

RECORD OF PROCEEDINGS

Minutes of _____

Dublin City Council

Meeting _____

BARRETT BROTHERS - DAYTON, OHIO

Form 6101

Held _____

January 6, 2020

CALL TO ORDER

Mr. Peterson called the Monday, January 6, 2020 Regular Meeting of Dublin City Council to order at 7:00 p.m. at the Dublin Municipal Building.

PLEDGE OF ALLEGIANCE

Mr. Reiner led the Pledge of Allegiance.

OATHS OF OFFICE

Re-elected Council Member at Large Christina Alutto took the oath of office, administered by Attorney Lauren Hunter. Ms. Alutto was accompanied by her family members.

Re-elected Council Member at Large Chris Amorose Groomes took the oath of office, administered by Attorney and former Council Member A.C. Strip. Ms. Amorose Groomes was accompanied by her family members.

Newly elected Council Member at Large Andy Keeler took the oath of office, administered by Attorney Bill Root. Mr. Keeler was accompanied by his family members.

ROLL CALL

Present were Ms. Alutto, Ms. Amorose Groomes, Ms. De Rosa, Ms. Fox, Mr. Keeler, Mr. Peterson and Mr. Reiner.

Staff members present were Mr. McDaniel, Ms. Readler, Mr. Stiffler, Ms. O'Callaghan, Ms. Goss, Mr. Rogers, Chief Paez, Mr. Earman, Ms. Burness, Ms. Richison, Ms. Ray, Ms. Puranik, Mr. Boggs, Ms. Miglietti, Ms. Delgado, and Mr. Plouck.

ADJOURNMENT TO EXECUTIVE SESSION

Mr. Peterson moved to adjourn to executive session at 7:05 p.m. to consider the appointment of a public official.

Ms. Alutto seconded the motion.

Vote on the motion: Mr. Reiner, yes; Mr. Peterson, yes; Ms. Amorose Groomes, yes; Ms. Fox, yes; Mr. Keeler, yes; Ms. De Rosa, yes; Ms. Alutto, yes.

The meeting was reconvened at 7:30 p.m.

ELECTION OF MAYOR

Mr. Peterson moved the nomination of Council Member Chris Amorose Groomes to a two-year term as Mayor.

Mr. Reiner seconded the motion.

Vote on the motion: Ms. De Rosa, yes; Mr. Keeler, yes; Ms. Alutto, yes; Ms. Fox, yes; Mr. Reiner, yes; Mr. Peterson, yes; Ms. Amorose Groomes, yes.

ELECTION OF VICE MAYOR

Ms. Fox moved the nomination of Council Member Cathy De Rosa to a two-year term as Vice Mayor.

Mr. Peterson seconded the motion.

Vote on the motion: Ms. Alutto, yes; Ms. Fox, yes; Mr. Reiner, yes; Mr. Peterson, yes; Ms. De Rosa, yes; Mr. Keeler, yes; Ms. Amorose Groomes, yes.

OATHS OF OFFICE

- Mayor

Ms. Amorose Groomes took the oath of office, administered by Mr. Peterson. She was accompanied by her family members.

- Vice Mayor

Ms. De Rosa took the oath of office, administered by Mr. Peterson. She was accompanied by her family members.

(Council recessed briefly to allow the official 2020 photo of City Council to be taken.)

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CITIZEN COMMENTS

Richard Limperas, 6610 Baronscourt Loop, Dublin stated he has brief comments regarding the AEP transmission line project, which is potentially scheduled to be routed along Shier-Rings Road. As a new resident to Ballantrae, he has researched the history of this project back to 2017 when AEP first addressed Council about the proposed route. He has found that the proposed route was very different back in 2017 -- well north of Shier-Rings Road and very far north of where the proposed route is now. He has a copy of that original route available. He also found in the Dublin City Council minutes from that time that there was discussion about keeping this line away from the Ballantrae neighborhood, both by the City Manager and several Council members. He is not certain of the timing of the next discussion regarding the AEP transmission line at a Council meeting, but proposes there is time allocated for this discussion at the next Council meeting for discussion of why this change occurred between July of 2017 and September of 2019.

CONSENT AGENDA

- Approval of Minutes of October 14, 2019 Work Session
- Approval of Minutes of November 18, 2019 Regular Meeting
- Approval of Minutes of December 2, 2019 Regular Meeting

Hearing no request to remove an item from the Consent Agenda, Mayor Amorose Groomes moved to approve the actions for the three items on the Consent Agenda.

Ms. Alutto seconded the motion.

Vote on the motion: Mr. Reiner, yes; Mr. Peterson, yes; Mayor Amorose Groomes, yes; Mr. Keeler, yes; Ms. Alutto, yes; Ms. Fox, yes; Vice Mayor De Rosa, yes.

SECOND READING/PUBLIC HEARING – ORDINANCES

Ordinance 73-19

Adopting Chapter 122 Under Title XI of the City of Dublin Codified Ordinances to Regulate Short-Term Rental Facilities.

Mr. Boggs made a presentation in follow-up to questions raised at the first reading on December 2, 2019.

