

**THE CITY OF HURON, OHIO**  
**Proceedings of the Huron City Council**  
**Regular Meeting Tuesday, October 13, 2020 at 6:30 p.m.**

The Mayor called the meeting to order at 6:40pm on Tuesday, October 13, 2020 at Huron City Hall. The Mayor called for a moment of silence. After the moment of silence, the Mayor led in saying the Pledge of Allegiance to the Flag.

**Public Hearing on the Amendment of Chapter 1125.02 to Allow for Residential Uses Within the B-2 District (Downtown Business District)**

The Mayor directed the clerk to call the roll for the Public Hearing. The following members of Council answered present: **Christine Crawford, Mark Claus, Monty Tapp, Sam Artino, Joe Dike, Trey Hardy and Joel Hagy.**

The Mayor asked if anyone wished to speak at the hearing. There being none, the Mayor asked if Council had anything to discuss. There was discussion on the procedure for the public hearing, and the Law Director suggested that Council should recommend the amendment.

**Motion by Mr. Claus to approve amendment of Chapter 1125.02 to allow for residential uses within the B-2 District.**

The Mayor asked if there was any discussion on the motion. Mr. Spafford referred to an ordinance included in New Business later in the agenda for the regular meeting. The Council is confirming the Planning Commission's recommendation to amend Chapter 1125.02 to allow for residential uses within the B-2 District. The Mayor asked the Clerk to call the roll on the motion. Members of Council voted as follows:

**YEAS: Claus, Tapp, Artino, Dike, Hardy, Hagy, Crawford (7).**  
**NAYS: None (0).**

There being a majority of members in favor of the motion, the motion passed. The Mayor then adjourned the Public Hearing.

**Regular Meeting**

The Mayor directed the Clerk to call the roll for the regular meeting of Council. The following members of Council answered present: **Christine Crawford, Mark Claus, Monty Tapp, Sam Artino, Joe Dike, Trey Hardy and Joel Hagy.**

Staff participating in the meeting: Interim City Manager Mike Spafford, Finance Director Cory Swaisgood, City Engineer Doug Green, Law Director Todd Schrader, Associate Attorney Amelia Leonard and Administrative Assistant and Clerk of Council Terri Welkener.

Also present: Russ Critelli of OHM Advisors.

**Approval of Minutes**

**Motion by Mr. Dike that the minutes of the Council regular meeting of September 8, 2020 and Council work session of September 22, 2020 be approved as printed and received.** The Mayor asked if there was any discussion on the motion. There being none, he directed the Clerk to call the roll on the motion. Members of Council voted as follows:

**YEAS:** Dike, Hardy, Hagy, Crawford, Claus, Tapp, Artino (7)  
**NAYS:** None (0)

There being more than a majority voting in favor of the motion, the motion passed.

#### **Audience Comments**

The Mayor asked the Clerk of Council to read comments delivered or e-mailed to her by residents. Copies of the statements are attached hereto as Exhibit "A" and incorporated herein by reference.

- **Jennifer Jackway of 2616 Hull Rd.** – transient rental legislation.
- **Jimmy Landoll of 571 TR 3352, Loudonville, OH** – transient rental legislation.
- **Angela Thornton** – transient rental legislation.
- **Michael Forbes of 5242 Leann Ct., Sheffield Village, OH** – transient rental legislation.
- **Zach and Jessica Yonek of 522 Rockwell St., Sandusky, OH** – transient rental legislation.
- **Trisha Temper & Jeff Helms of 520 Galaxy Court, Fort Collins, CO** – transient rental legislation.
- **Todd & Laura Lamb of 414 Wexford Drive** – transient rental legislation.
- **Bob Kidder** – transient rental legislation.
- **Mary Hetteberg** – transient rental legislation.

#### **Old Business**

##### **Ordinance No. 2020-17**

**Motion by Mr. Hardy that Ordinance 2020-17 (AN ORDINANCE AUTHORIZING AND PRESCRIBING THE MANNER OF SALE OF A PORTION OF HURON PUBLIC POWER SUBSTATION TRANSMISSION ASSETS, OWNED BY THE CITY OF HURON, LOCATED ON PPN. 42-00120.00 AND MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", AND AUTHORIZING THE INTERIM CITY MANAGER TO ENTER INTO AN AGREEMENT FOR THE SALE OF THAT PORTION OF PROPERTY TO AMP TRANSMISSION, LLC) be placed upon its second reading.**

The Mayor asked if there was any discussion. There being none, the Mayor directed the Clerk to call the roll on the motion. Members of Council voted as follows:

**YEAS:** Hardy, Hagy, Crawford, Claus, Tapp, Artino, Dike (7)  
**NAYS:** None (0)

There being a majority of votes in favor, the motion passed and Ordinance 2020-17 placed upon its second reading. The Law Director read the Ordinance by its title only.

Mr. Spafford did not have any specific updates. The parties are tweaking some language within the Asset Purchase Agreement and hope to have everything ready for the final reading at the next Council meeting on October 27<sup>th</sup>. One of the things talked about briefly in the budget discussion on Monday, and which will likely work its way through the Finance Committee, is the financial strategy once the sale is completed – what the City should do with that influx of cash. We talked about paying down the debt versus looking at interest rates in the long-term debt market to see what makes more sense from a cash flow perspective. He intends to make Mr. Sudsina for those discussions, as well.



## **NEW BUSINESS**

### **Resolution No. 2020-58**

**Motion by Mr. Claus that the three-reading rule be suspended and Resolution 2020-58 (A RESOLUTION AUTHORIZING THE CITY MANAGER, ON BEHALF OF THE CITY OF HURON, OHIO, TO SUPPORT THE REQUEST OF SAINT PETER CATHOLIC CHURCH ON BEHALF OF ST. PETER SCHOOL FOR THE USE OF CITY STREETS, TRAFFIC CONTROL SERVICES, AND PLACEMENT OF A BANNER IN THE MEDIAN AREA ADVERTISING THEIR 5K RACE AND FUN RUN TO BE HELD ON SATURDAY, OCTOBER 31, 2020) be placed upon its first reading.**

The Mayor asked if there was any discussion on the motion. There being none, the Mayor directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

**YEAS: Claus, Tapp, Artino, Dike, Hardy, Hagy, Crawford (7)**  
**NAYS: None (0)**

There being five votes or more in favor, the motion to suspend the three-reading rule passed and Resolution 2020-58 placed upon its first reading. The Law Director read the Resolution by its title only.

Mr. Spafford said there is a provision within the City's zoning code that allows City Council to control signage placed in the median along Route 6. This legislation confirms Council's acceptance of St. Peter's request for signage.

The Mayor asked if there was any further discussion on the motion. There being none, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 2020-58. Members of Council voted as follows:

**YEAS: Claus, Tapp, Artino, Dike, Hardy, Hagy, Crawford (7)**  
**NAYS: None (0)**

There being a majority vote in favor of adoption, Resolution 2020-58 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

### **Ordinance No. 2020-30**

**Motion by Mr. Tapp that the three-reading rule be suspended and Ordinance 2020-30 (AN ORDINANCE AMENDING SECTION 1125.02 (B-2 DOWNTOWN BUSINESS DISTRICT) OF THE CODIFIED ORDINANCES OF THE CITY OF HURON TO ADD RESIDENTIAL USE AS A PRINCIPAL PERMITTED USE IN A B-2 ZONING DISTRICT (DOWNTOWN BUSINESS DISTRICT), AND DECLARING AN EMERGENCY) be placed upon its first reading.**

The Mayor asked if there was any discussion on the motion. There being none, the Mayor directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

**YEAS: Tapp, Artino, Dike, Hardy, Hagy, Crawford, Claus (7)**  
**NAYS: None (0)**

There being five votes or more in favor, the motion to suspend the three-reading rule passed and Ordinance 2020-30 placed upon its first reading. The Law Director read the Ordinance by its title only.

