1) a friable asbestos material, 2) a Category I Nonfriable ACM that has become friable, 3) a Category I Nonfriable ACM that will be or has been subjected to sanding, grinding, cutting or abrading, or 4) a Category II Nonfriable ACM that has a high probability of becoming or has become crumbled, pulverized, or reduced to powder by the forces expected to act on the material in the course of the packings, gaskets, resilient floor covering, and asphalt roofing products containing more than 1 percent asbestos as determined using PLM analysis. A Category II Nonfriable ACM is defined as any material, excluding Category I Nonfriable ACM's, containing more than 1 percent asbestos as determined using PLM analysis. All RACM's are regulated by NESHAP as long as their quantities meet or exceed 160 square feet or 260 linear feet.

DEFINITIONS

Definitions are included in this section in order to provide information concerning potential examples of material that contain asbestos, the condition of the materials, and the proper handling, transportation, and disposal of the materials off-site if necessary.

Asbestos-Containing Material (ACM) is defined as any material that contains more than one (1) percent asbestos as determined by the test method, specified in the CFR Title 40, Part 763, Subpart E, PLM.

Friable is defined as a material that, when dry, can be crumbled, pulverized, or reduced to powder by hand pressure, or any previously non-friable material that has become damaged to the extent that when dry it may be crumbled, pulverized, or reduced to powder by hand pressure.

Category I Non-friable ACM is defined by the NESHAPs as asbestos containing packings, gaskets, resilient floor coverings, and asphalt roofing products.

Category II Non-friable is any material, excluding Category I non-friable ACM, that when dry, cannot be crumbled, pulverized, or reduced to powder by hand pressure.

Regulated Asbestos-Containing Material (RACM) includes: (1) Friable asbestos containing material, including Category I or II non-friable ACM that has become friable; (2) Category I and Category II non-friable ACM that will be or has been subjected to sanding, grinding, cutting, or abrading; (3) Category I and Category II non-friable ACM that has become or have a high probability of becoming friable by the actions of demolition or renovation.

ACRONYMS

ACM	Asbestos containing material
AHERA	Asbestos Hazard Emergency Response Act
CAHES	Certified Asbestos Hazard Evaluation Specialist
CFR	Code of Federal Regulations
DOT	Department of Transportation
EPA	Environmental Protection Agency
HVAC	Heating, Ventilation and Air Conditioning
NESHAP	National Emissions Standards for Hazardous Air Pollutants
NVLAP	National Voluntary Laboratory Accreditation Program
ODH	Ohio Department of Health
OSHA	Occupational Safety & Health Administration
PACM	Presumed asbestos containing material
PLM	Polarized light microscopy
RACM	Regulated Asbestos Containing Material
VAE	Visual area estimation

VILLAGE OF PENINSULA, OHIO
RESOLUTION NO.: 19-2024
INTRODUCED BY: _____
DATE PASSED: _____

**AN EMERGENCY RESOLUTION AMENDING THE EMPLOYEE POSITION LIST AND
WAGE SCALE FOR 2025, 2026, AND 2027**

WHEREAS, the current employee pay scale runs through the end of 2024; and

WHEREAS, the Mayor has made recommendations to Council with respect to an employee pay scale for the years 2025, 2026, and 2027; and

WHEREAS, Council desires to establish an employee pay scale for the above years.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Peninsula, Summit County, Ohio, to wit:

SECTION 1. Council hereby amends the Village Employee Position List and Pay Scale for all Village employees for the years 2025, 2026, and 2027, as set forth in the attachment hereto that is incorporated herein by reference.

SECTION 2. All formal actions of this Council concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council, and all deliberations of this Council or any of its committees that resulted in such formal action were taken in meetings open to the public and/or in compliance with all legal requirements.

SECTION 3. This Resolution is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety, and welfare of the residents of the Village of Peninsula for the reason Council desires to ensure that the 2025 pay raises are effective immediately on January 1, 2025 to avoid the need for the Fiscal Officer to make retroactive pay adjustments. Therefore, this Resolution shall take immediate effect upon its passage.

IN WITNESS WHEREOF, we have hereunto set our hands this _____ day
of _____, 2024.

Passed:

Daniel Schneider, Jr., Mayor

Attest:

Katie Iaconis, Fiscal Officer

Approved as to Legal Form.

Bradric T. Bryan, Solicitor

I, Katie Iaconis, Fiscal Officer of the Village of Peninsula, Summit County, Ohio, do hereby certify that the foregoing Resolution was duly passed by the Council of the Village of Peninsula, at a meeting held on the _____ day of _____, 2024.

Katie Iaconis, Fiscal Officer

Posting Certificate

I, Katie Iaconis, Fiscal Officer of the Village of Peninsula, Summit County, Ohio, hereby certify that there is no newspaper published in the Municipality, and publication of the foregoing Resolution was made by posting true and accurate copies thereof at five of the most public places in the Village as previously determined by Council, each for a period of at least fifteen days, commencing on the _____ day of _____, 2024, as follows:

1. Terry Lumber & Supply;
2. Valley Fire District;
3. Peninsula Library & Historical Society;
4. Peninsula Village Hall Lobby; and
5. Peninsula Post Office.