He noted the following:

1. This legislation was developed over a period of time due to the dramatic growth of the short-term rental industry in general, and over the last several months, as Council and staff have fielded specific complaints from residents of the City. This resulted in the Community Development Committee and Council further pursuing legislative options.
2. In 2017, staff met internally and the Law Department prepared a memo regarding issues raised by short-term rentals, recommending at that time no specific legislation for short-term rentals.
3. In October of 2018, the memorandum was updated as the City of Columbus adopted its current system of registering short-term rentals. Staff recommended at that time maintaining the status quo, but Council referred it to the Community Development Committee (CDC) for further review. On August 20 of 2019, this topic was reviewed by the Committee. At that time, options were presented and their recommendation was to begin registration of these properties after the 14th rental night in a calendar year. This was reported by CDC to Council. Having heard more input from the citizens, Council referred it back to the CDC. In that format, legislation was developed and then introduced to Council in December of 2019. The legislation took its final shape with a registration requirement for all properties that will host short-term rentals and a limitation of 14 nights per calendar year for such short-term rentals.
4. The ordinance creates a new chapter in the City's Business Regulation Code. It defines short-term rental as any room or dwelling that is rented for less than 30 consecutive days, and it prohibits that rental for more than 14 nights in the aggregate in a calendar year. There is no impact on long-term rentals, so month-to-month tenancies or longer are not impacted by this draft ordinance.
5. There is a yearly registration fee. The intent of staff is to have all of this information available through the City's existing on-line platforms.

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6. People registering would be required to provide their information, demonstrate they are the owner or primary resident of the property being registered, provide the names of the platforms and media where they will be advertising the rental, and attest to compliance with local, state and federal regulations for sleeping accommodations.
7. Aside from the annual registration, there would be a requirement to notify the City prior to individual stays: the number of guests, the day and time that the people will be present, and a 24/7 contact for the host. There is no requirement in the legislation before Council tonight to provide guest identifying information.
8. In addition, the legislation as drafted provides that the Planning Director who would oversee the program the ability to suspend, deny or revoke registrations if there are violations of the regulations within this Chapter. For example, registrations cannot be transferred to other owners; each new owner must register their property.
9. Discrimination is prohibited under the Chapter, so protected statuses (race, sex, religion, etc.) are not valid reasons to deny someone a rental.
10. There is an inspection component as well that property owners would have to either allow inspection or the City would pursue legal remedies to obtain inspection at their discretion in the enforcement mechanism.
11. Any violation is considered an unclassified misdemeanor with a fine of \$250. The discussion was to have something in place that is consequential enough to discourage repeated violations, but not too onerous a burden for a first-time offender who was not aware of the regulations. Repeat violators would face the higher potential third-degree misdemeanor penalties, which are a maximum \$500 fine and up to 60 days in jail. The jail penalty is included as a result of the way misdemeanors are classified. From a practical matter, as things are prosecuted, jail is generally not a first resort in the enforcement of misdemeanor citations such as this.
12. Since this legislation was introduced in December, there have been several questions about how it would interact with different types of rentals and a request for the "before and after" impact of this legislation on these rentals.
 - a. Long-term rentals of 30 days or more would not be affected by this legislation.
 - b. Hotels and motels, which are defined elsewhere in the Code, are generally any place offering transient accommodations that has five rooms or more – they are not affected by this. They also provide conference facilities, they are zoned differently, and would not be impacted.
 - c. At the December meeting, there was some discussion about "traditional bed and breakfasts" that are provided for in the Zoning Code. They are currently permitted in two zoning districts – the Bridge Street District Historic Core and the Bridge Street District Historic South. There was not consensus reached in that conversation about how those would be treated. On one hand, because they would be providing ancillary services or goods – meals, small gifts, etc. – the Code defines them differently. There is language in the staff report for this meeting that would allow existing, lawful bed and breakfasts within those two districts to continue their operations.
 - d. The red row on the slide reflects what is intended to be addressed with this legislation – the sharing economy, home type of operations that are primarily occurring in neighborhoods. Currently, they are not regulated as such; if this ordinance is approved in its current form, the 14-day limitation and registration requirement would apply.
 - e. Subsequent to preparation of the staff memo for this meeting, there has been additional communication from individuals in the corporate housing industry. These are entities that rent units and then sublet those, primarily to corporate clients. There is a potential amendment available if Council determines that is not an activity intended to be brought within the scope of this Ordinance. Most of their stays are less than 30 days. There is an individual present this evening who may offer testimony.

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- f. Another question that arose at the December meeting related to whether the City should require a minimum level of insurance coverage for those registering to be short-term rental hosts. In consultation with the City's Risk Manager, they believe that having that type of regulation as a component of the Ordinance would place the City in the middle of what is ultimately a private transaction and allocation of risk. It may actually provide more exposure to the City by requiring a minimum level of insurance coverage.
- g. The potential amendment no. 1 would be to permit bed and breakfast establishments lawfully operating as of the effective date to continue in operation, provided they do not cease operations for more than 90 days. It would in essence "grandfather" these entities.
- h. Regarding corporate housing, if that is an industry and activity that has been swept in advertently, there is a potential amendment that would exempt them from the definition of short-term rental by requiring those who claim to be corporate housing to be an entity – distinct from a natural person – and that they would have to attest by affidavit that their primary activity is providing accommodations to corporate clients. If someone were to make a false statement in that regard, the onus would be on them as an affidavit being a sworn legal document could make someone subject to falsification charges and penalties would result.

He offered to respond to any questions.

Mayor Amorose Groomes suggested that Council proceed with the public testimony from those who have signed in to testify.

