

**Administrative Services Committee
Meeting Minutes
May 11, 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, Law Director – Mike Minniear and Executive Assistant - Jackie Bain

Visitors: Numerous Visitors

Proceedings: The updated minutes from the May 4, 2022 Administrative Services Committee Meeting were approved.

DISCUSSION: PROPOSED LEGISLATION RE: SHORT TERM RENTALS AND REGULATIONS

Ms. Russell opened the meeting by addressing that we have discussed a proposed Ordinance and it was read at the last Administrative Services Committee meeting (May 4, 2022). The committee discussed changes to the proposed Ordinance at that meeting regarding Short Term Rentals and Regulations.

Ms. Chamberland discussed the proposed information for the ordinance that since we are a Trail town, regarding feedback for those that use our trail system that to have a two-night consecutive minimum could impede them. And to not have a minimum stay.

Ms. Evans is okay with the changes, but her mindset is to come up with a new proposal to meet in the middle and to allow some of the non-owner occupied STRP to operate with very strict guidelines. To counteract all the reasons for not allowing. For instance, you could propose that the STRP would have to be a Single-Family Dwelling, then an Apartment building would be out to operate as an Airbnb. Other small towns in Ohio have in their ordinances that the owner must live within x miles. This would prevent owners who live in other states. We could limit the number of Airbnb's in the city. Could we put things in place to possibly meet in the middle and be fair to all? We then take the options to council as a discussion for them as Committee of the Whole.

Mike Minniear – to take two options to council to be drawn up as Ordinance A and Ordinance B is council could decide, if either they would like to go with. They could combine or reject or come up with a new proposal.

Lisa Evans – Proposed the following: the property is to be a Single-Family dwelling; the owner would have to live within so many miles of the property. The three strikes and the permit is revoked to still apply. To limit the number of permits in the City of Milford and to include the

buffer of 300 feet. We have had some owners here that have not received any complaints against them, and they are bringing people to our town. And before we just dismiss them, is there a way we can create an ordinance to where we can meet in the middle?

Mr. Doss stated that there may be only one change to draft from the Ordinance which would be:

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

Is there a consensus in the committee to eliminate the minimum of two consecutive nights stay?

Ms. Evans stated that if council is okay with this, but she is trying to find some type of reasonable compromise for those that have already invested. Ms. Chamberland stated that if you look at our zoning code, if someone prior to moving into their home or buying the property, had investigated that information, that they must follow the laws that are in place. Most of the residential Airbnb properties have been purchased within the last one to two-years. And feels that the entire beginning part of our zoning talks about how we are trying to protect the integrity of our neighborhoods. And we have not received any complaints regarding our Airbnb's in our neighborhood.

Ms. Evans stated that we have more problems with long term rentals and agrees that we do not want to see our neighborhoods destroyed. But from the Airbnb's that we have so far...they have not destroyed our neighborhoods. Ms. Evans also asked if the regulations will limit the quantity of rooms available on a property, even if owner occupied.

Ms. Chamberland expressed that we are not banning Airbnb in the city but proposing that if you want to run an Airbnb in a neighborhood, you have to live at the property, it must be Owner Occupied, unless you are in an area zoned Commercial.

Laurie Howland Milford Ohio

Ms. Howland brought to the committee's attention that if the city has a permitting process, then the city just must notify Airbnb/VRBO. The city does not have to get into the details with the property owner. Airbnb/VRBO then contacts the city to validate the information. Ms. Howland also commented on the IRS Tax code regarding a commercial (business) venture and also discussed the people who have invested in these properties in the city of Milford. Ms. Howland also commented about how fair is it to the residents who have invested in their properties and purchased property here to live here and make it their home. When we were named Best Hometown in 2018, it was not because we were a vacation destination, it was because of the residents who live here and support our businesses.

Mike Menkhause – owns property at Double Gate

Avg sale price 101% ask price in the last year. Discussed lost revenue, lost job opportunities and legislative actions. The Airbnb owners spend a lot of money at Lowes/Home Depot. And asks if there are problems that we are to address then to identify them and document them and to see if there are potential solutions. Mr. Menkhause does not believe that the permit fee will change the class of owners that we get. Zoning laws are local whereas Federal Tax code is not just local. Let's be deliberate and look at the problems and if we can solve them in a less onerous way.

Patrick Hines – Garfield Milford Ohio

He is For Airbnb and this discussion makes sense to have permits and limiting and not banishing Airbnb's. You do not want to have a cheap room that people can have on a single night basis. He lives in the home and does not allow anyone to cook and the guests go downtown to eat. If the owner is responsible, no one would even know that they had an Airbnb property. First and foremost, as a person who lives in the community, he wants to protect the way the streets look, protect the Best Hometown. The owner should live at the property or close by the property.

Keith Conover – Main St Milford Ohio

Mr. Conover discussed the standard by which you rate the owner is to let Airbnb do it. Instead of the 3 strike rule ,which would only keep you from contacting the police or Fire/EMS if you had a problem with one of your guests, to where you would keep from Public Safety and try to handle matters yourself. His guests go downtown to eat and shop. He promotes our businesses in the city with his guests. There are other ways to regulate by talking it out. He went through the proper channels to get his business started. There are other ways to go to regulate rather than call the Police.

Ms. Russell stated that we are trying to place boundaries that we see with what is going to grow within the city.