Katie Iaconis, Fiscal Officer

VILLAGE OF PENINSULA EMPLOYEE POSITION LIST AND WAGE SCALE

POLICE DEPARTMENT

	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>
Auxiliary (NHS*)	\$21.00/hr.	\$23.00/hr.	\$24.00/hr.	\$25.00/hr.
Auxiliary/Part-Time (VS*)	\$22.00/hr.	\$24.00/hr.	\$25.00/hr.	\$26.00/hr.
Auxiliary/Part-Time (ES*)	\$23.00/hr.	\$25.00/hr.	\$26.00/hr.	\$27.00/hr.
Part-Time	\$22.00/hr.	\$24.00/hr.	\$25.00/hr.	\$26.00/hr.
Full-Time	\$24.50/hr.	\$27.00/hr.	\$28.00/hr.	\$29.00/hr.
Sergeant	\$25.75/hr.	\$28.25/hr.	\$29.25/hr.	\$30.25/hr.
Chief	\$27.50/hr.	\$30.00/hr.	\$31.00/hr.	\$32.00/hr.
Reserve Officers	unpaid	<u>unpaid</u>	<u>unpaid</u>	<u>unpaid</u>

***NHS** refers to **New Hire Status**. New Hire Status means an officer that is newly hired to the Department that has less than ten years of service as a police officer.

***VS** refers to **Veteran Status**. Veteran Status means an officer that has at least ten years of service as a police officer or an officer that was hired by the Village prior to 2011.

***ES** refers to **Elite Status**. Elite status means an officer that has 30 or more years of service as a police officer.

Field Training Officers. Full-Time Police Officers that are designated as Field Training Officers shall receive .75c per hour above their designated pay rate for all hours worked while actively training a newly hired officer. Auxiliary or Part-Time Officers that are designated as Field Training Officers shall receive .75c per hour above their designated pay rate for all hours worked while actively training a newly hired officer.

Shift Differential Pay. Auxiliary or Part-Time Officers who work a weekend afternoon shift shall receive shift differential pay in the amount of .25c per hour for all hours worked on a weekend afternoon shift. Auxiliary or Part-Time Officers who work the midnight shift shall receive shift differential pay in the amount of .50c per hour for all hours worked on the midnight shift.

Limit on Pay Incentives. Auxiliary or Part-Time Officers shall be entitled to only the highest paying of the above incentive pay stipends for hours worked. Incentive pay stipends may not be combined for the same hours worked.

The Village is reimbursed for its costs associated with paying the Police Officers that are performing the duties set forth below by the National Park Service or the Summit County OVI Task Force. Officers performing those duties shall be paid at the following rates.

CVNP Sponsored Foot Patrol Officer	\$19.97/hr.
OVI Task Force Officer	\$30.00/hr.

SERVICE DEPARTMENT

	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>
Full-Time Supervisor	\$25.00/hr.	<u>\$30.00/hr.</u>	<u>\$31.00/hr.</u>	<u>\$32.00/hr.</u>
Full-Time	\$20.50/hr.--\$21/hr.	<u>\$23.50/hr.</u>	<u>\$24.50/hr.</u>	<u>\$25.50/hr.</u>
Part-Time	\$18.00/hr.--\$21/hr.	<u>\$21.00/hr.</u>	<u>\$22.00/hr.</u>	<u>\$23.00/hr.</u>
Seasonal	\$18.00/hr.--\$21/hr.	<u>\$21.00/hr.</u>	<u>\$22.00/hr.</u>	<u>\$23.00/hr.</u>

ADMINISTRATIVE OFFICE

	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>
FT Admin. Asst.	\$25.00/hr.	<u>\$27.00/hr.</u>	<u>\$28.00/hr.</u>	<u>\$29.00/hr.</u>
PT Admin. Asst.	\$20.50/hr.	<u>\$21.00/hr.</u>	<u>\$22.00/hr.</u>	<u>\$23.00/hr.</u>
PT Assistant. Admin. Asst.	\$18.50/hr.	<u>\$19.00/hr.</u>	<u>\$20.00/hr.</u>	<u>\$21.00/hr.</u>

FISCAL OFFICER (Part-Time up to 20 Hours per Week)

	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>
	\$29.00/hr.	<u>\$31.00/hr.</u>	<u>\$32.00/hr.</u>	<u>\$33.00/hr.</u>

ZONING OFFICER

	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>
	\$250/mo.	<u>\$300/mo.</u>	<u>\$325/mo.</u>	<u>\$350/mo.</u>

SOLICITOR/PROSECUTOR

	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>
Bradric Bryan	\$27,000/yr. sal.	<u>\$36,000/yr.</u>	<u>\$39,000/yr.</u>	<u>\$42,000/yr.</u>
Goodwin & Bryan, LLP	\$4,500/mo.	<u>\$4,500/mo.</u>	<u>\$4,650/mo.</u>	<u>\$4,800/mo.</u>
	av. 50 hrs/mo	<u>av 55 hrs/mo</u>	<u>av 55 hrs/mo</u>	<u>av 55 hrs/mo</u>

