

LEGISLATIVE COMMITTEE MINUTES
OF SEPTEMBER 21, 2020

Municipal Council of the City of Vermilion
Municipal Complex, 685 Decatur Street, Vermilion, Ohio 44089

In Attendance: **Vermilion City Council:**
Steve Herron, President of Council; Monica Stark, Council at Large; John Gabriel, Ward One; Steve Holovacs, Ward Three; Barb Brady, Ward Four; Brian Holmes, Ward Five. Absent: Frank Loucka, Ward Two

Administration:
Jim Forthofer, Mayor; Chris Howard, City Engineer; Amy Hendricks, Finance Director; Tony Valerius, Service Director; Chief Hartung

Call to Order: Monica Stark, Chairwoman, RESOLVED THAT this Legislative Committee comprised of the committee of the whole does now come to order.

TOPIC ONE: **Chapter 618.01 Dogs and Other Animals Running At Large – Review of Ordinance 2020-30**

M. Stark explained that City Council has been working on this ordinance for some time and it was on for a third reading at the last regular council meeting, but it was tabled and referred back to committee for additional discussion.

B. Brady suggested changing Section 1 (2) to read: All dogs whether on or off their own property must be kept physically confined by fence, supervision, electric fence, or restraint. No dog in the city limits shall be permitted to run free without restraint by leash, tether, or secure enclosure. An owner who does not control his or her dog shall be charged with a minor misdemeanor.

S. Herron thought the suggested wording was good, but felt they needed to decide on the level of misdemeanor. He said they are not looking at throwing anyone in jail as they just want to have compliance with an ordinance.

F. Loucka said they should be line with other communities on the level of misdemeanor and thought the law director could advise in this capacity. S. Herron said they should run this language through the law department.

Mayor Forthofer and Chief Hartung felt the language was good. Chief Hartung suggested a minor misdemeanor on the first offense.

G. Fisher said she would send it to the law department and she will keep the third reading tabled on the next council meeting agenda and it will be up to Council at that time to proceed with the third reading.

TOPIC TWO: Transient Rentals (Review of Draft Legislation)

M. Stark noted that City Council received from the subcommittee a draft Transient Rental ordinance and asked the members their thoughts.

F. Loucka said the proposed ordinance looked good to him and appeared well thought out.

G. Fisher asked if City Council needs to determine the registration fee so it could be included in the ordinance. M. Stark said they do need to decide on a fee and noted the building inspector suggested a \$400 fee, which is in line with surrounding communities. S. Herron asked if this would be for a two-year time. B. DiFucci said it's a one-year fee. B. DiFucci said the fee structure will be included on the application but wasn't certain if it needed to be in the ordinance. M. Stark said when they have fees for the building department it isn't in ordinance form. G. Fisher said most fee structures are outlined by ordinance, which are part of the codified ordinances. S. Herron agreed the fee should be in the ordinance. He said this ordinance is for a safer city and the reality is – Airbnb's are good things and they are options for vacations, and many people he knows has had good experiences with them. He said in Vermilion they are responsible for the people that visit, particularly the youth. A child that comes with his or her family and is in a situation, they need to know and protect them in many ways, and he believes this ordinance allows the police department to find out what is going on, who is there, and to make sure the prior safety aspect is very positive. He thanked the subcommittee for their help in drafting this legislation as it is a positive step in the right direction. He feels it addresses the future.

M. Stark said during the process of this legislation, the fire department received a call about a possible fire above a business that had some transient rentals that nobody knew about, and if there would have been a fire and there were people up there, then the city wouldn't have known and this could have been dangerous. Once they viewed that common area there were quite a few violations that were happening that could have trapped people in there, so having brought this to light this ordinance is purely a safety thing. They want the community and the visitors to be safe when they come to stay.

She asked the clerk if the \$400 fee can be included in the ordinance in Section 873.09. G. Fisher said on the Transient Rental application it states: \$400 fee per Transient Rental Unit to include one (1) re-inspection for calendar year 2020.