**Motion by Mr. Tapp that Ordinance 2020-30 be placed as an emergency measure.**

The Mayor asked if there was any discussion on the motion. There being none, the Mayor directed the Clerk to call the roll placing the ordinance as an emergency measure. Members of Council voted as follows:

**YEAS: Tapp, Artino, Dike, Hardy, Hagy, Crawford, Claus (7)**  
**NAYS: None (0)**

There being five votes or more in favor, Ordinance 2020-30 was placed as an emergency measure.

As was discussed in the Public Hearing, Mr. Spafford said this legislation has Council authorizing modification of the zoning code. This will allow permitted uses as residential following our other general business districts, B-1 and B-3. The Planning Commission reviewed the matter per our typical zoning modification procedures, and they voted unanimously to recommend approval by Council.

The Mayor asked if there was any further discussion on the motion. There being none, the Mayor directed the Clerk to call the roll on the final adoption of Ordinance 2020-30. Members of Council voted as follows:

**YEAS: Tapp, Artino, Dike, Hardy, Hagy, Crawford, Claus (7)**  
**NAYS: None (0)**

There being a majority vote in favor of adoption, Ordinance 2020-30 was adopted. The Ordinance as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

#### **Resolution No. 2020-65**

**Motion by Mr. Hagy that the three-reading rule be suspended and Resolution 2020-65 (A RESOLUTION AMENDING RESOLUTION 2020-19, ADOPTED MARCH 10, 2020, AUTHORIZING THE CITY MANAGER TO ACCEPT CHANGE ORDER NO. 1 FROM SMITH PAVING AND EXCAVATING FOR LABOR AND MATERIALS RELATED TO EXPANSION OF THE US ROUTE 6 PAVING PROJECT NO. ERI-6-17.49 IN AN AMOUNT NOT TO EXCEED FIFTY-FIVE THOUSAND THREE HUNDRED FORTY-ONE AND 63/100 DOLLARS (\$55,341.63)) be placed upon its first reading.**

The Mayor asked if there was any discussion on the motion. There being none, the Mayor directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

**YEAS: Hagy, Crawford, Claus, Tapp, Artino, Dike, Hardy (7)**  
**NAYS: None (0)**

There being five votes or more in favor, the motion to suspend the three-reading rule passed and Resolution 2020-65 placed upon its first reading. The Law Director read the Resolution by its title only.

Mr. Green provided background information pertaining to Resolution 2020-65. This is the first change order for the Route 6 project that we are hopefully about a month away from completing. The change order reflects storm sewer catch basin repairs. By the time we got everything cut out around them we found that they were deteriorated and had to be rebuilt. Some additional road control measures are also included. The largest ticket item relates to deletion of the partial-depth repairs after finding quite a few areas of substandard, worn out old road base that was falling apart. It wasn't a matter of going a little deeper – we had to cut out the asphalt and replace the base. You probably saw it when it was stripped out – we did concrete sections across the entire roadway. This is something you either find or don't find on a project. If we don't fix it, we will back in five years because it will show through the asphalt. To do it correctly, we had to do additional base repairs. Mr. Claus asked if the completion date is still November 13<sup>th</sup>. Mr. Green said originally, the end date was the end of the October. All across the State, companies and projects are



having a hard time getting their hands on signal arms for the traffic signals. We are replacing the one on Main Street. It is something that is happening a lot. The problem is, we are not getting those arms until the end of this month and they need a couple of weeks to put them in and replace the concrete around them. Barring any striping changes throughout the winter, that is the only major delay to the project. Mr. Dike asked for an updated copy of the striping and Mr. Green said he has a meeting tomorrow with ODOT to discuss temporary striping. What we are trying to do is to simulate the temporary striping through the winter – there are just a couple of hurdles that we have to jump through with ODOT. Mr. Hagy asked when the signal at Berlin Road will be coming down. Mr. Green said it was going to be left toward the end of the project. That way we can leave it up as long as possible before it has to come down to help people get used to it. The other thing you will notice is the radar/speed signs have been installed in front of Shawnee School. Even with the old wood poles in front of them, they are still working, somehow. He met with the school principal and a couple members from Shawnee today to figure out how to program them. You can do it all from your cell phone standing within 100' of the sign – you can download traffic data. Mr. Tapp asked where we are on the median in front of Berlin Road. Mr. Green said we are getting a revised plan on the island – we shrinking it in both directions and softening the curb edge. That will be one of the last things we do. We are going to do final pavement in a week or two. Once we do that, they will go in and cut through the colored concrete crosswalks because it always works better to do those last to avoid tracking of fresh asphalt. We don't want that median in the while we do the concrete crosswalk because we are going to have to do half at a time and the extra space will be needed to temporarily divert traffic. His guess is that will happen in the first or second week of November. Mr. Tapp said we are still going to draw that out first and do some testing. Mr. Green said he hasn't forgotten about that – once they have it laid he will work with the Fire Captain to warn them before it happens. When we do the concrete crosswalks across Main Street and Route 6, we can either do half and half and close one-way traffic down for 3 days and one-way the other way for three days. We talked with some local business owners and it would probably be better to just cut the whole thing across, close down that intersection for 3 days, and people will be rerouted around the block – that way it will be over after 3 days. The streets involved are Berlin Rd., Main St. and Williams St. Route 6 will be kept open at all times. Once we have hard dates, we will use Mr. Spafford to get that information out on social media and the website, in addition to signage onsite. Mr. Claus asked if the flashing crosswalk signs will go up at the same time. Mr. Green said the signals at Main Street will have pedestals for the typical crosswalk signal on the traffic arm. The ones down at the islands where there's a push button and a flashing signal – that will go in towards the end as soon as the island is completed. The underground conduit has already been taken to that area; it's just a matter of physically installing it. He believes those fixtures are in stock and ready to go. There will be one on the south side of the street, one on the north side of the street, and also one on the island. Once you get to the island, you will be able to hit another button to get the rest of the way across. Ms. Crawford asked what the projection is on the new street lights. Mr. Green said the bases are all in – this project only includes putting in the concrete bases and conduit. That is something we need to talk about during the capital planning process. He believes we want to do that as soon as the snow is done next year. Mr. Spafford said the lights were going to be installed in concert with US 6 Phase II to be able to pour it all at once, but that has now been delayed a year. Mr. Swaisgood said the light installation is included in the budget. Mr. Green said, in the meantime, most of the poles are out of the way, but there is an exception in front of Valley Ford where there's one right near one of their entrances. We are going to either have to get a cover installed or just put up one of the poles ahead of time just avoid someone running a tire over it with bolts sticking out. Mayor Artino said that was his concern – he doesn't want to see anyone impaled on one of those.

The Mayor asked if there was any further discussion on the motion. There being none, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 2020-65. Members of Council voted as follows:

**YEAS:** Hagy, Crawford, Claus, Tapp, Artino, Dike, Hardy (7)  
**NAYS:** None (0)



There being a majority vote in favor of adoption, Resolution 2020-65 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

**Ordinance No. 2020-29**

**Motion by Mr. Hagy that the three-reading rule be suspended and Ordinance 2020-29 (AN ORDINANCE AMENDING ORDINANCE NO. 2019-27, ADOPTED DECEMBER 10, 2019, TO PROVIDE FOR ADDITIONAL APPROPRIATIONS FROM THE GENERAL FUND AND OTHER FUNDING SOURCES AND AN INCREASE IN ESTIMATED RESOURCES, AND DECLARING AN EMERGENCY) be placed upon its first reading.**

The Mayor asked if there was any discussion on the motion. There being none, the Mayor directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

**YEAS: Hagy, Crawford, Claus, Tapp, Artino, Dike, Hardy (7)**  
**NAYS: None (0)**

There being five votes or more in favor, the motion to suspend the three-reading rule passed and Ordinance 2020-29 placed upon its first reading. The Law Director read the Ordinance by its title only.