VILLAGE OF PENINSULA, OHIO

RESOLUTION NO.: 20-2024

INTRODUCED BY: _____

DATE PASSED: _____

A RESOLUTION REQUESTING THE SUMMIT COUNTY FISCAL OFFICER, IN THE YEAR 2025, TO ADVANCE TO THE VILLAGE MONIES TO WHICH THE VILLAGE IS ENTITLED FROM THE PROCEEDS OF TAX LEVIES FOR THE TAX YEAR 2024

WHEREAS, O.R.C. Section 321.34 provides that money in the County Treasury to the credit of the account of a local authority and lawfully applicable to the purpose of the current fiscal year, may be withdrawn by a municipality upon the proper request; and

WHEREAS, Council has found and determined that sound fiscal policy requires that such withdrawal be requested from the Summit County Fiscal Officer.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Peninsula, Summit County, Ohio, to wit:

SECTION 1. In 2025, the Summit County Fiscal Officer is hereby requested to draw warrants and pay the Village of Peninsula all monies presently being held in the Summit County Treasury to the accounts of the Village lawfully applicable to the purpose of the 2025 fiscal year and derived from the proceeds of tax levies for the tax year 2024.

SECTION 2. The Fiscal Officer is hereby authorized and directed to promptly forward a copy of this Resolution to the Summit County Fiscal Officer.

SECTION 3. All formal actions of this Council concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council, and all deliberations of this Council or any of its committees that resulted in such formal action were taken in meetings open to the public and/or in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4. This Resolution shall take effect and be in force after the earliest period permitted by law.

RESOLUTION 20-2024
PAGE TWO

IN WITNESS WHEREOF, we have hereunto set our hands this _____ day
of _____, 2024.

Passed:

Daniel Schneider, Jr., Mayor

Attest:

Katie Iaconis, Fiscal Officer

Approved as to Legal Form.

Bradric T. Bryan, Solicitor

I, Katie Iaconis, Fiscal Officer of the Village of Peninsula, Summit County, Ohio,
do hereby certify that the foregoing Resolution was duly passed by the Council of the
Village of Peninsula, at a meeting held on the _____ day of _____, 2024.

Katie Iaconis, Fiscal Officer

Posting Certificate

I, Katie Iaconis, Fiscal Officer of the Village of Peninsula, Summit County, Ohio,
hereby certify that there is no newspaper published in the Municipality, and publication
of the foregoing Resolution was made by posting true and accurate copies thereof at
five of the most public places in the Village as previously determined by Council, each
for a period of at least fifteen days, commencing on the _____ day of
_____, 2024, as follows:

1. Terry Lumber & Supply;
2. Valley Fire District;
3. Peninsula Library & Historical Society;
4. Peninsula Village Hall Lobby; and
5. Peninsula Post Office.

Katie Iaconis, Fiscal Officer

VILLAGE OF PENINSULA, OHIO
ORDINANCE NO.: 21-2024
INTRODUCED BY: _____
DATE PASSED: _____

**AN ORDINANCE AMENDING CHAPTER 741 OF THE BUSINESS REGULATION
CODE TITLED SHORT-TERM RENTAL REGULATIONS**

WHEREAS, on October 8, 2024, Council amended Chapter 741 of the Village Business Regulation Code titled Short-Term Rental Regulations; and

WHEREAS, the amendments to the Ordinance included a provision requiring an annual inspection of Short-Term Rental properties by the Valley Fire Department; and

WHEREAS, since the adoption of the amended Ordinance on October 8, 2024, the Village learned that the Valley Fire Department is unable to perform the required inspections because the Fire Department does not perform inspections of residential properties; and

WHEREAS, considering the above, Council desires to amend Chapter 741 to remove the Fire Department inspection requirement.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Peninsula, Summit County, Ohio, to wit:

SECTION 1. That Council hereby amends Chapter 741 of the Village Business Regulation Code titled Short-Term Rental Regulations, as indicated in the attachment hereto that is incorporated herein by reference.

SECTION 2. That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public and/or in compliance with all legal requirements, including Section 121.022 of the Ohio Revised Code.

SECTION 3. That this Ordinance shall take effect and be in force as of the earliest period permitted by law.

IN WITNESS WHEREOF, we have hereunto set our hands this _____ day of _____, 2024.

Passed:

Daniel Schneider, Jr., Mayor

Attest:

Katie Iaconis, Fiscal Officer

Approved as to Legal Form.

Bradric T. Bryan, Solicitor

I, Katie Iaconis, Fiscal Officer of the Village of Peninsula, Summit County, Ohio, do hereby certify that the foregoing Ordinance was duly passed by the Council of the Village of Peninsula, at a meeting held on the _____ day of _____, 2024.

Katie Iaconis, Fiscal Officer

Posting Certificate

I, Katie Iaconis, Fiscal Officer of the Village of Peninsula, Summit County, Ohio, hereby certify that there is no newspaper published in the Municipality, and publication of the foregoing Ordinance was made by posting true and accurate copies thereof at five of the most public places in the Village as previously determined by Council, each for a period of at least fifteen days, commencing on the _____ day of _____, 2024, as follows:

1. Terry Lumber & Supply;
2. Valley Fire District;
3. Peninsula Library & Historical Society;
4. Peninsula Village Hall Lobby; and
5. Peninsula Post Office.