Frank Fraas, 7735 Kate Brown Drive, Dublin, President of Brandon Homeowners Association stated he has testified previously at the Committee meeting. The Association is aware of at least one short-term rental in the Brandon neighborhood. Although there have been no serious issues to date, they want to ensure there are no future serious issues. There have been some complaints from neighbors regarding noise and parking issues. Their major concern is with safety, as there have been reports documented in newspaper articles that from May through October 2019, there were 42 incidents of shootings and people being killed in other cities involving short-term rentals. They want to make sure this does not happen in Dublin. Ideally, they would prefer the City ban short-term rentals as Upper Arlington has done. They do understand the position the City is in. The draft legislation includes the registration requirement, the 14-day cap, and requires the bed tax to be paid. They are satisfied with this legislation, and thanked Council for addressing the issues.

Ray Lee, 7728 Windwood Drive, Dublin stated he is present to speak in opposition to the ordinance. In regard to the safety concerns, the memo dated August 13 to the Committee indicated: "Safety concerns have been raised regarding short-term rentals in general. The Dublin Police can only locate one complaint that was related to a potential Airbnb, and that complaint was noise related. This was not confirmed as the music was turned down prior to the officer's arrival." In regard to shootings, as covered in the media, the memo noted: "Recently, shootings occurred at two separate locations in Columbus that were allegedly Airbnbs. Dublin Police spoke to Columbus and the incidents in Columbus seem to be related to geographic crime trends/activity and not to the nature of the rental. Based on Police's limited interaction and/or calls for service at short-terms rentals within the City, it does not appear necessary to adopt legislation at this time." Legitimate government is to investigate concerns, and if there are real concerns, action is taken. The action taken should hopefully cause less problems than the underlying concern that gave rise to the investigation. While there may be concerns, City staff has looked into this and they have written a number of memos to Council. This one unconfirmed noise complaint is the only actual incident involving an Airbnb in the entire record he has been able to find. One noise complaint does not justify restricting property rights. He is a Libertarian and property rights are a major concern for him. Respectfully, he submits that this matter is a solution in search of a problem. City staff has been monitoring short-term rentals, according to memos provided to Council for at least six months. They have found no more than 12 such

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rentals available at any given time throughout this period. The legitimate government interests have been addressed by the Law Department and others – land use, property values, health and safety, and taxes. The memo states that there are not enough short-term rentals to impact land use. Bad behavior by guests at short-term rentals can be addressed through existing Codes, and this behavior is not unique to the presence of short-term rentals. He has three points: 1) urged Council to delay a vote on this legislation, as he is an Airbnb host, just learned of the legislation this week and would like more time to prepare; 2) noted this is a solution in search of a problem, and there will be costs for the solution – code enforcement costs and economic costs of the deprivation of property rights of residents; and 3) if Council does take this action, which he opposes, he urges Council to grandfather people who have already arranged their economic affairs based on the existing law. Personally, he is not certain how he can keep his house in Dublin if he cannot continue with short-term rental. There will be significant economic impact on people who have arranged their economic affairs consistent with the existing law, and he asks that Council grandfather those who have been doing this and have planned their economic resources around it.

Mac Lawless, 4338 Tuller Road, Dublin noted he is President of Corporate Housing Systems and is hopeful there will be an amendment that will exempt their industry. Their company has been in business in Dublin since 1984 and is a provider of fully furnished apartments. They lease apartments long-term, furnish them with utilities, provide housekeeping services, etc. They provide these services for companies like Honda, Cardinal Health, Nationwide and Wendy's. The companies use them for their employees who are relocating to the area. Ninety percent of their business is for stays of 30 days or more, relocation driven, and corporate. They do some short-term rentals when a client purchases a home sooner than anticipated. Approximately 10 percent of their revenue is driven by shorter stays. The average length of stay for their guests is 68 days. They do not own any apartments and are not a permanent occupant of any of the apartments. As written currently, he is not aware of how the legislation applies to them. It seems focused on single-family homes. In addition, they do not currently list on any of the home-sharing sites such as Airbnb, etc. Their revenues and sales are driven primarily by working with businesses. His concern is that industry wide, he is a member of a national organization of corporate housing providers and has seen legislation passed in many cities and followed it closely. What is proposed in Dublin is much more restrictive than what he has seen in large cities that do have problems with a housing shortage. He urged Council to consider how this may unintentionally impact businesses in Dublin like them and their clients. He does not believe this regulation is really designed to impact businesses like them who are providing a good solution to corporations. He is happy to answer any questions about their industry.

Ms. Fox asked if their housing is all in commercial areas.

Mr. Lawless responded that all of the apartments they lease are from large apartment communities. They do not own any of these. The majority of the complexes they work with have 150-200 units and higher. They do have clients who are in between homes and need housing for a month or two. However, the majority of their clients are corporate businesses, not individuals.

Marlene Yoder, 5747 Stearns Road, Columbus noted that she learned on tonight's 6 p.m. news about this hearing. She is an Airbnb host and has done this for two years. She lives out in the country, so there is no issue with noise. She understands some concerns were expressed about noise and parking. However, she does not understand this legislation that restricts Airbnbs to 14 days per year – why not just completely outlaw it, as this is really restrictive. She has other friends who host Airbnbs – not in Dublin – and they love having visitors come to their homes. She urged Council to allow two months of rentals per year. She has not researched this matter yet, but wants Council to reconsider this legislation.