**Motion by Mr. Hagy that Ordinance 2020-30 be placed as an emergency measure.**

The Mayor asked if there was any discussion on the motion. There being none, the Mayor directed the Clerk to call the roll placing the ordinance as an emergency measure. Members of Council voted as follows:

**YEAS: Hagy, Crawford, Claus, Tapp, Artino, Dike, Hardy (7)**  
**NAYS: None (0)**

There being five votes or more in favor, Ordinance 2020-29 was placed as an emergency measure.

Mr. Swaisgood said this ordinance directly relates to legislative action taken by Council on the last resolution, and also legislation on the State level. The change order for US6 Project is budgeted here to increase appropriations for a transfer out of the General Fund and also budgeted in the Capital Improvements Fund for the change order (\$60,000). In addition, the third wave of the Coronavirus Relief Funds was received from the County right after our last meeting three weeks ago. This is properly budgeting for the receipt of the money, which was \$247,529, and also budgeting out of that fund to be used on COVID-19 related expenses.

The Mayor asked if there was any further discussion on the motion. There being none, the Mayor directed the Clerk to call the roll on the final adoption of Ordinance 2020-29. Members of Council voted as follows:

**YEAS: Hagy, Crawford, Claus, Tapp, Artino, Dike, Hardy (7)**  
**NAYS: None (0)**

There being a majority vote in favor of adoption, Ordinance 2020-29 was adopted. The Ordinance as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

**City Manager's Discussion**

Mr. Spafford said we are focusing internally on two things. The first is getting the 2021 budget wrapped up. We kicked off the public meetings with the Finance Committee starting on Monday this week. We will continue those meeting through November 16<sup>th</sup>. We talked about timing in terms of onboarding of the new City Manager, Mr. Lasko. We have kept him in the loop to the best of his ability – he has made himself

fairly available considering he has quite a transitional workload over in Sandusky. We have had some really good conversations and he has been brought up to speed with all of the budget documents presented to the Finance Committee. We are trying to get together on a weekly or bi-weekly basis just to get him up to speed on as much as we possibly can. Mr. Spafford said this will likely be his last meeting as the fearless leader, and he wanted to thank Council once again for the opportunity. It was a definitely an interesting and tough summer. We had a ton of challenges thrown at us and he especially wanted to thank staff and he doesn't think we could have gotten through what we did in the amount of time we did without them. He feels proud of the work that was accomplished and looks forward to adding new horsepower by bringing Matt on board. He is really excited to continue serving the City and looks forward to good things on the horizon.

Mr. Dike said, "Job well done and thank you, I appreciate it." (Applause for Mr. Spafford)

Mayor Artino also thanked Mr. Spafford.

Mr. Dike asked about Halloween. Mr. Spafford said the State of Ohio has come with Halloween guidelines. As Council's knows, we don't set a hard and fast Halloween date, we just recommend October 31<sup>st</sup> between 5:00pm and 7:00pm. We are going to send out those regulations to the homeowners' associations and urge caution the best we can. We got a slew of Facebook posts that are scheduled and ready to go, and we also have a draft in the upcoming newsletter that we are hopeful we will be able to get out before Halloween.

Mr. Hagy mentioned two buoys on Chaska and Nickel Plate Beach for about a week and wasn't sure if the City owns them. Mr. Claus said the Chaska buoys have broken and come in, and those are both from Chaska. Chaska will be pulling the last few once the weather permits and we have sent the grant application in for the new buoys. Mr. Hagy said he was worried that a storm would take them and they would be gone forever. Mr. Claus said they are broken and not fixable. Mr. Spafford said we are on our second set of swim buoys at Nickel Plate Beach for the same reason. We are going to try to get more robust buoys for next year. This shows us how powerful the lake is – we have concrete blocks with steel chain out there and they still come loose.

### **Mayor's Discussion**

Mayor Artino said that he has looked at dates to set a public hearing regarding the transient rental legislation, and he would like a motion to set the public hearing for November 24, 2020 at the regular meeting of Council.

**Motion by Mr. Dike, with the intention that we are going to create a venue and atmosphere within the COVID restrictions so people can come face-to-face and speak, to set the Public Hearing on amendment of the transient rental regulations for November 24, 2020 at 6:30.**

Mayor Artino said that he is not going to let time drive this. If Council is not ready, we will cancel the Public Hearing. He wants this to be a good project – we can always word this to take effect at a later date. He thinks with the holidays coming up, we should take this shot to hold the Public Hearing before Thanksgiving. Mr. Shrader said there are going to be a lot of changes with the documents being critically reviewed by Council and constituents. He recommended that at our next Council meeting we ought to have the legislation placed back under consideration and have that public meeting tied to something that's pending. If we decide to table it later for further discussion, we have that option. Mr. Claus asked if we could move the hearing to one of the schools, but Mayor Artino reminded him that the problem isn't room size, it's the-10 person limit per the Health Department, which was also confirmed by Mr. Hardy. We have to determine how we will do this. Will we have everybody in the same room? Is there going to be an opportunity to speak and hear each other? The answer so far is we have to follow the law, but we are going to do whatever we can to make it as accommodating as possible so people can hear each other and actively participate.



The Mayor asked if there was any other discussion on the motion. There being none, the Mayor directed the Clerk to call the roll on the motion. Members of Council voted as follows:

**YEAS: Dike, Hardy, Hagy, Crawford, Claus, Tapp, Artino (7).**

**NAYS: None (0).**

There being a majority in favor, the motion passed, and the Public Hearing regarding transient rental regulations was set for November 24, 2020 at 6:30pm.

Mayor Artino asked Mr. Schrader to give an update on any legal issues. Mr. Schrader said he wants to speak on a couple of things. First off, he wants to address in very generic terms the Hinnners case. We get questions from time to time on the status of matters. On the Hinnners case, the docket is a matter of public record. As of this morning, there are about 75 entries - motions filed by the parties in the case, some are filings asking for extensions of time, some are motions to exceed page limits for filings. The Judge has a lot to consider the decisions on these preliminary motions and it may take several months. Short of that, there is no further comment on the Hinnners matter. He is reflecting only what is on the docket and that's all that we will talk about in a public forum, which he will get to in a moment.

We also have some questions on the alleged fence encroachment involving the Showboat property. There are drawings indicating roughly a 2.1' alleged encroachment. We have also received some competing evidence of other drawings showing no encroachment. There will be a time and a place to resolve this, but it is the Law Director's position that the time to do it is not during the pendency of a quiet title action involving that same property. The recommendation for now is we kindly defer consideration of this issue as we solve a larger issue by comparison. He doesn't know what the solution will be – there will be several options, but he doesn't think we give it any attention now as we have a lawsuit pending involving the property and he thinks we should let that process play out.

Mr. Schrader made a blanket statement - "When we have pending litigation, as much as we perceive questions, whether it's from constituents or others as to the status of these cases, we ought not comment on matters relating to ongoing litigation involving the City. Some questions in particular as to details of cases or contents of filings and things of this sort – there should be no comment from the City on matters involving litigation that is ongoing and involving the City. We have lawyers that are hired to analyze the facts and apply the law with traditional intervention. We have to let that process unfold with the chosen professionals and it's not to be standoffish or rude. I know people are curious and they want answers, but we ought to let that process unfold. Kindly, no comment further on any matters involving the City in ongoing litigation. If you noticed in Hinnners, for example, I limited my comments to the docket. I think that's about as far as we can go."