Lynn Chaney Mound Ave Milford Ohio

We are all residents and want what is best for us. This is not personal but business. This issue has been lingering since 2019. We cannot afford to be short sighted in how we look at this. We have had problems with enforcement and maintenance complaints which forces neighbor against neighbor, except when the neighbor is a business the impact is significantly less. The owner is not actually there. This becomes a burden on the city. Residents within the city of Milford limits must pay a 1% Earnings Tax that contributes to the overall of the city. This is lost when apartment buildings, duplexes and people who have apartments, no longer rent them because they are making more money with short term rental property. If your business is in the business district, you are exempt from this conversation. If your Airbnb is Owner Occupied, you are exempt. We are accommodating and bending the rules for people who, A. Do not live within the City limits. B. Are not vested in the community C. We are setting a precedence. What is the next thing we are going to bend? It's not just the rules you have, it is how you enforce them.

Ms. Russell this is not a personal issue but for all the residents who live in the city. It is time for us to establish regulations and enforce them and move forward. The ordinance that we have been working on that we went over and made changes to and read the changes I want to move forward with this current ordinance with changes made and to make it move on to city council.

Jeremy Davis Mariemont OH

He is representing his girlfriend Ms. Menkhaus. Mr. Davis read a statement provided by Ms. Menkhaus.

No issues have been brought to her attention as the owner of an Airbnb. She purchased property from an out of state owner. She cares about her property and her neighborhood. She listed her rules and regulations for her guests. She has invested a large amount into the property. Mr. Davis commented that she is as part of this community as anyone else here. And he feels that it is

unfair to assume that since she does not live here, she cares less about the community. She is a super host and Airbnb has a way of regulating their hosts and guests. The neighbors have her contact information and the neighbors have never voiced their concerns with her in the eight months that she has owned the property. Mr. Davis agrees that this is a hammer to a solution of trying to meet halfway with a solution. Possibly compromise with a separate ordinance and he appreciates the discussion here tonight. We are in a community where we can discuss these things respectfully.

Ms. Russell asked if she had approached the city to find out the zoning for her property?

Mr. Davis said yes because the property was zoned in such a unique way. He feels that the other Airbnb owners here in the City are not in it to make a quick buck and not care about their neighborhoods.

Mr. Tim Howland Laurel Avenue Milford Ohio

Discussed the comments of Mr. Davis. The owner may be invested but he is also invested. The property is not well maintained and there are parties at that location. The responsibility then falls upon his shoulders to contact the owner of the property to come and correct this or the Police department to come and shut it down. It is the city's responsibility to set the standard and to enforce the standard. Mr. Howland further discussed that he has no issue if you yourself are invested for a profit as a business based upon code and restrictions. However, the detached businesspeople who are letting people do their thing. The facts have been presented and this should move forward to council.

Ms. Russell agreed and that her purpose today was to move this information, with the changes, to council and if it didn't pass there then we start over again. It has been recommended that the ordinance that was put together by Mr. Minniear and staff to move this proposed ordinance forward. She wants to move this proposed ordinance information forward today.

Trish Montag Milford Ohio

Owns property in a commercial zone and other real estate in Milford. There will be a lot of people losing out that were not notified. They should have been notified that this was a problem. There are plenty of rental properties that are not kept up. They look like trash. And agrees with limiting the amount of rental properties. But to say no Airbnb's in the city, you need to at least think of grandfathering in some of the current Airbnb's. She was glad that Lisa Evans didn't go so quick to the vote last week. She was flabbergasted to learn of the issues.

Mr. Minniear respectfully answered that this has been an issue for a very long time. Public notices go out for the meetings and people that are interested on what goes on in Milford will visit to learn more information.

Trish Montag

This had been an issue when she inquired about her Airbnb there was no information available. She registered the property as a rental. She pays her taxes, and her guests spend a lot of money to eat out, which contributes to the community. Besides the good publicity that they give.

Ralph Vilardo Milford Ohio

It is time that you act on this. Since you have heard multiple for and against information. And there is a motion on the floor. This has been going on for years. We ask that you as the elected officials, take the to debate, discuss and you have got to have your opinion by now and you vote on this.

Mary Kipp Milford Ohio

This is an emotional issue and people are hurting and she has talked to Council and Planning Commission for some time and that you go out of your way to accommodate businesses before residents. South Milford is a neighborhood and we deserve to have neighbors.

Ms. Evans asked if we are going to limit, even if it's owner-occupied, how many guests they can have?

Ms. Russell stated that there shall be a Residential unit containing no more than four sleeping rooms.

Mr. Davis Mariemont OH

As for parties at their Airbnb, please go look at the property.

Mr. Minniear stated that he will work with the basis of the proposed Ordinance that he and Pam Holbrook came up with, with the changes. It will take a motion to adopt the proposed ordinance information with additional changes.

Mr. Pelle Milford Ohio

Clarified that if you have more than four rooms in/on a property, you are considered a BNB and not shared economy short rental. If you have four rooms, you could rent out each room to four different guests and no more than that it is not going to be considered a different category in the State of Ohio.

Mr. Minniear

Stated that the key is that an Airbnb must be Owner-Occupied in Residential areas. An application will be processed that will list all the details with the information on what an owner is required to do.

Mr. Doss stated that the proposed ordinance that Mr. Minniear wrote plus the items that were identified at the last committee meeting, that Ms. Russell read at this committee meeting, although you have agreed to take out the minimum of two consecutive nights, that is what you are going to advance to council.

Ms. Chamberland stated that Ms. Russell made the motion, she Seconded the motion. Ms. Evans said no but feels that there are still things that are non-intrusive to what we currently have. It is not an Airbnb issue but a rental issue and believes that we could be more flexible.

Mr. Minniear stated that this will be considered by Council and be voted upon. Mr. Minniear stated how a council meeting is processed.

There being no further business, the meeting adjourned at 6:05 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 16, 2022.”