

# **PUBLIC NOTICE**

## **AGENDA**

### **ADMINISTRATIVE SERVICES COMMITTEE MEETING**

*Committee Members: Sandy Russell, Lisa Evans, and Kim Chamberland*

**Wednesday, May 11, 2022, at 4:30 p.m.**

**Council Chambers, 745 Center Street, Milford, Ohio 45150**

Call to Order

Proceedings: Approval of the May 4, 2022, updated Administrative Services Committee Minutes

Agenda Items:

- Discussion: Proposed Legislation RE: Short term Rentals and Regulations
- And all additional matters that may properly come before the Committee.

Adjourn

**Administrative Services Committee  
Meeting Minutes  
May 4, 2022**

Ms. Russell called the meeting to order at 4:30 p.m.

**Present:** *Sandy Russell*, Lisa Evans, Kim Chamberland

**Staff:** City Manager, Michael Doss, Finance Director Pat Wirthlin and Executive Assistant, Jackie Bain

**Visitors:** Brad Ruwe of Dinsmore & Shohl, Mark Lawry, Jim Montag, Matt Demeris, Damiene Nelson, Laurie Howland, Tim Howland, Dino Pelle, Becky Linser, Claire Oliver

**Proceedings:** The updated minutes from the April 18, 2022 Administrative Services Committee Meeting were approved.

**DISCUSSION: PROPOSED LEGISLATION RE: FINANCING OF FIVE POINTS LANDING PARK**

Finance Director Pat Wirthlin discussed with the committee a \$2.6 Million Bond Issue for Five Points Landing Park. The generous residents of Milford voted a three-mil, five-year tax levy to develop Phase I of Five Points Landing Park. Here is the timeline:

2021 Voters Passed the Levy via Ballot

2022 County Assesses the Property Values

2022 to 2023 City Constructs and Pays for the Park

2023 to 2027 City Collects the Levy Revenue over Five Years. Amounts up for discussion were the following:

\$2.8 Million Levy 5-Year Revenue Stream

\$2.8 Million Project Cost

\$2.6 Million Financing to Jump-Start the Project

Staff recommended a \$2.6 million, 5-year bond to jump-start the project, take advantage of low interest rates, and tie down escalating building material costs. Brad Ruwe of Dinsmore & Shohl attended the meeting to discuss the bond specifics and to answer questions.

If all goes according to plan, the City could close on May 30 and then have five months of construction before winter months. Spring of 2023 would wrap it up with a beautiful park to showcase our amazing city ... Thank you Milford voters!

***The Committee Agreed To Recommend That The Law Director Draft An Ordinance Providing For The Issuance Of Limited Tax General Obligation Bonds, In One Or More Series, In An Aggregate Principal Amount Not To Exceed \$2,600,000 By The City Of Milford, Clermont And Hamilton Counties, Ohio, For The Purpose Of Acquiring, Constructing And Equipping Five Points Landing, All Within The City, And Declaring An Emergency***

## CREATION OF THE PARK LEVY FUND NO. 208

Finance Director Pat Wirthlin discussed with the committee a 2.8 Million Park Levy Fund and that the First step is to set up a new fund in the City's accounting system. This requires a Council Ordinance.

***The Committee Agreed to Recommend That the Law Director Prepare an Ordinance Authorizing the Creation of The Park Levy Fund Number 208 (And Declaring an Emergency)***

## AGREEMENT WITH MCGOWAN GOVERNMENTAL UNDERWRITERS FOR PROPERTY AND CASUALTY INSURANCE FOR THE CITY OF MILFORD

Finance Director Pat Wirthlin that Staff recommends that the City continue its engagement with McGowan Governmental Underwriters for property and casualty insurance for the 2022/2023 coverage period. Coverage includes buildings, vehicles, equipment, contents, cyber, and accidents that cause injury or damage. The current renewal of \$71,686 increased -\$9K from the 2021 renewal amount due to the marked increase in cyber coverage, a 46% 5-year loss ratio, and high inflationary rate increases. Please note that McGowan, as an agent to the City, bids the contract out to various insurers. in 2021, we reviewed Ohio Plan, a popular P&C State pool, as an alternative

| Property & Casualty Insurance    |                      |
|----------------------------------|----------------------|
| Year                             | Premiums *<br>Amount |
| 2018                             | \$45,823.00          |
| 2019                             | \$48,765.00          |
| 2020                             | \$51,420.00          |
| 2021                             | \$62,779.00          |
| 2022 Renewal *                   | \$71,686.00          |
| *PrerrOurrl Years run May to May |                      |

***The Committee Agreed to Recommend that the Law Director Prepare an Ordinance Authorizing an Agreement with McGowan Governmental Underwriters for Property and Casualty Insurance in The Amount Of \$71,686 For the Period May 13, 2022 to May 13, 2023.***

#### DISCUSSION: COMPENSATION OF THE FINANCE DIRECTOR

City Manager Michael Doss requested a pay increase of \$7,500 for Pat Wirthlin who he believed is a true asset to the City as Finance Director. She assisted our team with navigating the City through a pandemic and current inflation. The retirement of Pam Holbrook has cast a light on the importance of surrounding the City with experienced and well-qualified individuals to further the continuity of our goals, missions and objectives.