Mr. Hagy asked about questions where there is not litigation, but we receive a question from a constituent regarding something not in litigation. Mr. Schrader said if there is no litigation and we have an answer... we get public records requests with some degree of frequency on matters. Some of them relate to disputes or what has the City done on this or whatnot. We are under an obligation to answer those and we do a pretty darn good job of that thanks to the Clerk tracking through all of that. He said that he is speaking strictly of matters in terms of ongoing litigation.

### **Executive Session**

Mayor Artino said there has been a request for an executive session and there will be legislation taken up afterward.

**Motion by Mr. Tapp to go into executive session to confer with legal counsel concerning pending action involving the City of Huron, and inviting Mr. Schrader, Mr. Moeller and Mr. Spafford.**



The Mayor asked if there was any discussion on the motion. There being none, the Mayor directed the Clerk to call the roll on the motion. Members of Council voted as follows:

**YEAS: Tapp, Artino, Dike, Hardy, Hagy, Crawford, Claus (7).**

**NAYS: None (0).**

With five or more votes in favor, the motion passed and Council moved into executive session at 7:53pm.

**Return to Regular Session**

Council returned to regular session at 8:30pm.

**Resolution No. 2020-66**

**Motion by Mr. Tapp that the three-reading rule be suspended and Resolution 2020-66 (A RESOLUTION AUTHORIZING THE INTERIM CITY MANAGER TO INCREASE THE LEGAL BUDGET TO PERMIT SEELEY, SAVIDGE, EBERT & GOURASH, CO., LPA TO CONTINUE WITH PENDING LEGAL ACTION TO QUIET TITLE ON ERIE COUNTY PERMANENT PARCEL NO. 42-01077.000 (COMMONLY KNOWN AS THE “SHOWBOAT” LANDS)) be placed upon its first reading.**

The Mayor asked if there was any discussion on the motion. There being none, the Mayor directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

**YEAS: Tapp, Artino, Hardy, Hagy, Crawford, Claus (6)**

**RECUSE: Dike (1)** Mr. Dike recused himself from the vote and left Council Chambers at 8:32pm.

**NAYS: None (0)**

There being five votes or more in favor, the motion to suspend the three-reading rule passed and Resolution 2020-66 placed upon its first reading. The Law Director read the Ordinance by its title only.

The Mayor asked if there was any discussion. Mr. Schrader said the status of the litigation is that it is ongoing, the docket is public record, and at last look, with September time, they are just over \$8,000 in strictly legal fees. Their initial resolution authorized \$10,000 for legal fees. We are not there, but as the litigation is ongoing he does not want to go over without further authority.

Mayor Artino asked if there was any further discussion. Mr. Hagy said, “Yes, Mr. Mayor, I just want to, for the record, to be known that I think it’s absolutely appalling that a resident of our town continues to push this issue and cause us to spend money. It is absolutely appalling and I wish it would stop. Thank you.”

The Mayor asked if there was any further discussion on the motion. There being none, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 2020-66. Members of Council voted as follows:

**YEAS: Tapp, Artino, Hardy, Hagy, Crawford, Claus (6)**

**NAYS: None (0)**

There being a majority vote in favor of adoption, Resolution 2020-66 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

## **Adjournment**

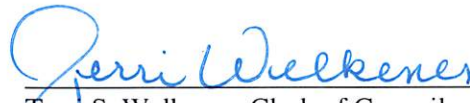
### **Motion by Ms. Crawford to adjourn the meeting.**

The Mayor asked if there was any discussion on the motion. There being none, he directed the Clerk to call the roll on the motion. Members of Council voted as follows:

**YEAS:           Crawford, Claus, Tapp, Artino, Hardy, Hagy (6)**

**NAYS:           None (0)**

There being more than a majority voting in favor of the motion, the Mayor declared the meeting of October 13, 2020 adjourned at 8:34pm.

  
Terri S. Welkener, Clerk of Council

Adopted: 27 OCT 2020

*Upon approval by the City Council, the official written summary of the meeting minutes will become a permanent record, and the official minutes shall also consist of a permanent audio recording, excluding executive sessions, in accordance with Section 121.01(III) of the Administrative Code.*



**Terri Welkener**

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**From:** Jennifer Jackway <jenjackway@gmail.com>  
**Sent:** Monday, October 12, 2020 1:39 PM  
**To:** Terri Welkener  
**Subject:** Fwd: 117 Woodside Ave - Transient Rental

Jennifer Jackway  
2616 Hull Rd, Huron, OH 44839

I request that you please read this at the October 13th meeting.

Thank you,  
Jennifer Jackway

----- Forwarded message -----

**From:** Jennifer Jackway <jenjackway@gmail.com>  
**Date:** Mon, Oct 12, 2020 at 1:38 PM  
**Subject:** Fwd: 117 Woodside Ave - Transient Rental  
**To:** <terri.welkener@huronohio.us>

----- Forwarded message -----

**From:** Jennifer Jackway <jenjackway@gmail.com>  
**Date:** Mon, Oct 12, 2020 at 12:10 PM  
**Subject:** 117 Woodside Ave - Transient Rental  
**To:** <sam.artino@huronohio.us>, <monty.tapp@huronohio.us>, <trey.hardy@huronohio.us>, <christine.crawford@huronohio.us>, <joe.dike@huronohio.us>, <joel.hagy@huronohio.us>, <mark.claus@huronohio.us>, <lawdirector@huronohio.us>  
**Cc:** Bryan's Gmail <bryanjackway@gmail.com>

Dear City Council Members,

Our names are Bryan and Jennifer Jackway. We live in Huron Township, and own and operate Airbnbs. In May of 2020 we purchased our first City of Huron Airbnb located at 117 Woodside Avenue. I called in this morning to apply for a transient rental permit, and was informed by the zoning department that the City of Huron is considering disallowing transient rentals by way of making property owners live in any given rental for 1 year in order

to turn it into a transient rental. This would make operating our City of Huron Airbnb impossible, since we already live at 2616 Hull Road in the township.

Before we purchased 117 Woodside, I called the City of Huron to ensure that I'd be able to turn the property into a summer rental. I was told as long as I file an application and pay a fee (assuming I passed inspection) I would be able to own and operate the home as a transient rental. I discussed applying in October 2020 - since I had leased to a monthly tenant because of Covid - and was told that if I applied in October of 2020 the permit would be good for one year, taking me through my first summer as an Airbnb: the summer of 2021. We would have never proceeded with the purchase of the home had anyone I spoke to told me that there was a possibility that I'd be unable at any point to operate our business.

My husband is a 20-year veteran of the United States Marine Corps, and when he ended his career we moved to Huron so he could start his second career at Davis Besse Nuclear Power Station. Due to injuries sustained in the military (he's got a 100% disability rating with the Veterans Administration), he will be ending his second career at age 55. In order to remain in Huron, we purchased the Woodside property so we'd be able to pay our bills after his early retirement from Davis Besse. If the City of Huron implements this new legislation, we will be forced to sell the property and it will create a great hardship for us. Not only is this news devastating to our retirement plans, but it creates a sense of uncertainty about what the City of Huron will do in the future to undermine our income-making potential in the community.

I would like to request that the City Council consider grandfathering in all existing transient rentals so that this new law, if passed, will not affect us going forward. I would also like to ask that the council consider allowing Airbnbs that perform well and do not cause any disturbances to the neighbors to continue without threat of new laws that will eliminate our income. We operate other Airbnbs not in the City of Huron, and have over 300 5-star reviews. We have NEVER had any incidents of crime or disturbances at any of our properties - and have never had a neighbor



complaint. This is legislation that is well-meaning (I understand the need to dissuade out-of-towners buying up lots of rentals), but detrimental to those of us who follow the rules.

