

LEGISLATIVE COMMITTEE MINUTES

OF JANUARY 8, 2018

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; Frank Loucka, Ward Two; Steve Holovacs, Ward Three; Barb Brady, Ward Four; Brian Holmes, Ward Five.*

**Administration:**  
*Jim Forthofer, Mayor; Tony Valerius, Service Director; Chris Howard, City Engineer; Chris Hartung, Police Chief.*

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

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**TOPIC ONE:                    Peddlers, Canvassers, & Solicitors**

M. Stark asked to table this item until March to give the clerk and Councilman Loucka the opportunity to draft sample legislation. F. Loucka said they are reviewing legislation from Amherst and Bay Village which are more up to date.

**TOPIC TWO:                    Vacation Rentals**

M. Stark said over the last couple month's council has been discussing the Air B&B's and different ideas on whether or not they need to prepare legislation regulating these or other rentals. She said they do have legislation on the books currently to address noise and parking concerns. They also talked about making sure the city is collecting the proper taxes for rentals.

F. Loucka said in 2015 council passed Ordinance 2015-26 relative to Chapter 1484 which covers all property owners who rent in any district. There were no fees involved because council at the time didn't want to impose extra fees on residents. He said anyone who rents for a day, hour, week, or year, are required to register their rentals with the city. Until they can sort this out administratively he isn't sure where they go with any of this. M. Stark said they also need the manpower to back up enforcement.

J. Gabriel said there are a lot of rental properties in Vermilion. They will need to have a budget discussion on this as well because they will need to hire a full time employee whose job is to walk up and down every street and knock on doors, and then have an enforcement component to it as well. He questioned how big a problem they have with Air B&B's because they have noise and parking ordinances on the books. If they think economically there is a way this thing will pay for itself then he questions it. It will take a long time to find every rental property in Vermilion.

S. Herron agreed but believes very firmly that this city should have a specific ordinance addressing these Air B&B's. It is a budget issue and important issue, but it comes ultimately down to a safety issue. He said Fort Lauderdale had a very comprehensive safety ordinance whereby it imposes the duty on the property owner to comply with safety standards. He said if

something goes wrong when somebody is renting and the property owner isn't fulfilling their duty to keep people safe, then this is a situation they can be held accountable for, so he feels something should be on the books.

S. Holovacs said there are other issues council does have ordinances for, but if they can't finance them to enforce them, then they need to be careful on what they pass. They have a lot of ordinances they can't enforce due to lack in manpower.

B. Brady said long term rentals are not as big of a problem as they become a part of the neighborhood. The short term rentals have different people almost every night; it's a revolving door. So when they talk about enforcement she isn't looking at going after every rental property in the city. She is looking at an ordinance that pinpoints Air B&B's and VRBO's which are short term rentals and where the people have no responsibility to the neighbors or the city. It's not that they want to drive these people away because they are tourists and spend their money in Vermilion, but they also want them to be respectful to the people around them. She looks at long term and short term rentals as two separate things that maybe they should treat differently.

F. Loucka said current Bed & Breakfast establishments are allowed in the historic district only and there are no fees or bed tax. Hotels/Motels are also at zero fees with a three percent bed tax. Apartments are only allowed in R-5 zoning district and there are zero fees. The City of Vermilion charges no fees for rental property in the entire city. B. Brady said they could lower the bed tax to one bedroom which would gain the city three percent, but she thinks the three percent is only on the Erie County side because she had the clerk contact Lorain County and they said they don't have a bed tax.

J. Gabriel said he doesn't like to prohibit people from using their property and if there is a problem property owner, then it's certainly in their ability to come up with an ordinance to prohibit that property owner from carrying on that activity. So maybe they should look at going after the problem areas and restrict that individual from carrying on that property use.

S. Herron said there were various ordinances from other states that he asked the clerk to provide the new members of council with to review. He suggested to table this item and asked everyone to keep an open mind on what their goal is here.

F. Loucka said if somebody has a problem rental property and they aren't registered then there is an ordinance on the books that fines them \$100 a day if they aren't registered. If it's a public nuisance then they have an ordinance that addresses that too.

This item was tabled to April to give everyone an opportunity to review it.

M. Stark adjourned the meeting after the conclusion of executive session and no further discussion came before the committee.

Next meeting:

February 12, 2018 @ 7pm – Vermilion Municipal Complex, 687 Decatur Street, Vermilion, OH

Gwen Fisher, Certified Municipal Clerk (CMC)