Katie Iaconis, Fiscal Officer

CHAPTER 741 SHORT-TERM RENTAL REGULATIONS

741.01 PURPOSE AND INTENT.

(a) This Chapter is intended to protect and promote the health, safety, and general welfare of all the citizens of the Village of Peninsula and preserve the small-town character of the Village by requiring the registration and certification of short-term rentals within the Village. It is also the intent of this Chapter to protect the integrity of the residential neighborhoods while allowing property owners to receive remuneration from renting a dwelling or portions of a dwelling to help maintain the dwelling.

(b) The purpose of this Chapter is to regulate and limit short-term rentals in order to:

- (1) Establish minimum standards and conditions for Short-Term Home Rentals and Owner-Occupied Short-Term Rentals that reflect the goals and policies of the Long Range Plan and the Planning and Zoning Code;
- (2) Reinforce the purpose of the R-1 Rural Residential District by retaining a rural living environment in the district, maintaining suitable neighborhoods for families and children, and discouraging uses that would generate traffic on local streets in excess of normal traffic generated by the neighborhood;
- (3) Acknowledge that the R-2 "Small Town" Residential District is intended to be more eclectic in its design, character, and size of housing, resulting in varied neighborhoods in close proximity to commercial and tourist attractions, while controlling the density of short-term rentals, preventing congestion on public streets, and reducing hazards to life and property; and
- (4) Provide resident owners of property in residential districts the opportunity to generate additional income to support their continued ownership in the Village.

741.02 DEFINITIONS.

Caretaker. A Caretaker is an individual, other than the Certificate holder, who is responsible for the oversight and care of the short-term rental.

Certificate. A short-term rental certificate duly issued by the Village.

Owner-Occupied Short-Term Rental. A rental for less than thirty (30) consecutive days in which the owner is concurrently, personally occupying the premises with one or more renters who occupy a single room or multiple rooms in the same dwelling in which the owner is living; or while the renter is occupying a permitted accessory dwelling on the premises that has separate bathroom facilities. An Owner-Occupied Short-Term Rental property owner who has an additional, approved, accessory dwelling located on the same property may choose which dwelling in which they wish to reside, and which dwelling shall be the short-term rental unit. An Owner-Occupied Short-Term Rental property owner shall at no time be permitted to rent both the main dwelling unit and the accessory dwelling. A Short-Term Rental Certificate shall be issued for only one Owner-Occupied Short-Term Rental dwelling on the property.

Parking Space. For purposes of this Chapter, a parking space shall be a minimum of 9 feet by 18 feet, located off-street, outside of a road right-of-way, and in one of the following locations on the same lot as the short-term rental:

- in a garage or carport;
- within a paved or gravel driveway; or
- within a paved or gravel parking pad.

Renter. As used in this Chapter, a renter is an occupant or renter of a short-term rental pursuant to a rental agreement. The term “renter”, as used herein, does not include guests of the occupant or renters, who are visiting between the hours of 7:00 a.m. and 11:00 p.m., provided the total number of visiting guests does not exceed the total number of renters permitted by the Certificate.

Septic System Operations Permit. As used in this Chapter, septic system operations permit means a valid permit issued by Summit County Public Health for the on-site septic system.

Short-Term Home Rental. For purposes of this Chapter, Short-Term Home Rental means any dwelling that is rented in its entirety for less than 30 consecutive days by persons other than the owner from whom the owner receives monetary compensation, and the owner is not present and personally living on the premises during the time of the rental. Rentals for 30 or more consecutive days to the same rentee(s)/guest(s) do not constitute a Short-Term Home Rental and are not subject to the Short-Term Rental Regulations.

Special Event. In association with a short-term rental, Special Event means a wedding, party, family reunion, or similar gathering that exceeds the maximum number of occupants allowed under the Short-Term Rental Certificate.

741.03 APPLICABILITY.

(a) Short-Term Home Rental Certificates that were issued prior the effective date of this amendment to Chapter 741 and are valid at the time the renewal application is submitted shall be permitted to be renewed provided that a renewal application is submitted prior to the expiration date of the Certificate and the Short-Term Home Rental property owner is in compliance with all other requirements outlined in this Chapter. A Certificate may be revoked for violations outlined in Section 741.09. If a Certificate is revoked, the property shall no longer be eligible to apply for a Certificate until the expiration of the time period set forth in Section 741.09(b)(1)(B) and will only be eligible to receive a Certificate if one is available. Owner-Occupied Short-Term Rentals shall continue to be permitted in all Village zoning districts provided the property owner obtains a Certificate in compliance with all applicable requirements of this Chapter.

(b) This Chapter applies to all residential dwellings and owners of those dwellings, regardless of zoning district, wherein the entire dwelling or portion of a dwelling is rented for a period of less than 30 days.

(1) **Certificate Required.** A Certificate is required prior to the rental of any dwelling or portion of any dwelling for a period of less than 30 days.