\$50.00 fee for additional re-inspections. S. Herron questioned the \$400 suggested fee each year. B. DiFucci said they will do inspections every year on these properties to make sure nothing has changed. If they have a failed inspection during the first inspection, then they will go back, and then after that one every re-inspection would be \$50 to make sure everything has been corrected. E. Skahen asked if there was any negotiating in this \$400 fee as it seems high. Did this amount get determined because of how much the inspection costs are or is it because other areas have the same fee? M. Stark said other communities around Vermilion are charging that fee and this is taking city employee time that they must schedule to inspect and re-inspect. B. DiFucci said the fee was based on a joint community that has the same situation with transient rentals and their fee structure was set at \$400, but they did not talk to them on how they use their funds. However, from Vermilion's standpoint it would be administrative clerks entering the information into the system, inspections, and re-inspections, as well as monitoring software to locate these transients that are not compliant with the code. They will look at many websites and advertisements to provide that service to the city so the city can locate those transients and make good on the information to register and comply with code.

B. Holmes asked if there is a fine if somebody is not registered. M. Stark referred to Section 873.10 that states: Whoever violates any provision of this Chapter or fails to obtain a license is guilty of a misdemeanor and shall be fined \$100 for each day during or on which a violation or noncompliance occurs or continues.

B. Brady said in Section 873.01 it states that Transient accommodation means every establishment kept, used, maintained, advertised or held out to the public to be a place where sleeping accommodations are offered to guests in which four (4) or less rooms are used for the accommodation of such guests, whether such rooms are in one (1) of several structures. She said the building on Edgewater has six apartments in it she believed. T. Valerius believed it only has four. Kelly Knappenberger of Edgewater Drive stated this is her building and it is a four-plex – four (one bedroom) apartments for the past 55 years. M. Stark asked if they are currently rented annually. Kelly said she occupies one of the units herself as this is where she meets and greets her guests, and one is for personal use, and the two remaining are used for Airbnb. M. Stark asked if she is living in Vermilion year-round. Kelly said only when she has guests.

Lawrence Drouhard of 321 Portland Drive asked what the normal building inspection fee is for a 12-month rental. B. DiFucci said there are no long-term rental inspections as of now. L. Drouhard said at the last meeting he thought it was mentioned that the inspection fee would be \$300 and asked what goes into this and how long would the inspection be to account for the \$400 fee. B. DiFucci said the inspection could range anywhere from 20 minutes to an hour. A. Hendricks said

this fee would also include the additional clerical support in the building department to monitor the compliance for some of the rentals, along with software the city has purchased. L. Drouhard said he is a local resident that loves Vermilion and he is a small time investor, and short-term rentals are a break-even kind of investment, so each \$100 does eat into the benefit of having the rentals and the benefit of the guests coming from Connecticut or Maryland, or wherever they come from really do spend a lot of money in Vermilion. He feels they bring a benefit to Vermilion and to try and tax and regulate them out of existence really can hurt and he really does love the town. He thinks tourism is the best foot forward going into the future for Vermilion. He would hate to see too many things come into play that knock everybody out of the game.