***The Committee Agreed to Recommend that the Law Director Prepare an Ordinance Authorizing the Compensation Increase of \$7500 for Finance Director Pat Wirthlin***

#### DISCUSSION: JUNETEENTH HOLIDAY OBSERVATION

City Manager Michael Doss discussed consideration to adopt June 19 (Juneteenth) as a recognized holiday in the City. Juneteenth is a Federal holiday in the United States with several neighboring communities and Clermont County recognizing Juneteenth as holiday for their employees. The adoption of this as a recognized holiday will require a resolution.

***The Committee Agreed to Recommend That the Law Director Prepare A Resolution Recognizing June 19<sup>th</sup> (Juneteenth) As A Recognized Holiday in The City.***

#### DISCUSSION: PROPOSED LEGISLATION RE: SHORT TERM RENTALS AND REGULATIONS

Ms. Russell read the 3-page proposed Short Term Rental Property information out loud. Ms. Evans had a question regarding number 9. On the document. Will there be a Fire Inspection included with each request for a permit? Mr. Doss said that information should be placed into the Ordinance information as part of the permit process and reviewed by the Fire Department as well. Ms. Evans also asked if the age of 21 as noted on number 11. Should be changed from 21 years of age to a higher age, possibly 25 years old. Ms. Russell stated that she thought that the permit fee should be higher than \$100. Possibly \$250 permit fee. And, the consecutive days to be changed from thirty (30) to 90 days.

Mr. Doss explained that Airbnb is already addressed in existing Ordinances. Mr. Doss mentioned that if 3 or more complaints in a calendar year, it could revoke the permit. And to also include 3 (three) phone calls for service from the Police, then the permit would be permanently revoked, and they could no longer operate as a short-term rental property. Ms. Chamberland stated that all rules should apply to Short term rental property whether they are Residential or Commercial. The owner occupied should not apply if the property is in a Commercial zone (based on our identified zoning information) within the city. Ms. Russell stated that there must be changes made to this information before the committee can move forward on it.

There was great participation from the public who attended the meeting:

Mr. Tim Howland Milford Ohio

Asked for clarification of Point 5. B regarding sub leasing.

Ms. Russell said that the section does contradict the owner-occupied information and shall be revised.

Mr. Luke Friend Milford Ohio

Agreed that the owner of the building must occupy the property.

Trish Montag Milford Ohio

Owns Airbnb property that is not owner occupied. She discussed how her guests stay up to two months for work purposes. She has had no issues with her guests. She is concerned about the owner-occupied issue.

Doug Michaels Milford Ohio

Has an issue when those who have already invested and followed the rules from the beginning following the existing Airbnb rules in an ordinance. Since people have already invested in properties but did not contact the city, to follow the rules, we now want to change direction simply because someone is upset. We have talked and talked about this. No one showed up regarding issues with their property. Now it is all an issue. Ms. Evans stated that the rules that are being proposed are much more specific

Luke Montag Milford Ohio

Mr. Montag owns an Airbnb in the city. He has both long term and short-term rental properties. He spoke on how you never know who you are going to get as renters and to not react out of fear based upon something we saw in the news. With short term rentals, the owners are in the property every other day inspecting the properties are safe. With long term rentals the owners may inspect the property possibly every 6 months to a year. The short-term rentals are maintained better which also helps the community look better. Tourism for this community needs to be addressed. The guests do not want to stay in a hotel. They want to stay within a community. Mr. Montag also went over information regarding revenue increases from Airbnb for cities.

Laurie Howland Milford Ohio

Thank you to Mike Minniear for his well thought out information on the document. Also, thank you to the committee for protecting the integrity of the neighborhoods by not allowing non owner-occupied commercial businesses in residential neighborhoods. If you are operating as a business, you are in violation of the residential code. Ms. Howland also wanted to clarify that the current Airbnb Ordinances in the books is a Bed and Breakfast ordinance. And it is very specific. In the ordinance you must align yourself with the County. This new document will be more specific regarding a business in a residential neighborhood which should not be allowed. Milford is about its people and a place to call home. The hotels are here to create revenue and to create jobs.

Mark Lawry Milford Ohio

Has experimented with Airbnb and has offered a room to guests for the last few months. He went through some statistics of who are the guests that stay at Airbnb's to take away some of the mystery of who is staying at Airbnb's and the positive impact they make in the community. We should get to know them as people who share our same values and welcome them as they support our businesses. And encourage those who host them since they bring vitality to our community.