A. A Certificate issued by the Village shall be valid for the calendar year for which it is issued. Certificates shall automatically expire upon transfer of the property, and Certificates are not transferable to succeeding property owners.

- B. A Certificate will be issued within 30 days of receipt of a complete application, provided the information on the application is accurate and is verified by an inspection of the property by the Village.
- C. The Certificate shall indicate the maximum number of guests that can be accommodated at the rental in accordance with the standards listed in 741.04 of this Chapter.
- D. A Certificate and Certificate holder shall be subject to all of the standards and penalties of this Chapter.

(2) Application. An application provided by the Village for a Short-Term Rental Certificate shall, at a minimum, include the following:

- A. Address of property.
- B. Property owner name(s). If the owner does not reside within a 30-minute drive time of the Short-Term Home Rental property, the property owner shall designate a Caretaker that meets the 30-minute drive time requirement.
- C. Signature of property owner(s) and Caretaker, if any.
- D. Number of bedrooms in the dwelling. For Owner-Occupied Short-Term Rentals, the number of available rooms to be rented.
- E. Number of parking spaces as defined under 741.02.
- F. Sketch of the property, indicating location of the dwelling, driveway, or other point of access, and designated parking spaces meeting the definition of a parking space under 741.02.
- G. Contact information including: name, address, and 24-hour contact phone number for the owner of the property and the Caretaker, if any. Throughout the term of the Certificate, it is the Certificate holder's responsibility to inform the Village, in a timely manner, of any change in the Certificate holder or Caretaker's contact information or changes to any other information required in the application.
- H. Proof of insurance as required by 741.04.
- I. Proof of a valid Septic System Operations Permit for the septic system.
- J. The domain addresses for all websites on which the property is being advertised as available for short-term rental and the unique URL for any of those listings.

(3) Renewal of Certificates.

- A. All Certificates for both Owner-Occupied and Short-Term Home Rentals shall be renewed annually. Certificates expire on December 31 of the year in which they were issued. No rental shall occur until the rental Certificate is renewed. The fee for each Certificate shall not be prorated should a partial year permit be requested.
- B. Renewal applications shall contain the same information as required for the initial application and shall be filed no later than November 15 of the year in which the Certificate expires. Renewal applications filed after November 15 will require an additional \$200 late fee above and beyond the applicable application fee. If a complete application is not received by the expiration of the previous year's Certificate, the applicant is not entitled to a renewal. Renewal applications submitted after December 31st shall be placed on a wait list along with any new applications. After all renewal applications filed prior to January 1 are processed, and if any permits are available, the applicants on the wait list will be reviewed in the order in which they were received.
- C. Short-Term Home Rental Certificate holders shall be required to provide evidence that their rental has been occupied for a minimum of 60 days during the previous calendar year to be permitted to renew their Certificate. If the Certificate was issued after January 1 and no Short-Term Rentals occurred in that year prior to the date the Certificate was issued, the total number of occupied days shall be an average of 5 days per month for each month the Certificate was valid.

741.04 STANDARDS.

- (a) **Short-Term Home Rental Standards.** All Short-Term Home Rentals shall be subject to the following standards, in addition to the requirements set forth in 741.05 and 741.06 of this Chapter.
 - (1) **Parking.** Parking for guests in a Short-Term Home Rental shall only be in identified parking spaces as defined in this chapter. No on-street parking shall be permitted in association with a short-term rental. A minimum of 1-parking space per bedroom shall be provided, plus 1 additional space. If the Short-Term Home Rental location cannot meet the above requirement, the applicant shall indicate the number of spaces provided and restrict guests to that number of vehicles.
 - (2) **Accessory Buildings.** No Short-Term Home renters shall be permitted to sleep in any accessory building to the primary building on the site. Nor shall sleeping be permitted outside or in tents, campers, or other similar temporary structures outside of the main dwelling.
 - (3) **Trash.** Refuse and recyclables shall be stored in appropriate containers with tight-fitting lids and shall be regularly picked up by a licensed waste hauler.
 - (4) **Safety Standards.** The Short-Term Home Rental owner shall provide an affidavit

stating the short-term rental is in compliance with all applicable local, state, and federal laws and regulations.