Pam Sharp of 516 Perry Street said when she got into rentals it was not necessarily to make big money, and you really don't. She said usually it's not your residence, so you're trying to maintain your residence as well as a VRBO or a rental. They pay property taxes and a bed tax to Erie County and Vermilion gets three percent of that. She said she pays insurance on the property to make sure her guests are safe in case anything would happen and of course they pay utilities, upkeep in maintenance – she just put a new roof on her home (\$12,000), so it's not a big money maker. She tries to keep her price within reason so the guests can afford to come to the city. She barely breaks even to be honest at the end of the year and \$400 seems a little exorbitant at this point to take it out of what little profit she does make. She was surprised! She paid her \$100 the first time and thinks her inspection took 30 minutes. She was willing to do this as she agrees safety is an important thing, but she feels \$400 is more than it should be. She said when they talk about safety she has had people come to her and say they have checked out Vermilion before they came, and one person wanted to see how many sexual predators the city had in the area because he was bringing his children. She said there was one right down the street from her house. Therefore, she understands safety, but this person did not want to come with his children because two doors down there was a registered sexual predator. However, \$400 is just higher than it should be if you're really encouraging tourism. She said if Vermilion is using Huron as an example she doesn't think they are very tourist friendly from everything she has heard – people who go there say there isn't much to do there as they tore down their city many years ago for urban renewal, so there aren't many shops or much to entice people. She said people come to Vermilion because it's a beautiful environment and it has small town shops. Most of her people that have stayed in Huron and then have come to Vermilion say the only reason they stayed in Huron is that it was closer to Cedar Point. This year Cedar Point was closed, and it was one of her busiest seasons ever. People want to come to Vermilion, but she thinks the City is going to price them out of the business soon.

B. Brady asked what it costs to go to the Board of Zoning Appeals to get a home occupation permit – it's a couple hundred dollars isn't it? B. DiFucci said yes. B. Brady said really these people are running home businesses out of their home and this is another way to look at it. She understands they are trying to make money and you have costs, but you're doing it in a residential neighborhood, and they have to be sensitive to this. If somebody runs an IT business out of their home, the City makes them go before the BZA to get permission to do that. Therefore, there is a big burden on making sure that what is happening here is not impacting neighbors that actually live there.

Kelly Knappenberger of 2558 Edgewater Drive said when she purchased her property it was an income property – it was a four-plex. It was rented yearly, and things have happened in her life. Her father passed away and she is full-time care giver for her mother who has dementia, so she is very respectful and responsible regarding her neighbors who have had a lot of difficulty with her. She said there was a harassment two days ago from her neighbor to a guest - following him down the street with her video recorder. She has been on camera for the last three years in her driveway because of a drug overdose from a permanent resident – not an Airbnb. She has had nothing, but lovely guests and she is there to meet and greet them. She spoke to her neighbor specifically that if there are any issues, come to her personally as she has her phone number. There has been calls to the Fire Department because there was a potential drug overdose in her driveway. She said her car is sitting right next to this person's car and they know who it is. It is harassment on their part. She is trying to run a business and is trying to maintain this property because it is her income and retirement. She left her job with Continental Airlines after 30 years and this is her income. She said she is emotional about it because it has been a struggle. She has 215 reviews and has sent all these people to Vermilion to shop and eat. She does not send her guests out of town. She felt the fee was a lot, but if they have to then this is the way it is. She said she did not turn a bedroom into an Airbnb – she turned her four-plex into an Airbnb. It is already a rental unit and it's set up that way and she is managing it the best she can. She is always there to meet people and it has been a very difficult time with her neighbors trying to continually cause her grief. She said the neighbors have her phone number but refuse to use it. The drug overdose was not a drug overdose and the neighbor knew it, so this was a nuisance call, and there have been lots of nuisance calls made on her behalf.

Brian Holmes asked if the \$400 fee is strictly based off Huron's fee, or is there a mathematical reasoning on how they got to this \$400, understanding the software and hours involved is included. Is this how they came up with this \$400 or is it because Huron is charging it. A. Hendricks said the software company said the average fee that many communities charge is the equivalent to two to three nights of what their rent might be. She said no everybody charges \$200 a night but the

average that comes over the data from Airbnb is about \$150 a night in Vermilion. B. DiFucci said other businesses and contractors are required to register, and the \$400 fee was based on the numbers the software company provided the city. They do this across the country, and it is less than \$10 a week for these Airbnb's to operate and have an inspection. He thinks it is a placard for them to say, we are following the guidelines and we are inspected, and we have a certificate in the window. E. Skahen asked what the software is used for. A. Hendricks said there are various functions – they track the listing websites to look for addresses for compliance to be sure they are registered for the building safety component as well as to make sure they are registered with the County because the taxes paid is actually like a sales tax that is paid by the renter, so this is not an additional expense for the operator. They also will help with compliance things for the building department. B. DiFucci said they have hotline numbers and they will send the information to the city, so the city does not have to scour all the sites looking for people that are advertising on Airbnb or Facebook. This company will sift through 50+ different sites every three days and look for people who are going to sneak around the code.