Tim Howland Milford Ohio

He is against the non-owner occupied but for the owner-occupied Airbnb's for the reasons Mr. Lawry just stated. This is not a personality issue. It is not about a South Milford thing. It is a Milford thing. A quality of life thing. Mr. Howland discussed how he felt when the Owner Occupied is taken out of the mix and how the level of standards is often compromised for sheer profit. It is about a residential space that needs to be respected.

Ms. Russell stated that she understands all sides of what is being stated and we want to do what is best for the entire city. Airbnb's are here to stay. But we are trying to hold people responsible as property owners.

Jim Montag Milford Ohio

Agreed. Many property owners do not take care of their property. Not just Airbnb's. Airbnb is just one small piece of this. People are coming here to participate in activities and to work. We have now made it a two-day minimum for people to stay at our Airbnb. It is about ownership and management of that property.

Claire Oliver Milford Ohio

Pointed out that the city of Milford is a small city. The people who own property have rights. But what about the people who live here. At some point you are going to tip the balance of those that live here and those that purchase property just to make a buck from it.

Dino Pelle Milford Ohio

The higher the standard the higher the quality. A better Airbnb host will come out of high standards and to couple that with protecting the neighborhood. My responsibility is to my neighborhood first. It is a way to make extra money, but I cannot allow that to put my neighbors at risk. A forced discipline is something that is set down in order to make sure you do something. Rules need to be set in place. Mr. Pelle mentioned that the 30 days rule listed is too short since most of the people that come in for the 30 days are either interns, Doctors, people that are building a home or visiting family at SEM and are here for two three months easy. 90 days is very reasonable for a short term. Also, a restriction stating that you cannot be cooking meals for guests.

Matt Demeris Milford Ohio

He commends everyone here at this meeting. There are ways to regulate who is coming in to stay at Airbnb's. Must book 4 weeks before their visit or must be a High Star Rating. If there is a way to regulate the owners and come up with some compromise to make sure everyone is responsible.

Ms. Wirthlin stated that there are a lot of rules for those that are renting a room out of their house.

Luke Montag – Milford Ohio

This generation travels to different cities through Airbnb's and short-term rentals this is the future and not to be basing rules on fears and unknowns and to please take your time on these decisions.

Damiene Nelson Milford Ohio

Would like to support the 90 days stay.

Claire Oliver Milford Ohio

Can you place on the permit that the owner will only offer less than 90 rentals or that they will offer more than 90-day rentals, so that there is an option?

Becky Linser Milford Ohio

Agreed with this option on the permit and agreed that a lot of people do work remotely and travel more for work. Could the owner apply for an extension on the permit? We need to be flexible on how we limit their stays.

Trisha Montag Milford Ohio

Possibly check the PR for Milford Airbnb's. It has drawn people to come here.

Laurie Howland Milford Ohio

We are a community of residents. That is why we draw people here. We are great because of its people and we will lose people because of the transient people that will come here.

The committee discussed how they are not ready to take this information to council tomorrow.

Mr. Doss reviewed the information with the committee to get a consensus so that Mike Minniewar can process a revised draft Ordinance:

Change to:

1/Period of less than 90(?) days max and a minimum of two consecutive nights stay

3/to also add to the buffer to also limit the number of permits included

4/permit fee \$250 to include language for Residential Short-Term Rental must be owner occupied but both Residential Commercial must apply for this annually

5/b Exclude –

11/ change to 25 years old

15/ language to add about 3 contacts for Service from Police Department will result in revocation in their permit and before a permit is issue there must be a Fire Inspection with the annual permits as well, which the Fire department has to sign off on as well.

Penalties are fine as listed

Mike Minniear will draft revised rules and regulations that will be processed for the committee's consideration between the 9<sup>th</sup> through the 16<sup>th</sup> of May.

THE COMMITTEE ALSO DISCUSSED THE DEDICATION OF RIVERSIDE PARK SHELTER TO WAYNE DONALD FLOREA

City Manager Michael Doss discussed how the City of Milford along with the Milford Miami Township Chamber of Commerce would like to re-name and dedicate the Riverside Park Shelter in honor of Mr. Wayne Florea. Mr. Florea was co-founder of Milford Chamber of Commerce as well as a member for more than 60 years and served as President for at least 10 of those years. He was well respected in the community. The ceremony for the dedication to be held during the Frontier Days Event this year.

***The Committee agreed to have the Riverside Park Shelter dedicated to and renamed in honor of Mr. Wayne Donald Florea***

There being no further business, the meeting adjourned at 6:44 pm with a motion from Ms. Evans, Seconded by Ms. Chamberland All yes

Respectfully submitted,  
Jackie Bain, Executive Assistant

"These minutes have been approved and adopted by Ms. Russell, Ms. Evans and Ms. Chamberland on May 5, 2022."