Warren Fishman, 8577 Turnberry Court, Dublin stated that he lives on a court of six houses and there are two Airbnbs operating on the court. There is another Airbnb four houses down, right off of his court. He and his family live in a residential neighborhood. He

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has no issue with Airbnbs in commercial neighborhoods. The problem in their court is not necessarily with noise. However, many Ubers come into the neighborhood at 1 or 2 a.m. One of his neighbors has moved out of his house and it is now used as a full-time Airbnb rental. There was a group at the house during the political season working on a campaign for a referendum and there were 20 cars per night going to and from the court. There were people standing in front of his house and his neighbor's house waiting for Ubers. There have been many parking issues for the cars involved. He has spent many years in Dublin fighting for good zoning and lovely neighborhoods. There is nothing wrong with a commercial use like Airbnb in a commercial neighborhood. However, the houses in his neighborhood are 16 feet apart. One neighbor found a person from a nearby Airbnb rental sleeping in their backyard hammock. The problem is with a commercial use in a residential neighborhood. He sympathizes with those who make their livelihood from the short-term rental and he suggests they purchase a home in a commercial neighborhood for this commercial use. He noted that there is reference to five rooms. Would that apply to a neighbor with a five-bedroom house?

Mr. Boggs responded that the five rooms is one of the cut-offs for something considered a hotel under the fire code. This is not applicable to a residential home.

Mr. Fishman added that they have observed as many as 12-15 people staying at the Airbnb on their court. These Airbnbs are filled with lots of people during OSU games. While it is a great commercial use, short-term rentals do not belong in residential neighborhoods where houses are 15-16 feet apart.

Peter O'Neill, 8568 Turnberry Court, Dublin noted he lives in the same cul-de-sac as Mr. Fishman. He thanked Council for their consideration of this important matter, protecting his property rights to enjoy his home, and hopefully not continue to lower the value of his home with what now are hotels next to him. Everyone talks of the nice families coming in and out of Airbnbs, but what they see is commercial activity – people who instead of renting office space and hotel rooms are using nice, large Dublin houses as both their offices and sleeping accommodations with commercial vehicles coming in and out of the cul-de-sacs. He does not call the Police when all of the cars are present. It was his daughter who found a stranger in their hammock. He did not call the Police, so these are not all on record. However, when you live next to this activity, it greatly disrupts your life. For the 12 rental units operating in Dublin and those having to deal with it, their lives have been greatly disrupted. He appreciates Council taking this action. It is very important. He asked for clarification about the legislation: if a property owner resides in the home and rents out one room as an Airbnb while still home, he does not have an issue with that. If his neighbors were doing that, he would not have concerns, given they were in the home. However, they are renting out their entire houses. He was not clear about where the legislation stands in terms of renting one room of a home.

Mr. Boggs responded that the legislation does not distinguish between hosted and unhosted rentals. Someone being physically present who is the owner or occupant versus not being present does not change the registration or cap requirement. Where the owner or resident comes into play is for registration. One is only eligible to register if they are the owner or primary resident.

David Vandever, 5674 Hathaway Court, Dublin noted they had experience using Airbnbs traveling to California for an internship and found middle class households who expressed positive experiences with Airbnb. They signed up for Airbnb upon return to Dublin and have had nothing but good experiences, hosting professional people. This has been a source of fascinating conversations and discussions with people. One of the things he loves about Dublin is that Dublin is deliberate, does things right, and cares about its people. Dublin does not do knee-jerk reactions. It is important to look at the good side to Airbnbs. Dublin embraces change and he does not want to see a shortsighted decision on this matter. There is not enough information on this and a 14-day limitation is too restrictive. There are not many Airbnbs in Dublin. He urged Council to look at the whole picture and what is to be accomplished. The way this is structured now is not correct. He is a property owner, has lived in Dublin since 1999 and wants to protect his property, too. He has never had a complaint from his neighbors about his Airbnb rentals. In terms of benefits, money is spent in Dublin restaurants by those using Airbnbs. He does not believe

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they would be qualified to operate a B&B, as they do not reside in one of the districts where they are permitted. He urged Council to take a step back and take more time to figure this out, protecting people like him who are doing this right.

Andrew Landers, 4909 Lytfield Drive, Dublin stated he works for J.P. Morgan Chase and wears the lens of risk, looking at things from the perspective of risk and mitigants to those risks. He suggested Council think in those terms. What risks are we introducing to the community and what mitigants could be put into place that would help protect the residents who came into the community with the assumption that those risks and uncertainty that may be introduced through this new economy would be addressed? His recommendation would be that Council give this some consideration around the dimension of hosted versus unhosted. That might mitigate the risk, if the host is present. An unhosted stay introduces a larger dimension of risk. He recommended framing the issue in that context and he supports the legislation with that in mind.

Warren Fishman, 8577 Turnberry Court, Dublin added that his point is well taken. But people who have their economic situation affected by having these Airbnbs should buy a house in a commercial area that allows them to do that. He does agree that a hosted stay is a lot different from a non-hosted stay. The problem in their cul-de-sac is there are large homes and lots of unknown people coming to them through these programs.

Council Discussion

Mr. Peterson asked if there is legislation that distinguishes hosted versus unhosted short-term rentals.