**Bryan and Jennifer Jackway**  
949.280.4122

"He cannot be a gentleman which loveth not a dog." -John Northbrooke

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**Jennifer Jackway**  
949.280.4122

"He cannot be a gentleman which loveth not a dog." -John Northbrooke

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**Jennifer Jackway**  
949.280.4122

"He cannot be a gentleman which loveth not a dog." -John Northbrooke

## Terri Welkener

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**From:** Jennifer Jackway <jenjackway@gmail.com>  
**Sent:** Tuesday, October 13, 2020 10:42 AM  
**To:** Terri Welkener  
**Subject:** Re: 117 Woodside Ave - Transient Rental

Thank you Terri. I told the other owners that I was going tonight to stand in the hallway, and almost everyone I spoke with said they want to stand with me, even outside. It's not my place to tell them they cannot come and stand with me. The reason this issue has gotten out of hand (both on the owner's side and the city's side) is complacency. It's important for the council to see a number of concerned citizens showing up in solidarity. The number of people I have talked to that knew nothing about this is stunning. People sometimes don't pay enough attention to mailings and emails. Now that the news is out that this very important meeting is occurring, owners are concerned. One of the things I would like you to bring up with the council tonight is that if they finish a draft sooner than later, the fact that we cannot hold a face-to-face meeting is not practical. This is a huge, community-changing piece of legislation. I was told repeatedly that the changes are going to go into effect January 1, 2021. That is just 2.5 months away. I'm not sure how this is going to be discussed and handled over the coming months (as you mentioned) when the rules are going into effect in 2.5 months. Thanks again for your kindness and all of your communication.

-Jennifer Jackway

On Tue, Oct 13, 2020 at 10:23 AM Terri Welkener <[terri.welkener@huronohio.us](mailto:terri.welkener@huronohio.us)> wrote:

Ms. Jackway:

Any legislation relating to transient rentals will be going through a full public vetting prior to official action and adoption. The purpose of tonight's work session is for Council to have the opportunity to discuss the draft legislation with legal counsel as a starting point of the process. That discussion will be taking place during the work session, which Council cannot officially take action during. The agenda for the regular legislation session of Council does not include as a business item legislation for official action by Council. In fact, during the previous meeting, Council made it clear that they want to undertake a substantial public process prior to any official decisions. This time would be to ample opportunity to gather as much feedback as possible, digest that feedback, and incorporate it into the legislation. This legislation will likely be discussed over the coming months, and I would encourage you to follow that discussion and provide feedback along the way.



## **Terri Welkener**

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**From:** jimmy@landollsmohicancastle.com  
**Sent:** Monday, October 12, 2020 6:05 PM  
**To:** Terri Welkener  
**Subject:** Huron Transient Rental Owner

Dear Ms. Welkener,  
I would kindly ask that this letter be read at tomorrow's meeting.  
Jimmy Landoll  
571 TR 3352  
Loudonville, OH 44842

My name is Jimmy Landoll, I am writing you today in regards to the proposed changes to the transient rental laws in the city of Huron. My wife and I are the proud parents to 4 children, I am the CEO of Landoll's Mohican Castle Resort, restaurant, and wedding venue in Loudonville Ohio. I have ran day to day operations for 7 years and have been in the hospitality industry all of my adult life. We own 5 rental properties in the Rye Beach neighborhood. We have invested hundreds of thousands of dollars into these homes and countless hours of work. We have made these homes our passion and have turned run down ugly homes into beautiful vacation rentals. We also employ 4 housekeepers and 1 maintenance person that depend on our business to take care of their families. I personally come to Huron twice a week to maintain our properties. We have hundreds of 5 star reviews and have never once had any issues with our guests. In fact, I don't rent to people that don't have 5 star reviews. This is a viable business that we chose to operate in the City of Huron. I have a deep connection to the city and Rye Beach, my grandparents purchased a home on Oakwood Ave. in 1952 and lived there until my grandfather's passing in 2012. My Father, four siblings, aunts, uncles, and cousins all lived in the neighborhood for decades. In 1987, my late brother carved his initials into a bench at Rye Beach park. I spent most of my summers there growing up and am giving the same memories to my children now, we spend several weeks in Rye Beach every year. Our lives are deeply invested into the City of Huron and Rye Beach, to pass legislation that would strip away all of our hard work, commitment, and memories would not only be devastating, but also unjust. I am asking you to please vote NO the new legislation or to add in a grandfather clause to allow current transient rentals to continue to operate.

Thank you for your time and consideration, let me know if you have any questions.

**Jimmy Landoll**  
Chief Executive Officer (CEO)

Landoll's Mohican Castle  
561 TR 3352 Loudonville, OH 44842  
O. 419 994-3427 x6399 C. 419 651-5940  
[www.landollsmohicancastle.com](http://www.landollsmohicancastle.com)

## Terri Welkener

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**From:** Angela tHORNTON <attypist@yahoo.com>  
**Sent:** Tuesday, October 13, 2020 9:35 AM  
**To:** Terri Welkener; Sam Artino; Monty Tapp; Trey Hardy; Christine Crawford; Joe Dike; Joel Hagy; Mark Claus; lawdirectotor@huronohio.us  
**Subject:** Transient rentals

Good afternoon,

Our names are Trace and Angela Thornton of Firelands Homes, LLC at 9512 St. Rt. 99N in Monroeville. We would like to make a statement and would appreciate it being read during tonight's meeting.

As our retirement plan, we started buying, renovating, and renting homes 10 years ago. After having two STRs shut down with legislation in Sandusky in 2017, we purchased four homes in Huron, two of which we are currently running as transient rentals.

I left my job last year as a hospital employee to completely devote my time and energy in maintaining our transient properties. My husband lost his job due to Covid on 4/30/20, and it's a good thing we had been planning for this, even though it came earlier than expected.

I watched the video of the last meeting and was irritated by the comment we were all making money "hand over fist". In making your decisions regarding transient rentals, please consider that, for some, this is OUR LIVELIHOOD. It's not just fun and games for us, and our voices need to be heard.

Thank you,  
Trace and Angie Thornton

Sent from Yahoo Mail on Android



## **Terri Welkener**

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**From:** Mjf5049\_ <michaelforbes5049@gmail.com>  
**Sent:** Tuesday, October 13, 2020 9:40 AM  
**To:** Sam Artino; Monty Tapp; Trey Hardy; Christine Crawford; Joe Dike; Joel Hagy; Mark Claus; Law Director; Terri Welkener  
**Subject:** Short Term Rental Proposal - Michael Forbes

**Terri - Please consider this my request to have the following statement read at tonight's meeting.** Below is my contact information:

Michael Forbes  
814-673-7912

Home Address: 5242 Leann Ct, Sheffield Village, Ohio 44054

Huron Address: 427 Center St, Huron, Ohio 44839

Good Morning All,

I regret that I cannot attend tonight's meeting. In regards to the newly proposed short term rental regulations, I am opposed. Please allow me to tell my Huron story.

My wife and I bought a worn out multifamily property on Center Street. Our plan was to renovate the property and furnish one unit for my wife and I to use on the weekends since we love Huron so much. We live full time in Sheffield Village, Ohio. After Joe Dike stopped by one day while I was working on the property, our conversation sparked an interest for me to put the property on AirBnB while my wife and I weren't using it.

After investing a large sum into a very nice renovation, we proceeded with the transient registration for the one furnished apartment and have had great success with short term guests. The guests love the area and this type of rental is good for our business as well. I almost always buy derelict properties, invest large sums of money to make them A class properties, then rent them back to the community. This is NOT the best way to make money on a property but it's how I run my business and what I feel is best for the communities in which I invest. Higher revenue from short term rentals makes this investment easier to make.