Pam Sharp of Perry Street suggested that if they are wanting people to comply, then why doesn't the city give them a break in the fee. Say if you register like she did right of way, then you are a compliant resident. These are the people she feels should get a break. If you catch somebody and they do not comply then why doesn't the city charge them a greater fee. This way if people comply then maybe they should only pay \$200. If they get caught, they can pay \$400. It seems like they would have more compliance this way and people would be willing to pay if they got a break.

L. Drouhard of Portland Drive said he talked to folks about this issue when it was addressed at the last meeting and they discussed the rentals in Linwood as they have been doing this for 75 years, so why is it a big deal for him. He said the folks at Linwood are people who have been coming for years or by word of mouth and it is just a phone call or email, so the city will never hear about this and they will never get paid the tax on it because the HOA is used to it and it's not causing any problems and everyone is okay with it. He said he is in the rental business in a town about a half an hour away from Vermilion and fires or anything like this absolutely scare him and he would never want to be a landlord because of a house fire. From being a lifelong Vermilionite and loving the community and continuing to build his life in Vermilion, he thinks they must decide as a community on whether they want to be pro-tourism or against it. Any regulation to stifle that is hurting anyone that is trying to continue to build an investment. For his single short-term transient rental in Vermilion he will not make a dime off it. In 30 years it may be paid off and he will not have had to dip into his checking account to pay for it, but he will never buy a new boat because he made so much money at the Bluebird house. He said depending on what business you're in for your career, you might not know

anything about somebody else's business, so he really hopes before Council would continue to regulate the certain market, that they really think about what they want for their vision of the city going forward. Unfortunately, manufacturing, and certain things just aren't coming back, so they really need to think about where they want to be going forward.

S. Herron appreciated everyone's civil straight-forward comments as they are important. He said maybe they need to talk about the \$400 fee as it is not etched in stone. However, he wanted to make it clear as he could that legislation is very difficult. They know dog-gone well that they are affecting livelihoods and bank statements whenever they make any decisions on zoning or what have you. He said they want a tourist community, but they want it to be safe. He wants places in the city where his family can go and with a tourist community does come some extent of regulation. This particular cottage industry has come up quickly from his perspective and it is happening a lot around town and they do have overdoses and sexual predators. This is where they hide some of them. This is not the law-abiding group that they have here tonight, stated Herron. In his other job it is what it is and it is a very scary world out there and they need to know where people are when they come into this city, and they need to have the ability to investigate and find out what is going on. It just has to be that way and he wishes it did not. If they go from \$400 to \$200 then this is still \$200 from the resident's wallet and it stinks. Anytime, Council has to make a law they know there is an outcome that is going to be very painful, but he agrees 100% it is a tourist community, but a tourist community demands that they pay attention to what's going on. He believes he was elected for his judgment and he believes everybody else is trying to do the right thing. It is not against one person or one situation – it's just trying to make it better.

S. Holovacs said Mrs. Sharp brought up the suggestion of making it so much if you register and so much if you get caught, but the city does that with the building department. There are yearly fees for a license and if you are caught doing the work without it then there is a charge. They have a charge already based on the inspection, so if it is \$400 and somebody doesn't pass, then it's \$50 for the reinspect fee. He thought it was a good point that the cost of catching someone without a license is something that should be addressed in this ordinance. M. Stark again felt the penalty in Section 873.10 that she read above addresses this. Therefore, it is \$100 per day fine one which a violation or compliance occurs or continues.