Mr. Boggs responded there are a handful of ordinances across the country that use this distinction and cap unhosted nights, but not hosted nights. There are also some that do not distinguish and cap all of the short-term rentals, but have set their cap at a different level than 14 days.

Mr. Peterson stated that for him, it is a matter of what are people's reasonable expectations and whose expectations will be changed. Mr. Fishman's comment is compelling – that when he bought his home, they expected the neighborhood was all single-family homes. Now this industry has cropped up, and has changed things. People who live in single-family homes who now have empty neighborhood homes being rented to large groups of people have experienced this change. That is not necessarily right. His inclination is to lean toward supporting those impacted by this change. However, he is interested in the idea of hosted versus unhosted short-term rentals. It seems that if an owner is on site, the neighbors would be able to contact them if there are problems. This may be a compelling distinction for him, but he does not have adequate information to make this call tonight.

Mr. Reiner agreed. For him, it comes down to bed and breakfasts – they are owner occupied with the owner monitoring the activity. Perhaps legislation could be considered to expand bed and breakfasts into other zoning districts. He supports the short-term rental legislation and supports the two amendments proposed. He believes that when a property owner purchases a home in a residential community they should be able to expect it to be a residential community and not potentially a hotel site. He also suggests expanding districts in the City for bed and breakfasts where the owner is present for the guests.

Ms. Fox stated that her concern is with using a "sledge hammer" to address a problem. She understands the concerns of the Muirfield residents as expressed tonight. She, too, would not want this situation. There is much more information that can be assembled in order to mitigate the issues. The new trend of hosting is a commercial industry. At a minimum, these need to be registered and regulated so that when problems are reported we can determine what the problem is and revoke a registration if necessary. Currently, there is nothing to stop a noise problem aside from a Police report. Perhaps the City's disturbance ordinances are not strong enough. There is a safety concern, as Airbnbs do not require fire alarms, smoke detectors or carbon monoxide detectors. Parking is not addressed in the legislation. If a property owner is renting through Airbnb, there should be a limit of parking spaces related to occupancy. In addition, by having a blanket short-term

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rental restriction, the City could be eliminating some desirable co-housing opportunities. Nesting is popular with seniors today and a variety of house sharing programs. She does not want to see problems in the neighborhoods, but believes it can be addressed and still allow some ability for people to share their homes with others on a short-term basis.

Mr. Keeler commented that registration would go a long way. Long-term rentals do not require registration – property owners can rent to anyone they choose. If a property is registered, however, it is on the City's radar and if there are multiple violations, the registration can be revoked. For a property owner routinely renting to groups larger than a house can accommodate, if complaints are being received from residents -- Police reports, etc., they will no longer be able to rent their property -- three strikes, you're out. He believes 14 days is somewhat limiting. For a senior with empty rooms looking for extra income or socialization, interaction with other people, he does not see it as his position to tell them who they can or cannot have sleeping in their house. However, it must be regulated. He believes that the \$225 fee is a little high, as there are rooms for rent in Dublin for \$15 per night. Could the fee be based upon the size of the house or the number of occupants? It would then be scaled to the cash flow. He echoes Ms. Fox's comments that a little more thought is needed about this. He cannot support restricting property owners' rights. It is not possible to control who moves in next door to you in any case. However, a property owner renting to the wrong people would face consequences for that with a registration process.

Ms. Alutto stated that the 14-day cap may be a bit restrictive. She understands the perspective of neighborhoods being neighborhoods – that is why people buy homes in neighborhoods. There is additional research that should be done. There is also administration and overhead cost involved in determining the number of people who could occupy a large home, and that is a concern. If it is determined that for an Airbnb purpose a house could accommodate 10 people, yet the owner decides to host a family reunion with 15 family members staying in the house – it does not seem fair. In terms of the safety issues such as smoke and carbon monoxide detectors, she has used this type of service previously and these devices are considered an amenity. This is problematic. The question is how far does the City want to dictate how people equip their own homes and what types of protection devices are in place, whether fire, carbon monoxide, smoke or radon? It feels like reaching in too far from a government perspective. She is generally supportive of the legislation, but believes more work is needed. She does support the amendments outlined tonight.

Vice Mayor De Rosa stated that cities across the country are grappling with this issue and adopting legislation. The zoning laws for commercial and residential uses were written deliberately with the desire for a well planned community. Then technology has changed and a sharing economy now exists. However, the rules around how we operate as a community have not caught up, nor have they even been addressed. She is very sympathetic to the idea that people bought into a residential or commercial area and understood this when they purchased their home. Now, the rules do not necessarily match the world we live in and it is important to address this in the right way. Property rights are both for the homeowner and what they bought into. She lives on a cul-de-sac and would want to know there are rules and regulations in place if short-term rentals are in the neighborhoods. This is not to prevent a sharing economy, but it is important to consider the rules that have been set for the community collectively and bring those in line with the issues before us. The suggestion of distinguishing between hosted and unhosted is a good one, and more thought about the number of days is needed. She appreciates the chart Mr. Boggs has assembled to help Council in working through these issues. Council wants to support corporate housing, and also wants to protect some other things. She is supportive of the legislation. It would be helpful to have some more dimensions on that and ensure before passage that we have exercised some of that. This Council does need to catch up in terms of addressing the sharing economy that now exists. It is important for Council to consider some more dimensions and be comfortable with catching up with what the world will continue to do from a sharing perspective.