Prior to hearing of this proposal, I was searching for more Huron properties to bring back to life and rent as short term rentals. This new legislation proposal makes nice renovations more difficult. In fact, I recently declined to buy an eye-sore duplex because of this new proposal. That duplex needs about \$40,000 of improvement. Because of this proposal, that duplex will now sit as is, deteriorating. It sincerely saddens me that I had to pass on this opportunity because of this regulation proposal. The property could be beautiful and deserves better.

If the purpose of this legislation is to cultivate a community of exclusivity, minimize community investment, and reduce tourism money, then the legislation will have done its job. I don't believe these are the traits of a strong community like Huron however. All businesses come with struggles and downsides for a community. Implementing unrealistic and prohibitive regulation is not the answer. Identify the real and SPECIFIC problems. Then, implement solutions that actually solve the problems. As written, the new regulations would be incredibly prohibitive and not prohibitive in the spirit of avoiding potential community issues. The regulation is prohibitive for prohibition's sake. If this was done for other businesses in town, imagine the impact. If the council does not want short term rentals in Huron, then just prohibit them and give good, specific reasons. Hiding behind prohibitive requirements in order to ban short term rentals would be a dishonest approach.

If there are true community problems that the short term rental business model creates, identify them clearly. I will be at the front lines fighting to correct the problems. I love Huron and want the community to be as strong as ever!

Sincerely,  
Michael Forbes  
814-673-7912



## Terri Welkener

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**From:** Zach Yonek <zyonek@gmail.com>  
**Sent:** Tuesday, October 13, 2020 10:49 AM  
**To:** Terri Welkener  
**Subject:** Transient Rental Legislation thoughts

Zach and Jessica Yonek  
522 Rockwell St.  
Sandusky, OH 44870

Hi Terri, I wish this statement below to be read at the Huron City Council meeting tonight. Thank you.

To whom it may concern,

This letter is in response to the City of Huron regarding the further proposed legislation on transient rental properties.

My wife and I have been running our vacation rental business in the city of Huron since 2018 and have had a great experience in doing so. The property we own was completely remodeled, updated, and beautified, and we pride ourselves in providing 5-star accommodations to our guests. We actively promote local restaurants and businesses in Huron, and drive traffic to Huron's economy. And we are just one property out of countless others who I know also actively promote the small businesses in Huron. I firmly believe that the proposed legislation is overstepping the government's power with regards to this matter. The standards you are setting in this proposed legislation go much further than you'd require of other businesses and rental properties. My wife and I have registered with the city and county, we pay the required taxes on time, and have gone along with every piece of legislation up to this point, but this is getting out of hand now.

I know others have sent letters that dive into much more detail, so I will try to keep this brief and add a few additional thoughts on some of the issues that concern me.

Section 1369.05 Operator Responsibilities Section H. You are asking to keep 3 years of records of our tenants, including addresses. The problem is that the hosting platforms (AirBnb and VRBO) do not give owners this information for security reasons. Are you telling me that my registration will be revoked if I can't provide you with their address, which is impossible to get? Just so you know, we only have access to the name, phone number, and email of our guests. That's it.

Section 1369.05 Operator Responsibilities, Section E which says that anytime we have guests staying at our property, we have to be physically present within 30 minutes of any notification by a member of Law Enforcement or the FireDepartment or a Service Call to the Transient Rental Property. This requirement seems overly burdensome on tax paying small business owners. This is not required of normal rental properties. A transient rental property should be held to the same standard to that of a normal rental unit.

Section 1369.08 Nuisance, Section C, which states: The Transient Rental Property has had in excess of three (3) Calls for Services within any consecutive twelve month period. This is concerning for several reasons:

- 1) It does not state that the property owner has been convicted of being in violation, in excess of 3 times, only that 3 calls for services need to be made in a twelve month time period. This leaves the door open for people to call in for no reason other than trying to get their neighbor's certificate revoked.
- 2) In your meeting, you equated transient rental owners to that of hotel owners. Does the City of Huron currently hold hotels to this same standard? Does the City currently hold any other business to this standard?

As investors in Huron, we all have played a large part in revitalizing the community by improving properties, and in turn, helping to increase overall property values. The vacation rental business lives and dies by the reviews of our guests, so as vacation rental owners, we have more incentive than most home owners to keep properties updated and clean, and to make our homes as aesthetically pleasing as possible, so that we keep our reviews positive. We bring in tourism dollars, promote local businesses, and pay additional taxes and fees that further boost Huron's economy. It could be argued that Huron does not have the infrastructure to support an economy as robust as the one that is created from tourism dollars, but isn't that what the additional taxes and fees are for?

My wife and I, along with several other property owners, plead you to strongly reconsider much of this proposed legislation. We are asking that Huron City Council work with transient rental property owners to establish a reasonable framework for regulating short term rentals so that all may benefit.

Sincerely,  
Zach and Jessie Yonek



Trisha Temper & Jeff Helms  
520 Galaxy Court  
Fort Collins, CO 80525

October 11, 2020

City of Huron  
Attn: Huron City Council  
417 Main Street  
Huron, OH 44839

To whom it may concern,

This letter is in response to an email that was sent out to all registered transient rental property owners the morning of October 6th, 2020.

After review of the proposed amendments to the current Transient Rental Ordinance and watching the Huron City Council work session/regular council meeting from 9-22-2020, we have some questions and concerns, outlined below, that we would like to bring to the council's attention.

In regards to Ordinance NO. 2020-27, Chapter 1369 Transient Rental Property of the Codified Ordinances of the City of Huron, Ohio, taking effect on January 1, 2021, we ask that you take into consideration that the majority of our properties are rented a year or more in advance.

We are concerned about the contradiction between what is written in the initial draft registration in the 9/22/2020 agenda and what was discussed at the 9/22/2020 recorded work session. Most concerning was the council's discussion around limiting the number of occupants allowed based on an off-street parking plan. While we acknowledge that parking may be an issue in some communities, I, Trisha Temper, can attest to parking being a problem long before transient rentals became popular. I grew up in Old Homestead #1 and remember the neighborhood streets filling up in the summer months with residents, renters, seasonal homeowners', and their respective guests' vehicles. This is not a new problem. We ask that, before passing parking requirements that could potentially shut down transient rental small business owners, we work together to come up with a plan that works for all parties involved.

In regards to the councils concerns about the availability of housing stock for long-term residents of the city; Per the 9/18/20 Registered Transient Rental Property Report on the [cityofhuron.org](http://cityofhuron.org) website there are 58 registered transient rental properties. In the council work session from 9/22/2020, it is stated that they expect the true number to be around 140 total transient rental properties in the city of Huron. According to Census.gov, for the City of Huron, between 2014-2018, there were 3,078 homes. Based on this data, registered transient properties make up from 1.8% to 4.6% of available homes. Census.gov states as of July 1, 2019 population estimates for the City of Huron were 6,869 with an average household of 2.23 persons per household; Using the national homeownership rate of 67.9%, it would stand to reason that you would need 2,092

homes in the City of Huron to satisfy demand. Based on the above data that leaves the City of Huron a surplus of 846 homes.

Section 1369.07 – Inspections, Section E, which states: Upon display of the proper credentials, any member of Law Enforcement, Fire Department, Building Department, or Public Health Official shall be permitted to inspect the Transient Rental Property to ensure compliance with this Chapter. This section appears to violate the guarantee against illegal searches and seizures as provided in the Fourth Amendment of the U.S. Constitution.