William Sharp of 516 Perry Street questioned why the city is penalizing the people that are doing the program for the city paying for somebody else to look for the people who don't. Sounds like they are paying for this computer service. "Why are we paying for it when this should be part of the city". M. Stark said the fee is covering that inclusive of other administrative expenses. W. Sharp understands but questioned why this part. He said they are abiding by the law and they are being

charged to find somebody that is not. This does not seem rationale. M. Stark said it's a record/accounting thing – the money that is collected will be put into an account that will help pay for the software and it will be paid to help cover some of the salaries for the administration and clerical staff. W. Sharp said it makes more sense to reduce the fee for the people who are registering on time and abiding by it, and then the people that don't – charge them more and use that money to find out more people that aren't abiding.

B. Brady asked if they wanted to consider lowering the fee after the first year by dropping it down to \$200 for the re-inspection. S. Holovacs suggested lowering it on continuous years. B. DiFucci clarified that her intent is saying the registration fee would x-dollars and then the renewal would be less. B. Brady said this was her intent. B. DiFucci said he would not have a problem with this. B. Brady said they probably would not have to enter as much in the computer the second year. B. DiFucci said they should renew the rental prior to a certain date. This is what they do for the contractors and if they do it by a certain date, they get a discount. A. Hendricks thought administratively it would be easier once somebody registers that it is their registration for the rest of the year, and then they would have to renew by January 15 or January 31. M. Stark asked if the lower fee for the consecutive years would be acceptable and asked the administration what that amount should be. B. DiFucci felt it should be based on what the initial fee is going to be. So, if they say the fee is \$400, then they could drop it to \$300. He said the operating expense does not change – it is what it is. M. Stark asked what happens if they miss a year – does it go back to the first year of \$400.

S. Holovacs said this is like what the building department does with contractors. Everything expires either on January 1 or December 31. He said it is not fair for someone to come in June or July and get a registration, but it is a lot more book work for the building department and the contractors, so they should have a date such as December 31 as the expiration date and the renewal date for the next year. He suggested they table this discussion until next month so B. DiFucci can look at this and then they can add to it. He said tourist time is slowing down, so they have some time to look at it, so why not do it right the first time. M. Stark agreed but thought they should try to have something approved by the end of November, so the community has time to realize they need to register especially if they make that date January 1. G. Fisher said that most of these rentals are seasonal and the season for them may begin in April and end in September, so maybe council could consider having something in place by February or March. T. Valerius agreed and said they may want to make the deadline April 1 instead of January 1 because this is the building department's deadline for contractor registrations. They get hammered anywhere from November 15 – January 30. If the tourist season doesn't start until April 1, then maybe they should make the deadline April 1 with

pre-registration starting February 15. M. Stark said whatever date works best for the administration is something she would want to go with.

L. Drouhard of Portland Drive asked if 12-month rentals do not need an inspection. B. DiFucci said as of now they do not. L. Drouhard asked why. B. DiFucci said because short-term rentals are the first thing they decided to address. Long-term rentals are on the radar. L. Drouhard said they have always been a safety issue just like short-term rentals, but they just haven't been brought up. He asked if they were thinking about the same \$400 fee annually, and then adjust it for each additional year. B. DiFucci said 100 percent he would agree. T. Valerius said long-term rentals would vary as maybe the same person will live there for two years, and then maybe you have an inspection after each tenant. L. Drouhard said he has been in long-term rentals for six years and his biggest problem is tenants not informing him of issues that come up over time. He will get to a house after two years and they will have not told him about something that broke 18 months ago – a sump pump that is failing, a leak in the roof; that's happened numerous times. Why in the world why they wouldn't tell him the roof is leaking, he does not know. However, with the short-term rental he sees any issue that comes up within seven days, and at his long-term rentals it could be two years and damage can be astronomical. He said last year they had to paint the whole house and do numerous drywall work and add a new roof. When he thinks of safety issues with a short-term rental, they are a lot less than a long-term rental, so if he can imagine being in council's position, his biggest issue would be long-term rentals rather than transients. He said this is just something for council to think about. M. Stark felt this was true in a lot of the cases, and she is sure the people here tonight have great rentals, but unfortunately not all of them are like that and not all keep up with following the safety rules, so this is the reason they need to do this.