- (5) Special Events. Special events, as defined in this Chapter, are not permitted.
- (6) Capacity Limit. The maximum number of renters to be accommodated shall be equal to the number of bedrooms multiplied by a factor of 2, plus 3 additional guests. Children 3 years of age and younger shall not count toward the capacity limit.
 - A. The number of bedrooms shall be as certified by the applicant and verified by inspection of the Village.
 - B. The certificate issued by the Village shall indicate the maximum number of renters that may be accommodated as calculated under these standards.
- (7) Contact. The Certificate holder, or a Caretaker representing the property owner, must be available by telephone at all times and be physically located within a 30-minute drive time of the property in the event of an emergency or an issue that requires immediate attention.
- (8) Certificate Number. The unique Short-Term Home Rental Certificate number included on the Short-Term Rental Certificate issued by the Village shall be:
 - A. Included in any advertisement for the rental; and
 - B. The Certificate shall be posted inside the property in a conspicuous location.
- (9) Quiet Hours. Short-Term Home Rentals shall observe quiet hours between 10:00 p.m. and 7:00 a.m.
- (10) Pets. Pets shall be secured on the premises or on a leash at all times.
- (11) Applicable Rules. Renters shall be made aware of the rules applicable to the renters under this Chapter.
- (12) Signs. Signs shall conform to the requirements of Chapter 1133 of the Village of Peninsula Zoning Ordinance.
- (13) Insurance. A general liability insurance policy or certificate that shall provide minimum liability insurance coverage of not less than three hundred thousand dollars (\$300,000) issued by an insurance company licensed to conduct business in the State of Ohio shall be provided. The policy or certificate shall provide notice of cancellation of insurance to the Village at least 10 days prior to cancellation.
- (14) Short-term Rental Tax. Each Short-Term Home Rental shall charge the Short-Term Rental Tax on every rental and remit same to the Village in compliance with the requirements of Chapter 185 of the Village of Peninsula Codified Ordinances.

- (15) Advertising. No person shall allow a dwelling to be listed or advertised as a Short-Term Home Rental prior to obtaining a permit or if the permit has been revoked, suspended, or denied. All advertisements shall include the Certificate number, occupancy limitations, parking requirements, quiet hours, and special event requirements. Advertisements shall be updated with current information throughout the year.
- (16) Septic System. No Short-term Home Rental shall be permitted unless a valid Septic System Operations Permit from Summit County Public Health is provided.
- (17) Record Keeping. All Short-Term Home Rental property owners shall retain, and upon request, make available to the Mayor or his or her designee, the Zoning Officer, or law enforcement officials, records to demonstrate compliance with this section, including, but not limited to, primary residency, the name of the Short-Term Home Rental guest responsible for the reservation and/or who rented the unit on each night, dates of the rental, price per night, and duration of stay in a Short-Term Home Rental.
- (18) Smoke Detectors. Smoke detectors shall be provided and maintained within each sleeping area within each dwelling unit.
- (19) Carbon Monoxide Detectors. Carbon monoxide detectors shall be provided on each floor of the dwelling unit which has fuel burning appliances for heating or cooking and in a central location outside each sleeping area on every level of the home as provided by Ohio Fire Code Technical Bulletin TB18-001, as updated from time to time. Fuel burning appliances include, but are not limited to, furnaces, fireplaces, ovens, and hot water tanks.
- ~~(20) Fire Department Inspection. Before receiving a Short-Term Rental Certificate, all Short-Term Rental and Owner-Occupied Short-Term Rental properties shall schedule, submit to, and pass a fire inspection administered by the Valley Fire Department. Any inspection fees for that fire inspection shall be paid by the property owner directly to the Valley Fire Department.~~

(b) Owner-Occupied Short-Term Rental Standards. Owner-Occupied Short-Term Rentals shall be permitted in any zoning district. All Owner-Occupied Short-Term Rentals shall comply with the following standards.

- (1) Parking. Parking for guests shall be on the same lot as the dwelling. No on-street parking shall be permitted in association with the rental.
- (2) Accessory buildings. If the rental unit is within an accessory building, it shall provide bathroom facilities within that building.
- (3) Safety Standards. The Owner shall provide an affidavit stating that the rental is in compliance with applicable local, state, and federal laws and regulations.
- (4) Capacity Limit. The maximum number of renters to be accommodated shall be equal to the number of bedrooms available for rent multiplied by a factor of 2, plus 3 additional guests. Children 3 years of age and younger shall not count toward the capacity limit.

- A. The number of bedrooms shall be as certified by the applicant and verified by inspection of the Village, minus the number of bedrooms occupied by the permanent residents.
- B. The Certificate issued by the Village shall indicate the maximum number of renters that may be accommodated as calculated under these standards.
- (5) Certificate Number. The unique Short-Term Rental Certificate number included on the Short-Term Rental Certificate issued by the Village shall be:
- A. Included in any advertisement for the rental; and
- B. The Certificate shall be posted inside the property in a conspicuous location.
- (6) Insurance. A general liability insurance policy or certificate that shall provide minimum liability insurance coverage of not less than three hundred thousand dollars (\$300,000) issued by an insurance company licensed to conduct business in the State of Ohio shall be provided. The policy or certificate shall provide notice of cancellation of insurance to the Village at least 10 days prior to cancellation.
- (7) Short-term Rental Tax. Each Owner-Occupied Short-Term Rental shall charge the Short-Term Rental Tax on every rental and remit same to the Village in compliance with the requirements of Chapter 185 of the Village of Peninsula Codified Ordinances.
- (8) Advertising. No person shall allow a dwelling to be listed or advertised as a short-term rental prior to obtaining a permit or if the permit has been revoked, suspended, or denied. All advertisements shall include the Certificate number, occupancy limitations, parking requirements, quiet hours, and special event requirements. Advertisements shall be updated with current information throughout the year.
- (9) Septic System. No Owner-Occupied Short-Term Rental shall be permitted unless a valid Septic System Operations Permit from Summit County Public Health is provided.
- (10) Record Keeping. All Owner-Occupied Short-Term Rental property owners shall retain, and upon request, make available to the Mayor or his or her designee, the Zoning Officer, or law enforcement officials, records to demonstrate compliance with this section, including, but not limited to, primary residency, the name of the short-term rental guest responsible for the reservation and/or who rented the unit on each night, dates of the rental, price per night, and duration of stay in a short-term rental.
- (11) Smoke Detectors. Smoke detectors shall be provided and maintained within each sleeping area within each dwelling unit.
- (12) Carbon Monoxide Detectors. Carbon monoxide detectors shall be provided on each floor of the dwelling unit which has fuel burning appliances for heating or cooking and in a central location outside each sleeping area on every level of the home as provided by Ohio Fire Code Technical Bulletin TB18-001, as updated from time to time. Fuel burning appliances include, but are not limited to, furnaces, fireplaces, ovens, and hot water tanks.