Section 1369.08 – Nuisance, Section C, which states: The Transient Rental Property has had in excess of three (3) Calls for Service within any consecutive twelve (12) month period. This is concerning for several reasons:

- It does not state that the property owner has been *convicted* of being in violation, in excess of 3 times, only that 3 calls for service need to be made in a 12-month time period. We foresee this being problematic as it can lead to a high number of erroneous calls in an attempt to have a certificate revoked.
- In your meeting, you equated transient rental owners to that of hotel owners. Does the City of Huron currently hold hotels to this same standard? Does the City currently hold any other business to this standard?

It was mentioned in the virtual work session that each call would be investigated and if nothing was found, no citation would be issued. This does not address where the additional staff and funds will come from to pay for the services to dispatch and investigate every call that comes from a neighbor who simply doesn't like having the rental property there? Furthermore, how does dispatching these resources, for this purpose, benefit the City of Huron?

Section 1369.05 – Operator Responsibilities, Section E, which states: At all times Transient Guests are present on the Transient Rental Property, the Operator or Agent shall be able to be physically present at the Transient Rental Property within thirty (30) minutes of any notification by a member of Law Enforcement or the Fire Department or a Service Call to the Transient Rental Property. This is a seemingly frivolous, unjust, and overly burdensome requirement on tax paying small business owners. There is no reason a homeowner should be required to intercede in a police or fire incident. With today's technology, surveillance cameras, cell phones, internet, etc. we are able to manage our property remotely. We do not call landlords or hotel owners when there is a domestic violence incident or before the SWAT team is set to execute a search warrant on a property they own, nor do we expect them to arrive in 30 minutes for any other calls of service. If there is an issue, it is addressed with the occupant of the property and if the situation escalates it is a police matter to enforce the law, not the property owners. Transient rental property should be held to the same standard to that of a normal rental unit.

We understand that there is emotion involved by some, around the feeling that transient guests degrade the culture of the City of Huron. However, the reality is these guests contribute to the local economy. Many locally owned and operated small businesses, restaurants and bars rely on this revenue. According to the City of Huron website under the tourism link: "The City of Huron is quickly becoming **one of the premier tourist destinations in Northeast Ohio.**"

2016 statistics and 2017 forecasts show that more people are taking advantage of destinations that are closer to home.

- 10 million trips are made to Lake Erie each year
- 3.5 million people go to ~~Cedar Point~~ every year
- Huron is located 30 miles from Kelleys Island
- ~~Put in Bay~~, a highly popular tourist destination, is one hour from Huron
- **The Erie County tourism industry was \$1.6 billion in 2015**
- Lake Erie is a year-round destination
- 88% of visitors said they are likely to return

More money, more people and more tourism is coming to Northeast Ohio, and Huron is at the heart of that growth."

We ask that the council keeps the above statistics, statements, and mentality on tourism in mind and consider the positive impact transient rental properties and their guests have brought to the area.

Investors in Huron's marketplace have played a large part in revitalizing the community by improving properties, and in turn, helping to increase overall property values. It could be argued that Huron does not have the infrastructure to support an economy as robust as one that is created from tourism dollars. We pay additional taxes and fees to the City of Huron, which are not required of normal rental owners, that further boosts the local economy.

Furthermore, as transient rental property owners, we strive to provide the best experience for our guests as our business thrives from them having a positive experience. In the age of the internet, positive reviews are of paramount importance. We do this by providing safe, clean, attractive locations for them to relax, spend time with family and create lifelong memories.

Ultimately, we are asking that Huron City Council work with transient rental property owners to establish reasonable framework for regulating short term rentals so that all may benefit.

Sincerely,



Trisha Temper – 970-222-3202  
97 Miami Place, Huron, OH 44839



Jeff Helms – 970-420-7036



Todd Lamb, Laura Lamb  
414 Wexford Drive  
Huron, Ohio 44839

October 13, 2020

Sam Artino, Mayor  
Mark Claus Councilmember  
Christine Crawford, Councilmember  
Joe Dike, Councilmember

Monty Tapp, Vice-Mayor  
Joel Hagy, Councilmember  
Trey Hardy, Councilmember

Dear esteemed City of Huron Councilmembers,

City Council Appeal regarding Chapter 1369, Transient Rental Property,  
Sirs, and Ma'am,

We completely agree that there should be some sort of taxation on any type of rental property within the City of Huron city limits, transient or otherwise. And we completely understand the bed tax requirement on transient rental properties for bringing income into the city, county, state, However,

We would like to place a plea regarding the following: Chapter 1369 Transient Rental Property; proposed regulations governing Transient Rental Property. Specifically, but not exclusive, of the following:

Chapter 1369.03 – g.(2) i.,ii. – Limitations on Transient Rental Properties. Beginning January 1,2021.

Is that specifically indicative of the specified above date and thereafter, or is it that also any property prior to that will be Grandfathered? Does that mean that this will apply only to those initial applicants that apply after that date?

What about all of the local properties that have been built by long term residents of Huron, solely for the expressed purpose of being transient rentals, in which the primary owner has not resided in said specific property but developed it and owns it specifically for rental purposes?

OR, What about all of these local properties that were purchased as family vacation homes and then were rented out during times when the primary owner / occupants were not utilizing them for themselves?

Example: We researched our area and found numerous homes within our neighborhood and within a one mile radius that were listed on Vacation / Temporary housing Booking sites that were advertised as short term rentals and had been doing so for ten to fifteen years. Many of which started out in the same fashion, without the primary owner ever occupying the home as a permanent full-time residence, and several persons we have met since the purchase of our vacation home.

We reside in Huron, just not in the home in question which is still our families vacation home and we still have family and friends from Ohio and beyond come stay with us throughout the year for family and friend gatherings and occasions and sometime for extended stays, aside from renting it out also.

Also in regard to 1369.10 (a), (b), and (c).

Hosting Platforms do not allow for the Guests physical address of any guests and likewise the physical address of the owners rental is only released by the Owner unless otherwise listed in the booking portal inside the host provided information. So, we normally ask them where they are coming from but pursuant to each of the Hosting sites policies there are no guests addresses provided via their sites

Page 2 of 2 – Lamb Family, Chapter 1369 – Plea 10/13/2020.

Furthermore, the Hosting Platforms have created a very generous cancelation policy regarding Covid19 and understandably, so that the Hosting Calendar can be one thing one minute and have a ton of cancellations the very next minute dependent on the Covid regulations set by Ohio and also the states that the guests may be originating from. We have been very proactive in creating Covid19 Protocols for our guests prior to their arrival and we follow the Hosting Platforms Procedures and protocols as delineated by the WHO and the CDC for transient housing. We have professional commercially bonded and licensed cleaners clean and turn our home. We have been using cleaning professionals even before the Covid19 outbreak... only now they follow the Covid19 sanitation guidelines created by the Hosting platforms.

Let us add that we came upon the idea of renting our family vacation home out of the love of the area, and the realization that other families would love it too. We felt we could bring extra (badly needed) revenue into the city. But in doing so, we also chose to screen every rental application to stay at our home, we do not have our Hosting Platforms set-up for any "Instant Bookings." We approve each and every one of them individually. We require some information about those booking our home, we also require that all persons eighteen years or older sign a Rental Lease Agreement, which was designed by an local Huron attorney / and vacation rental owner. We do not take large groups, we do not allow for party's or events in our home. We have a concrete paved driveway, we do not allow parking on the street at all. We have a courtesy two car garage for our guests to use.

We live (permanently) now under 5 minutes away from our second home here in Huron. At one time we owned four homes in two states and two countries. However, we chose of anywhere in this vast world, the City of Huron to retire too (husband - Ford Motor Company) is originally from Chagrin Falls, and went to Wooster for his undergraduate degree, before getting his Master in Business, so we could live and continue to work in a family oriented, well maintained community and bring as much business into the area as humanely possible. Which we in fact have done as you can find out from the owners of Berardi's, Jim's Pizza Box, The Harbor House, Crawford Insurance/Bugle Beads, The Sand Bar, as well as many, many other local businesses, from Charter Boats, to local grocery stores and hardware stores, drugstores, and more.