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Ms. Alutto asked Ms. Readler if Council wants to take additional time for this consideration, would a motion to refer it back to Committee be in order?

Ms. Readler responded that Council could table the ordinance and staff could then return to Council at a work session or Council could refer it back to the Community Development Committee for further discussion and review.

Mayor Amorose Groomes stated she appreciates all of the perspectives. This is a difficult decision as it involves property rights for an owner as well as a neighbor. As someone who has lived on a street with a shared rental unit, it was extremely difficult due to not knowing who or how many were occupying the unit. She is supportive of the legislation, and it is important to be deliberate and constructive in addressing some of the issues raised. She is interested in the hosted versus unhosted residential unit aspect, which might be a complicated issue to legislate. It is important to get this right. She is sympathetic to the corporate housing company, as apartment complexes are not the focus of what Council wants to address in this legislation. She is very supportive of the legislation, and in light of new information there are some improvements that could be made to make it a better fit for the community. She would support referring this back to the Community Development Committee for further discussion in the interest of making this legislation better in terms of any unintended consequences.

Ms. Fox agreed that the CDC is an appropriate committee for this discussion. However, there is a forum needed where people can provide their perspective.

Mayor Amorose Groomes stated that the Committee did take public comment at their previous meeting on this topic. They can do so again.

Ms. Fox stated that for her, there are too many "holes" in the legislation as drafted. In terms of people who rent their homes during the Memorial Tournament, how would the numbers in the houses be monitored? For the bed and breakfast use, particularly in the mixed-use areas in the Historic District, Council may want to encourage boutique B&Bs and may want them to be less than five units – a small house with two or three bedrooms. This requires a lot of discussion. The provision that would revoke the registration after three violations is very important, too.

Mayor Amorose Groomes acknowledged it is difficult to make a Police report regarding a neighbor. She understands Mr. O'Neill's comments about not reporting to Police, as it is difficult, given the neighbor will continue to be your neighbor.

Ms. Fox stated that it can be reported to the Planning Director under the proposed legislation. If there are three violations reported, the registration can be revoked for one year and there is a fine.

Mr. Keeler added that people do not want to call the Police regarding a neighbor/host and the host does not want to have the Police called, as it could result in loss of the registration. These consequences will encourage people to abide by the rules.

Ms. Alutto moved to table the ordinance and to refer the legislation back to the Community Development Committee for further review.

Vice Mayor De Rosa seconded the motion.

Vote on the motion: Ms. Fox, yes; Mr. Keeler, yes; Ms. Alutto, yes; Mayor Amorose Groomes, yes; Mr. Reiner, yes; Vice Mayor De Rosa, yes; Mr. Peterson, yes.

Mayor Amorose Groomes asked staff to send a reminder to anyone who testified this evening regarding the date and time of the Community Development Committee meeting regarding this matter.

INTRODUCTION/FIRST READING – ORDINANCES

Ordinance 01-20

Authorizing the Provision of Certain Incentives to Ohio Medical Transportation, Inc. to Induce it to Lease or Purchase a Facility to Expand its Office and Associated Operations and Workforce; All Within the City; and Authorizing the Execution of an Economic Development Agreement.

Mayor Amorose Groomes introduced the Ordinance.

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Ms. Ray stated that Economic Development staff has been in discussions with MedFlight about their relocation and expansion of its dispatch center and operations facility to Dublin. MedFlight is a not-for-profit organization that is based in the City of Columbus. Its purpose is to provide care and transport for the critically ill and injured. The company is outgrowing its current dispatch center in Columbus and has been conducting its real estate search in Columbus and the region. This project would result in the relocation of approximately 39 existing MedFlight jobs to Dublin. The headquarters will remain in the City of Columbus; this is only the dispatch center and operations. This provides the addition of new employee payroll withholdings associated with approximately 22 new jobs by 2025 for a total of approximately 61 jobs. In return, the company is expected to execute a minimum seven-year lease or acquire an office facility within the City of Dublin in order for the agreement to take effect. The EDA proposed to MedFlight is a five-year, 15 percent performance incentive on net new payroll withholdings, capped at \$15,000 for the term of the agreement. The payroll associated with the regional relocating jobs would not contribute toward this incentive agreement.

Staff recommends approval at the second reading/public hearing on January 21. She offered to respond to any questions.

There was no public testimony offered.

There were no further comments.

There will be a second reading/public hearing at the January 21 Council meeting.

Mayor Amorose Groomes moved to waive the Council Rules of Order to address Resolutions 01-20, 02-20 and 03-20 together.

Ms. Alutto seconded the motion.

Vote on the motion: Mr. Peterson, yes; Mr. Reiner, yes; Mr. Keeler, yes; Ms. Fox, yes; Vice Mayor De Rosa, yes; Mayor Amorose Groomes, yes; Ms. Alutto, yes.

INTRODUCTION / PUBLIC HEARING / VOTE – RESOLUTIONS

Resolution 01-20

Approving the City of Dublin's Application to Adjust the Boundaries of the Scioto East Community Entertainment District Generally Bounded by Block D within Bridge Park and Bridge Park Avenue on the North; Shamrock Boulevard on the East; City of Dublin Corporate Boundary on the South; and Riverside Drive, Dave Thomas Boulevard, and Block B within Bridge Park on the West.