Drew Werley of 5016 Timberview said he had a lot of things he wanted to say but kept listening to what council was saying and just got madder. He said they won't talk about his property or his business properties. "This is crazy! Luckily, he saw a news article a couple weeks ago about this and he remembered a year ago when Council started talking about stealing from people. It was a \$100 fee the first time this passed and now they want to steal more from them. It was \$300 and now it is \$400. What is the software the city bought? A. Hendricks said it is called "Granicus". D. Werley asked how much it costs the city, or is it a monthly subscription? A. Hendricks said it is based on the number of listings in the community. D. Werley said so it is ever-changing. He said shame on him for not coming in last time this was brought up. He asked Council how they would like it if somebody came in and raised their property taxes 5, 10, 15 percent; it's essentially what you guys are doing with this. He said he keeps hearing safety a lot – smoke alarms, right? It's what we are inspecting for – smoke alarms, handrails? Are there already state laws and ordinances for those – anybody know? B. DiFucci said there

are ordinances in place, but whether they are current. S. Herron said, “You can send somebody out there to get the G.D. things and find out where they are. Nobody is stealing anything from you!” D. Werley said taxation stuff, but we will disagree on that. He said he is doing very good at keeping his language civil. S. Herron said, “Good, I’m happy for you, but we are trying to protect people, so yes there are ordinances and statutes on the books. It is the city’s job to enforce it. D. Werley said he was glad he brought up protection and safety. Of all the stuff Council has talked about, what will it prevent? He hasn’t heard one thing that it will prevent. We talk about overdoses – this won’t prevent any of that! Parties – this inspection won’t prevent any of that. It’s nuts! He hasn’t heard one single thing. He has gone back and watched all the Council meetings two or three times. He used to think Steve Herron was a good guy to be honest – you were like my savior. He said Holovacs he is a good guy and he has nothing bad to say about him. He thought S. Herron was a great guy until now. S. Herron said he can’t make everybody happy. D. Werley said it was rude and uncalled for, so the common good before the good of the individual – is this what we are going for here – it’s all about the community. S. Herron said this is his personal opinion. D. Werley said perfect – this was said first 100 years ago by Adolf Hitler and he is glad S. Herron agrees with that. He also heard that S. Herron specifically said it would be nice to know who was there, what they were doing, and what’s going on – right? S. Herron said yes. D. Werley told S. Herron that it was no business of his. “I’m a private individual and anyone staying at his property is no business of his and what’s going on, or any of that stuff. If they are not causing harm to anybody else – whose business is it of yours! Again, this wouldn’t stop any of that. You guys keep talking about who is there and what they are doing – nothing in this will tell you that! Am I wrong? Did I miss it – I could be wrong. Is there a registration for people coming and going, or just the properties itself? B. Brady said you can have anybody as a guest in your home privately, but you are running a business in a residential area. Technically, the bottom line is – this is not legal. You cannot do that! D. Werley told B. Brady that she is assuming he is doing this because she said he is. B. Brady said she is assuming he is because he is here, but in reality running a business in a residential area is not legal, so maybe in argument to what D. Werley is saying is they should not allow Airbnb’s in residential areas period. This is the other side of it. D. Werley said please! I would love to see you come and enforce that! It’s just me and my buddy Larry here. It’s just a gift – no money is exchanged. B. Brady said Fort Worth threw Airbnb’s out. D. Werley said, “Yes, I would like to see them come and enforce it – I would like to see you guys try and do that. He said she didn’t answer his question – out of all these things you are set to do – we are going to steal from you, tax you – we are going to do these inspections once every two years, so I’m going to throw some lipstick on this pig real quick right before you come in to do an inspection...I passed, I don’t have to worry again for two years. How will this prevent any of those overdoses you speak of and these parties? They brought up multiple times that if they see my neighbor and cars coming and going – I want to