741.05 SPECIAL REQUIREMENTS IN THE R-2 "SMALL TOWN" RESIDENTIAL, MIXED USE AND COMMERCIAL DISTRICTS FOR SHORT-TERM HOME RENTALS.

Short-Term Home Rentals shall be permitted in the R-2 "Small Town" Residential District, the Mixed Use District, and the Commercial District, provided the total number of Short-Term Home Rentals within those districts does not exceed 10 units. Owner-Occupied Short-Term Rentals as defined by Section 741.02 and regulated by Section 741.04(b) shall not count toward the total number of Short-Term Home Rentals permitted by this section.

741.06 SPECIAL REQUIREMENTS IN THE R-1 RURAL RESIDENTIAL DISTRICT FOR SHORT-TERM HOME RENTALS.

Short-Term Home Rentals shall be permitted in the R-1 Rural Residential District, provided that the total number of Short-Term Home Rentals in that district does not exceed 5 units. Owner-Occupied Short-Term Rentals, as defined by Section 741.02 and regulated by Section 741.04(2), shall not count toward the total number of short-term rentals permitted by this section.

741.07 SHORT-TERM RENTAL TAX.

(a) The Short-Term Rental Tax shall be 3% of the listing price, including any fees, for reservations 29 nights and shorter.

(b) The tax shall be collected and administered in conformance with Chapter 185 of the Village of Peninsula Codified Ordinances.

741.08 FEES.

(a) Each application for a Short-Term Home Rental Certificate shall be accompanied by an application fee of \$500, plus a \$250 Village inspection fee.

(b) Each application for an Owner-Occupied Short-Term Rental shall be accompanied by an application fee of \$100, plus a \$250 Village inspection fee.

741.09 VIOLATIONS, DENIAL, OR REVOCATION OF CERTIFICATE, AND PENALTY.

(a) Any of the following will be considered a violation of this Chapter:

- (1) Failure to update information required on the application with the Village in a timely manner.
- (2) Advertising either an Owner-Occupied or Short-Term Home Rental for a capacity in excess of that allowed under the Certificate issued by the Village.
- (3) Permitting a number of persons in excess of that allowed under the Certificate issued by the Village to stay at the premises.
- (4) Failure of the Certificate holder or his/her designated Caretaker to be available at any time during the tenure of an active Short-Term Home Rental, or failure of a homeowner to be present during the rental of an Owner-Occupied Short-Term Rental.
- (5) Providing false or misleading information on the application for any Short-Term Rental Certificate or failing to include the information required by this Chapter

in advertisements.

- (6) Failure to obtain a Short-Term Rental Certificate when operating either an Owner-Occupied Short-Term Rental or a Short-Term Home Rental.
- (7) Failure to comply with any of the standards listed in 741.04.
- (8) The property taxes for the subject property are in arrears with the Summit County Fiscal Office.
- (9) Short-Term Rental Taxes for the property that are due and owed are in arrears, and/or Short-Term Rental Tax reporting forms for the property have not been timely filed.
- (10) The subject property has outstanding Building, Zoning, or Property Maintenance Code violations or outstanding violations from the Summit County Department of Health.
- (11) The applicant, property owner, or Caretaker has refused, hindered, or prevented any inspection by the Village authorized by Section 741.04.
- (12) Evidence of a violation for the purposes of this section needs to be only a de facto violation; a conviction for such violation is not a prerequisite for denial or revocation of a Certificate.

(b) Penalties.

(1) When the Village becomes aware of a violation of this Chapter, the Village may send a written notice to the property owner and/or Caretaker of the property that describes the location of the property, the nature of the violation, and the specific provisions of this Chapter being violated, giving the owner and/or Caretaker of the property no less than 10 days to eliminate the violation before action is taken by the Village to cancel the Certificate. The 10-day notice requirement shall not apply when the Village has previously cited the Certificate holder for, or provided notice to the Certificate holder of, the same type of violation within the past 365 days.

A. If the property owner and/or Caretaker does not eliminate the violation within 10 days, or an alternate amount of time specifically indicated in the violation notice, and the Village has not granted an extension to remedy the violation, the Mayor, or his or her designee, may revoke the Certificate. If a Certificate is revoked, the property owner and/or Caretaker shall cease renting the property. Property owners and/or Caretakers that continue to rent the property after the Certificate has been revoked are subject to the penalties set forth in Section 741.09(b)(3).