Resolution 02-20

Approving the City of Dublin's Application to Adjust the Boundaries of the Scioto West Community Entertainment District, Generally Bounded by West Bridge Street, Rock Cress Parkway, North Street Across the Scioto River and Bridge Park Avenue on the North; Dave Thomas Boulevard and Bridge Park Block E Property Line Across SR 161 on the East; City of Dublin Corporate Boundary on the South; and Corbin Mills Drive on the West.

Resolution 03-20

Approving the City of Dublin's Application to Adjust the Boundaries of the Scioto North Community Entertainment District, Generally Bounded by Emerald Parkway and the Dublin Arts Council Property on the North; Riverside Drive and Dale-Tuller Drive on the East; Bridge Park Avenue and North Street Across the Scioto River on the South; and North High Street and the Scioto River Western Edge on the West.

Mayor Amorose Groomes introduced the Resolutions.

Ms. Readler stated that in 2016, Council created three Community Entertainment Districts (CEDs) – the Scioto North, Scioto East and Scioto West. A CED is a tool to help facilitate development and redevelopment of property. It creates a new pool of liquor licenses for restaurant and similar venue development. The permits usually have a significantly smaller fee than the typical liquor license, but are more restricted, as they can only be used within the boundaries of the CEDs. As development and redevelopment have occurred in the Districts over the past few years, one CED – the Scioto North CED – has become stressed with the number of permits. Each of the three CEDs was originally allocated 15 permits, and Scioto North currently has used 12 of those permits. By comparison, Scioto West has

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only used four of the permits and Scioto East has only used five of the permits. To ensure that development continues consistently, staff is recommending the amendment of these internal CED boundaries. Staff is not proposing adding any new property to the CEDs, but simply adjusting them internally. Ms. Puranik will share slides that detail the changes.

Ms. Puranik displayed a map of the 2016 CED boundaries. Staff at the time looked at these boundaries based on the investment requirements of the application. The districts are not being expanded into any new properties. She provided details of the changes within the three CEDs as proposed.

Mayor Peterson recommended approval of the applications in December, and staff recommends approval of the Resolutions.

There was no public testimony.

Council Discussion

Ms. Fox noted that the memo indicated that when a District is amended, new investment needs to be made at the \$50 million level. How does that impact these changes? If changes are made and an area removed from one CED and added to another CED that is fully developed, that investment is not likely to occur.

Ms. Readler responded that the \$50 million investment is in public and private development, and there has been so much significant development in Bridge Park since 2016 that the applications qualify.

Mr. Reiner stated these amendments make sense and provide more opportunities for Bridge Park. With the North Market coming in, there will be more demand for liquor licenses.

Ms. De Rosa stated that because there is significant development underway, does it make sense to create another new CED?

Ms. Readler responded that staff gave this consideration. In meeting with Crawford Hoying to review the capacity issues and the proposed development timelines in the areas, staff believes that amending the Districts at this time will be adequate. There may be a future need to create a new District, but staff does not believe it is needed now to achieve these goals.

Ms. De Rosa stated that the option would remain, however, so if there is new development it could go toward a fourth CED.

Ms. Readler agreed.

Ms. Fox referenced the slide of Scioto East CED. It does not begin to touch the area toward the shopping center. She asked staff about how large a CED can be.

Ms. Puranik responded that 75 acres provides 15 liquor permits.

Ms. Fox asked the total acreage of the new Scioto East CED.

Ms. Puranik responded it is 86 acres.

Ms. Readler explained that 75 acres is the minimum size required to have 15 liquor permits total. That is the maximum number of permits, but there can be more acreage.

Ms. Fox asked if there is any reason not to extend this farther to the east in order to encompass new development like that in the Penzone's area.

Ms. Readler stated that the goal was not to increase the boundaries with this shift.

However, the boundary could be changed at any time, if desired. The development would need to justify the creation. All of the development in Scioto East could be considered to expand it.

Ms. Fox summarized that as a District is expanded, more development investment is required, correct?

Ms. Readler responded that in creating an entirely new CED, there would have to be development investment adequate to do so.

Mr. McDaniel noted that CEDs can be modified or a new CED can be added. What would drive that decision process or need to do that would potentially be new development or redevelopment. That is what drove the establishment of these three CEDs back in 2016.

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Mayor Amorose Groomes asked if an entity with an existing permit can be moved to another CED. She is trying to understand why Block F and Block J would be moved to another CED, as there are not existing permits in these blocks. Clean lines cannot be drawn because of existing permits, correct? The boundaries seem to be irregular. Ms. Puranik stated that when the original CED maps were made, the development proposals were not close to the level of today. We now have a better idea of what is coming in the future.

Mayor Amorose Groomes noted that there are a couple of typographical errors in the charts. In the Scioto North totals, there is a "2" in the column of Pint House versus in the column of "needed." In the Scioto East CED, under issued, the "X" is not under Oakland Nursery. She asked that these charts be corrected prior to finalizing the legislation.

Vote on the Resolutions: Mr. Reiner, yes; Ms. Fox, yes; Mr. Keeler, yes; Mr. Peterson, yes; Ms. Alutto, yes; Vice Mayor De Rosa, yes; Mayor Amorose Groomes, yes.