know what is going on. Well I want to lose 100 pounds and still eat everything I eat! Just because you want something doesn't mean it is right. He said, "Back to you, Mr. Language here – Mr. President of Council! He thought everyone was the champion of liberty – couldn't be more excited to tell everybody...M. Stark asked him if he had anything else to say concerning this matter. D. Werley said, "Yes I do!" M. Stark said they are not here to attack the council members – they are talking about.... D. Werley said, "I just called him the champion of liberty – how is that an attack? M. Stark asked him to get to the matter. D. Werley said she didn't say anything to S. Herron when he swore at him – he doesn't find that fair. M. Stark said she doesn't need to allow him to speak at their meeting. D. Werley said, "You don't have to allow me to speak – do you want me to leave? M. Stark told him that if he has something constructive to say then say it. D. Werley said he feels everything he is saying is constructive. M. Stark told him he has a four-minute limit. D. Werley said he wasn't told he had four minutes – is there a clock somewhere – when did it start? M. Stark said she has a phone and he has been talking for six minutes. Chief Hartung said that Mr. Werley has a very passionate way of communicating, so if the council would permit Mr. Werley to finish... D. Werley said he appreciates this and he has had a conversation with Chief Hartung two weeks ago – great guy – fantastic guy. He said S. Herron mentioned the Constitution several times and he went back and watched months of these meetings. Again, I thought you were a great guy. You talked about privacy and personal liberty, and the Constitution, but all you want is government oversight with this. It's crazy. To hide your identify – hide where you are – we don't want that in this city. That's a direct quote from S. Herron. Right? S. Herron said he doesn't recall saying that but if he could tell him the context, he would be happy to indulge him. D. Werley said he talked about this ordinance because people can hide their identity, hide where you are, we don't want that in the city. I was elected for this – that was your quote. S. Herron said that is correct. D. Werley asked how any of this would tell him any of this information – how would it tell who is there – what they are doing – none of it would. You guys keeping talking about safety and none of what you're talking about would do anything. All it does is take \$400 out of these people's pockets and that is theft in his opinion. You get nothing in return. You keep saying safety, safety, safety – nothing you guys are talking about would give you any safety. All these issues you have – nothing is addressed. T. Valerius said the safety is for the citizens that are staying in your Airbnb to make sure there is a smoke alarm to protect them in case a fire started; there's a CO detector in there in case the furnace would be leaking gas or something. This is what the safety is for. D. Werley asked if there are already ordinances for this though. T. Valerius said it's the safety of people staying in your residence. B. DiFucci said it is required by the Residential Code of Ohio. He asked him if he knew that a smoke alarm expires every 10 years. Do we know that those smoke alarms installed 12 years ago have been updated? We don't know that. D. Werley asked if the city was going to go door to door to everybody's house and check on their properties. B. DiFucci said no the ordinance

is not for everybody's properties. The ordinance is for short-term rentals. B. Brady said not everybody has a business. B. DiFucci said this is right. E. Skahen said the inspection is also for electrical and all that. B. DiFucci said yes, it's not just a one tier inspection. D. Werley said he moves that they should do a \$1,000 a month fee and inspections each month. It's all about safety – let's just tax the s##t out of everybody and inspect it every month – that way you will never have an issue. I'm sure the building department would love that – right – put the money in the coffers. Why not? Why stop at \$400? \$400 a year – let us do \$1,000 a month. Can I get a second? B. Holmes asked him if he felt running a business in Vermilion should be free. D. Werley said yes, kind of. Just because we do it for other people for contractors, this, that and the other – just because you steal from others doesn't mean (inaudible). He doesn't think the city should be involved in any of that stuff to be honest. He knows nobody here will agree with that, but this is how he feels. B. Holmes said, "So you shouldn't have to pay for people to stay at your house?" D. Werley said, "Why should I? To have some guy come over ... I see what you guys do in privacy and safety. I've seen the cops come over and go in my back yard I have seen DiFucci come over to my house and go in my back year for no reason. I don't get it. I call and leave a voicemail and I never get a return phone call as to why they are there. B. DiFucci asked when this was. D. Werley said about three years ago. B. DiFucci said, "Address?" D. Werley said he stated it when he first came up here. B. DiFucci said he would be interested on how he was in his back yard. D. Werley said he would be interested in knowing how he was in there too, or why he was there. I called and left you a voicemail – I left you a message on the machine and you never called back. B. DiFucci said this was interesting. D. Werley said it is! I was at work and I see on my cameras – here is this car in my driveway that I don't recognize. Here is this guy walking around – snooping around. It only took my about 20 minutes to find out who it was. I still don't know why you were there, but you were there. I left a message to try to figure it out – I could have come down to your office, I guess. B. DiFucci said he could have. D. Werley said he thought a phone call and message was good enough. He said his property is important and his privacy is important. He said, "I made one phone call to Chief Hartung and he called me right back. Chief Hartung is fantastic! You guys are just f##king (inaudible). I will leave on that – because you started it!