## SHORT TERM RENTAL PROPERTY

The short-term rental of residential dwelling units has been deemed a commercial/business activity .....

1. Short Term Rental Property (STRP) means an owner occupied, residential dwelling unit containing not more than four sleeping rooms that is used and/or advertised for rent for transient guests for a period of less than **thirty (30) consecutive days**. The following uses shall not be considered Short Term Rental Property:
  - a. Residential dwelling units rented to the same occupant for 30 continuous days or more;
  - b. Bed and Breakfast establishments
  - c. Hotels and motels
2. A non-owner occupied short term rental property is prohibited. For the purposes of this section, "owner occupied" means the owner of the property permanently resides in the STRP.
3. **A STRP is not permitted within the 300 feet buffer zone of another STRP.**
4. No person or entity shall operate a STRP or advertise a residential property for use as a STRP without the owner of the property first having obtained a STRP permit issued by the Zoning Administrator, and paid **a \$100 permit fee.** ~~established by City Council.~~ STRP permits are annual permits and shall be renewed by January 15th.
5. The STRP permit application **form** shall include the following **minimum** information:
  - a. The name, telephone number, address, and email address of the owner ("responsible party") residing at the STRP that is accountable for addressing all maintenance and safety concerns;
  - b. **One form of proof of identity of each occupant as defined in Section 1133.02 (131) of each dwelling or dwelling unit intended to be used as a short-term rental. If a short-term rental host is not the property owner but a lessee or permanent occupant of the dwelling, the short-term rental host shall obtain permission from the owner of the dwelling to register the dwelling with the City and on any hosting platform for use as a short-term rental;**
  - c. **Two pieces of evidence that the dwelling is the occupant's primary residence, or two pieces of evidence of ownership of the dwelling;**
  - d. The number of sleeping rooms being offered to transient guests.
  - e. Proof of insurance evidencing homeowner's fire, hazard, and liability insurance. Liability coverage shall have limits of not less than \$1,000,000 per occurrence.
  - f. If the STRP unit shares a common wall or a common driveway with another property owner, proof of written notification to such neighboring property owner(s) prior to filing the application.
6. **Any need for parking generated by the use by the property as STRP shall be in the driveway, garage, or a parking area on the lot, except for short-term parking of less than one hour.**

7. Signs, advertising, or any other display on the property indicating that the dwelling unit is being utilized, in whole or in part, as a STRP is prohibited.
8. All STRP occupants shall abide by all applicable noise restrictions contained in Milford's Codified Ordinance.
9. The STRP shall have approved smoke alarms meeting Underwriters Laboratory (UL) 217 standards installed as follows:
  - a. In all sleeping areas.
  - b. In every room in the path of the means of egress from the sleeping area to the door leading from the sleeping unit.
  - c. In each story within the sleeping unit, including basements.
10. No recreational vehicles, buses, or trailers shall be visible on the street or property in conjunction with the STRP use.
11. The principal renter of a STRP unit shall be at least twenty-one (21) years of age.
12. The maximum number of paying guests permitted on a STRP property at any one time shall not exceed more than twice the number of sleeping rooms plus four. The occupancy maximum shall be conspicuously posted within the STRP unit.
13. The permit holder shall be responsible for collecting and remitting all applicable room, occupancy and sales taxes required by state law and City ordinances.
14. A STRP permit shall not be transferred or assigned to another individual, person, entity, or address, nor shall the permit authorize any person, other than the person named therein, to operate a STRP on the property.
15. Denial or Revocation of Permit.
  - a. Upon the filing of three or more complaints within a calendar year regarding a STRP permit, the Zoning Administrator shall notify the permit holder in writing of such complaints.
  - b. If the Zoning Administrator determines that violations of this section or any other ordinance or law relating to STRPs have occurred, the permit to operate a STRP may be revoked.
  - c. Before revoking any permit, the Zoning Administrator shall give the permit holder fifteen days written notice of the alleged violation(s) against him/her.
  - d. A STRP permit that has been denied or revoked may be appealed to the Board of Zoning Appeals within twenty days of the date of the denial or revocation.
16. Penalties
  - a. Any person, firm, or corporation violating any provision of this Chapter shall be subject to a fine of up to \$500 for the first offense. Upon any person, firm, or corporation being found guilty of a second violation of the same provision

within one year shall be subject to a fine of up to \$1000. Each day of violation shall constitute a separate offense.

- b. Three or more violations of any of the provisions of this Chapter within one year shall result in the permanent revocation of the registration required to operate an STRP of the dwelling that is the subject of the violation.