B. A property owner who has had their Certificate revoked may appeal the

revocation decision by filing a notice of appeal with the Village Administrative Clerk within 10 days of the date of their receipt of the revocation notice. If a timely appeal is filed, Village Council shall hold a hearing on the revocation within 30 days of the notice of appeal filing date. The decision of Village Council on the appeal of the Mayor's, or Mayor's designee's, revocation action may be appealed in accordance with Ohio law. A property owner whose Certificate has been revoked shall be prohibited from re-applying for a Village Short-Term Rental Certificate for a period of 1 year from the revocation date or final adjudication date of the revocation decision, whichever is later.

- (2) A property owner who has had their Certificate denied may appeal the decision by filing a notice of appeal with the Village Administrative Clerk within 10 days of the date of their receipt of the notice of denial. If a timely appeal is filed, Village Council shall hold a hearing on the denial within 30 days of the notice of appeal filing date. The decision of Village Council on the appeal of the Mayor's, or the Mayor's designee's, denial to issue a permit may be appealed in accordance with Ohio law. A property owner whose Certificate has been denied shall be prohibited from re-applying for a Village Short-Term Rental Certificate for a period of 1 year from the denial date or final adjudication date of the denial decision, whichever is later.
- (3) Any violation of Chapter 741 shall constitute a first-degree misdemeanor. Any person who is convicted of such a violation shall be subject to punishment by a fine not exceeding \$1,000 or imprisonment not exceeding 180 days for each offense, or both, at the discretion of the court. Each day a violation occurs may be considered a separate offense. The imposition of any sentence shall not exempt the offender from having to comply with the requirements of this Chapter. Use of any rights and remedies set forth above shall not preclude the use of other remedies provided by law, including any additional rights of the Village to initiate proceedings in an appropriate court of law to restrain or prevent any non-compliance with any provisions of this Chapter, or to correct, remedy, or abate such non-compliance. Any failure or omission to enforce the provisions of this Chapter, or failure or omission to prosecute any violations of this Chapter, shall not constitute a waiver of any rights and remedies provided by this Chapter, or by law, and shall not constitute a waiver nor prevent any further prosecution of violations of this Chapter.

VILLAGE OF PENINSULA, OHIO
RESOLUTION NO.: 22-2024
INTRODUCED BY: _____
DATE PASSED: _____

**A RESOLUTION ESTABLISHING A TEMPORARY OPERATING BUDGET AND
MAKING TEMPORARY APPROPRIATIONS FOR CURRENT EXPENSES AND
OTHER EXPENDITURES OF THE VILLAGE FOR THE PERIOD FROM
JANUARY 1, 2025 THROUGH MARCH 31, 2025**

WHEREAS, at the direction of the Mayor and Council, Katie Iaconis, the Fiscal Officer, has prepared the attached Temporary Operating Budget and Temporary Appropriations for current expenses and other expenditures for the period from January 1, 2025 through March 31, 2025; and

WHEREAS, Village Council deems it necessary and proper to exercise its authority over the budget and appropriations by authorizing and certifying the within Temporary Operating Budget and Appropriation Resolution for the period from January 1, 2025 through March 31, 2025.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Peninsula, Summit County, Ohio, to wit:

SECTION 1. That in order to provide funds for the current expenses and other expenditures of the Village for the period from January 1, 2025 through March 31, 2025, the following budget and appropriations are hereby made, by fund, that are set forth in the attachment hereto that is incorporated herein by reference.

SECTION 2. All formal actions of this Council concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council, and all deliberations of this Council or any of its committees that resulted in such formal action were taken in meetings open to the public and/or in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3. This Resolution shall take effect and be in force as of the earliest date permitted by law.

RESOLUTION 22-2024
PAGE TWO

IN WITNESS WHEREOF, we have hereunto set our hands this _____ day
of _____, 2024.

Passed:

Daniel Schneider, Jr., Mayor

Attest:

Katie Iaconis, Fiscal Officer

Approved as to Legal Form.

Bradric T. Bryan, Solicitor

I, Katie Iaconis, Fiscal Officer of the Village of Peninsula, Summit County, Ohio,
do hereby certify that the foregoing Resolution was duly passed by the Council of the
Village of Peninsula, at a meeting held on the _____ day of _____, 2024.

Katie Iaconis, Fiscal Officer

Posting Certificate

I, Katie Iaconis, Fiscal Officer of the Village of Peninsula, Summit County, Ohio,
hereby certify that there is no newspaper published in the Municipality, and publication
of the foregoing Resolution was made by posting true and accurate copies thereof at
five of the most public places in the Village as previously determined by Council, each
for a period of at least fifteen days, commencing on the _____ day of
_____, 2024, as follows:

1. Terry Lumber & Supply;
2. Valley Fire District;
3. Peninsula Library & Historical Society;
4. Peninsula Village Hall Lobby; and
5. Peninsula Post Office.

Katie Iaconis, Fiscal Officer