S. Herron said it is important for this city to know where people are and it has to do with a couple different things, and it is extremely unpleasant as he knows a lot about it in his history and his professional life – and it is the safety of children, and the way people act when they are engaged in this sort of inappropriate harmful activity towards children and it does involve being in areas where they can't be seen. He doesn't have any desire to find out people's personal business. He doesn't have any desire to look into what is going on in personal lives, but accountability and figuring out, and protecting people that come to this community is of the utmost importance to him and frankly when they know who is involved in a

business – when they know they are safe and know they are responsible, it's a much more likely situation where that child is safe. People bring their families here and they have an obligation to protect them. It is not about big government or stealing money from anybody. He said he doesn't like these ordinances and he doesn't like doing them. He said every time they do an ordinance they are taking power away from a property owner, so he wants to minimize that, but to him personal safety when doing their jobs as they took an oath – it's not negotiable. He said when things like this come up, this is why they take their time – this is why they listen to everybody and bring these matters forward. He said he will not tolerate being accused of trying – like I took this job to just take people's freedom! None of us did that. They do not agree on everything, but heaven sakes they are here to make a better Vermilion. Some of this is non-negotiable. As far as his language, he did not think it was that bad but maybe it was, and if he did offend anybody in the community he apologizes. He said he is not tolerating bland accusations to him about where he is coming from on the role of government in the community.

M. Stark said they will bring this matter back to the committee on October 19.

TOPIC THREE: Paper Streets

B. Brady said that her and the mayor attended the Planning Commission meeting and in looking at the drawing there are a lot of streets in the VOL that go across Liberty and they are like stubs on the south side of the street. However, there is nothing there, so basically it is a right of way that is splitting two pieces of property – whether there are two owners, or it goes in the middle of one owner. She said in trying to clean up the east end of the city, this may be something they could eliminate. It would mean Council giving up the right of way (the city's property) and splitting that property between the owners on both sides. As far as she can see it would be Essex, Roxboro, Cummings, Delemere, Devonshire, Altamont, Overlook, Mornington, Lansing, Berkshire – all street ends with no utilities on them – they are just street stubs.

T. Valerius thinks each one of these streets will need to be looked at to make sure there is no pavement and no improvements down the street. He said some of these paper streets do have sanitary. B. Brady agreed there would be some they wouldn't do, but she is only talking about the ones where there is nothing there. She said this would clean up the city's map and allow those people to develop that property. She thought the administration could do a study. T. Valerius said if council wants them to do a study they can. Mayor Forthofer said they can identify the paper streets that exist now and agreed there are quite a few along the Liberty corridor that they are looking at developing. They tend to come up as developments come up. T. Valerius said it would be easy if the same person owned both sides of the

paper street. C. Howard said you must be careful not to create land-locked pieces. T. Valerius said the administration will start looking into this.

Next meeting: October 19, 2020 - 7pm – Vermilion Municipal Complex, 687 Decatur Street, Vermilion, OH

Gwen Fisher, Certified Municipal Clerk (CMC)