Since we have relocated here we have also bought additional homes in other surrounding cities, for long term rental purposes, and we will continue to maintain an excellent standard of upkeep and update/renovations and maintenance to Add-Value to our assets so that they reflect the quality and the care that we bring to everything we chose to do. We hire local professional landscapers and licensed bonded cleaning crews, local tree companies, and buy furnishings from local resources. We do not run our homes as Ma and Pa Kettle at the Farm, we maintain them as we live in them and will continue to do so, because we have pride in our family and pride in our community and believe in bringing the best we can offer to any community that we live in no matter how long that may be. We lived in our last home for over 25 years, and God willing we will be buried here.

We hope for an amicable, logical, and fair resolution to several of the items laid out in the Chapter 1369; Transient Rental Property proposals. We believe that rental properties can be a great source of urban renewal, capital improvement and revenue to local businesses and local services, if they are properly maintained and managed by owners such as ourselves.

Thank you for your time and your consideration of our concerns about these matters.

- The Lamb family.

## Proposed Transient Rental Property Ordinances

Bob Kidder <robkidd8@aol.com>

Mon 10/12/2020 11:44 PM

To: Sam Artino <sam.artino@huronohio.us>; Monty Tapp <monty.tapp@huronohio.us>; Trey Hardy <trey.hardy@huronohio.us>; Christine Crawford <christine.crawford@huronohio.us>; Joe Dike <joe.dike@huronohio.us>; Mark Claus <mark.claus@huronohio.us>; City of Huron Zoning Department <zoning@huronohio.us>; Mike Spafford <mike.spafford@huronohio.us>; citymanager@cityofhuron.org <citymanager@cityofhuron.org>

To whom it may concern,

We wish to express our concerns about the proposed ordinances regarding transient rental properties (TRP). We own a house that we live in part time and also own a TRP, both located in Old Homestead 1. Our experience as a TRP owner has been overall very positive. We have never had any calls or complaints about our renters. They have always been respectful of the community and our house rules. We do not feel that they have in any way ever had a negative impact on the neighborhood.

It is our opinion that some of the proposed ordinances will be detrimental to TRP owners and to the city of Huron. TRPs bring in people/tourists from near and far for many different activities including the lake, the beach and Cedar Point. One thing they all have in common is they spend money at the local businesses. We feel that anything that would reduce the amount of visitors to Huron would have a negative economic impact on the city. Limiting the number of people allowed in a TRP based on parking will potentially shut down many TRPs resulting in lost revenue for the city. We know about the parking situation in Old Homestead 1 because we spend a lot of time in our house down the street from our TRP. Summer weekends and holidays ( Memorial Day, 4th of July and Labor Day ) is when on street is in high demand. However, this is not because of the TRPs but is because of the part time/ seasonal homeowners having family and friends as guests. Approximately 25% of the houses on our street are occupied year round. We see these times when parking is a challenge as a good thing. This means Huron is very desirable place where people choose to spend time and money. Putting parking restrictions on the TRPs without putting restrictions on the part time/ seasonal residents and their guests will do nothing to solve the parking challenges. It is not fair to put restrictions only on TRPs.

The proposed ordinance requiring the operator or agent to be physically present at the TRP within 30 minutes is unreasonable. Do any other small business owners or long term rental property owners have this requirement? An incident that requires law enforcement should be handled by law enforcement and should not reflect negatively on the owner and their TRP certification.

We disagree strongly with the proposed requirement of living in a property for one year before being able to rent it. This just makes no sense. I would like to hear the reasoning behind this proposal. At the very least all current TRP owners should be grandfathered in.

Lastly, TRP owners are now required to pay an inspection fee and 3% tax to the city. If TRPs are restricted out of business, this will be lost revenue for the city.

These are some of our concerns and we urge you to not approve any ordinances that drive away tourism. We offer a service that benefits the city of Huron.

Sincerely

Bob Kidder 859-628-8123  
201 Miami Place

Maggie Wilmhoff 859-468-3408



## Terri Welkener

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**From:** Mary Hetteberg <mlbhetteberg@gmail.com>  
**Sent:** Tuesday, October 13, 2020 4:02 PM  
**To:** Terri Welkener  
**Subject:** Transient rental restrictions

Short term rental restrictions are needed in Huron before we become an investment community. It is already happening. I grew up in this town and the changes I see happening are not what I want to see for the future of Huron.

Huron is home to many year round residents. We are also a summer vacation destination. In the summer our population increases as we become a Lake Erie destination.. Huron has always had rentals in the summer. These rentals have typically been filled by word of mouth or long time returning renters. The advent of VRBO/AirBnB/HomeAway has changed that. Homes are being bought &/or turned into investment properties. Homes are being rented to complete strangers, changing our communities. These renters come to enjoy the lake and party. We live here, they're on vacation. This has become an increasing problem to those of us that call Huron home. They fill these houses with as many as they can fit in. There's the late night noise, intoxicated people, overflowing trash and a general lack of respect for the neighbors and community. The excess of cars make it hard for residents to be able to park. Where are they parking their boat, or that extra group that came in the RV? This cannot be allowed to go unchecked. In Chaska Beach we have seen the changes happening. There is one home that can sleep more than the seven surrounding homes. Our community is subject to excessive noise, parking problems and trash. It has created bad feelings between homeowner and surrounding neighbors. We are not the only neighborhood experiencing these problems.

These are businesses, some are a small hotel set up in residential zoned neighborhoods. Why is a business allowed to operate in our residential neighborhoods? Are we an investment community, or are we a residential community? They buy an investment property. Those that buy these homes have no vested interest in our neighborhoods or community, it's a for profit business. I have no idea who even owns the rental behind us! There have been times when the lawn has not been mowed and grown into a 3' weed patch. Absent landlords, the hosts of these properties, do not care for their properties as a homeowner does, one who has a true vested interest in their home and works to maintain their property.

We will see our property values decrease, and our insurance will rise as more homes are turned into short term rentals. I do not want to see the value of my home decrease due to the unchecked investment properties being purchased in my community. The loss in home values will impact the city's collection of property taxes.. This loss will not be made up by the bed tax that has been put in place. They don't live, why should they care. Our schools will lose, as will the future of Huron.

There are many communities, in Ohio and nationwide that have implemented short term rental restrictions that have withstood challenges in federal courts. Let us be one of them!.

Some suggestions to limit these short term rentals might include:

- The homeowner must be present, thereby eliminating a whole house from being rented
- The homeowner must live in the home 351 days out of the year, thereby limiting rentals to 14days/year.
- Seasonal homes can only be rented for 2-14 day rentals per season.
- The home must have been lived in by the owner for at least 365 days prior to it being able to be rented on a short term basis
- Limit the number of homes one owner/group is allowed to rent

## Suggestions that need to be addresses/clarified

- How many are allowed to sleep in the house The proposed ordinance wording is confusing..... Determine maximum occupancy for overnight Transient Guests which shall be limited to: 1. three (3) persons per Residential Premises plus 2. the lesser of two (2) persons per bedroom or per 100 square feet of bedroom space.  
Is this to mean that there can be no more that 2 per bedroom plus 3? So a house with 4 bedrooms can rent to 11, 5 bedrooms = 13, 6 bedrooms = 15?.
- Business use in a residential zoned neighborhood/area
- How many homes can one one person own that they rent on a transient basis
- No owners agent may represent multiple owners

To allow Huron to turn into a community of investment properties would be a disservice to all who bought a home to live in a community surrounded by our neighbors, not strangers that change every week or two.

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