STAFF COMMENTS

Mr. McDaniel reported:

1. The City will be sponsoring a Night of Innovation - Connected Dublin public engagement meeting on Thursday, January 16 at the Dublin Rec Center from 6-8 p.m. He encouraged everyone to attend. The goal is to educate and inform residents on current Connected Dublin projects. This also includes engaging residents in an interactive citizen-centric session to envision what Dublin's digital future might look like.
2. A memo was included in the packet summarizing the discussion of the Community Development Committee meeting in December regarding the South High Street treescape.
3. A memo was sent out in late December about the restructuring of the Council packet for the Information Only items sent to Council. The information relative to Council meeting agendas and any follow-ups from a previous Council meeting will be provided for the Regular meetings. The off-week packets will include general information and updates that are not related to Agenda items. He welcomes Council's feedback as this new information sharing system is implemented.

Mayor Amorose Groomes asked if Council wants to discuss an item in the Info Only packet sent in the off weeks, when is the appropriate time to bring that up at a Council meeting? Mr. McDaniel responded that Council members should make staff aware of their desire to discuss an item as soon as possible, and it can be scheduled on an agenda or recirculated in a Council meeting packet for discussion. Adjustments can certainly be made to this new process.

4. Thanks to Mayor Peterson and Vice Mayor Amorose Groomes, as well as all of Council for their service. He looks forward to working with Mayor Amorose Groomes and Vice Mayor De Rosa in their new leadership roles. Congratulations to all of those re-elected and to Mr. Keeler upon his election to Council.

COUNCIL COMMITTEE REPORTS

Mayor Amorose Groomes asked if any Committee chair wants to report regarding pending items.

There were no reports.

Mayor Amorose Groomes read into the record the proposed new Committee Chairs and members as well as Council representatives to various entities:

- Administrative Committee: Vice Mayor De Rosa, Chair; Members Ms. Fox and Ms. Alutto
- Community Development Committee: Mr. Reiner, Chair; Members Mr. Keeler and Mayor Amorose Groomes
- Finance Committee: Ms. Alutto, Chair; Members Mr. Peterson and Mr. Keeler
- Public Services Committee: Ms. Fox, Chair; Members Vice Mayor De Rosa and Mr. Reiner
- Planning & Zoning Commission representative: Ms. Fox
- COTA Board representative: Vice Mayor De Rosa

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- Dublin Arts Council representative: Mr. Reiner
- Dublin Board of Education Council liaison: Mr. Peterson
- Dublin Bridges liaison: Ms. Fox
- Friendship City Association: Ms. Alutto and Mr. Keeler
- Mid-Ohio Regional Planning Commission: Mayor Amorose Groomes
- Logan-Union-Champaign Regional Planning Commission: Mr. Keeler
- US 33 Corridor representatives: Vice Mayor De Rosa and Ms. Fox
- Veterans Committee: Mr. Reiner
- Washington Township liaison: Ms. Fox
- Complete Count Committee: Ms. Alutto

Mayor Amorose Groomes moved the appointment of the Council committee chairs, members, and representatives to entities as outlined.

Ms. Fox seconded the motion.

Vote on the motion: Mr. Reiner, yes; Ms. Fox, yes; Ms. Alutto, yes; Mayor Amorose Groomes, yes; Mr. Peterson, yes; Vice Mayor De Rosa, yes; Mr. Keeler, yes.

COUNCIL ROUNDTABLE

Mr. Peterson congratulated the re-elected members and newly elected member of City Council. It is a difficult thing to place your name on a ballot, seek votes, and serve in this capacity. He has a tremendous amount of respect for each and everyone who does that. Congratulations also to Mayor Amorose Groomes and Vice Mayor De Rosa on their new leadership roles. Happy New Year to all!

Ms. Alutto echoed his comments, and thanked the community for supporting her in her re-election. Thanks and congratulations to Mayor Amorose Groomes and Vice Mayor De Rosa for their willingness to serve in these leadership roles. She is looking forward to 2020!

Mr. Reiner echoed the comments, and welcomed Mr. Keeler to City Council. He thanked Mr. Keeler for his service on the Architectural Review Board and acknowledged the hard work he has done in restoring his family's house and barn at a key intersection in the City. Congratulations to the new Mayor and Vice Mayor as well, and to the re-elected Council members!

Mr. Keeler thanked Council members for being so welcoming. He feels they are all friends and he could call upon anyone at anytime, as well as the City Manager. He is extremely impressed with staff, and the City is in good hands. He is really excited about the next four years!

Ms. Fox welcomed Mr. Keeler to Council. She has watched him serve on ARB, seen the work he has done, the way he campaigns and how he relates to people. She is thrilled he is joining Council. She is very proud to be with this Council group. She acknowledged the exemplary service of past Mayor Peterson, and noted that everyone has learned from watching him. It has been a pleasure working under his leadership and watching him build the relationships that exist. Happy New Year to all, and congratulations to those re-elected. She is looking forward to 2020, as well.

Vice Mayor De Rosa welcomed Mr. Keeler to Council! It is such an honor to serve this community and all of Council knows that. We thank the community and staff for the opportunity to do that. Congratulations to those re-elected, and she looks forward to serving with all of Council. Dublin has an exciting decade ahead, and it will be terrific to work with all of Council and staff!

Mayor Amorose Groomes congratulated her colleagues who were successful in their election or re-election. She agreed with Mr. Peterson about the difficulty of putting one's name on a ballot and running for election. When first elected to Council, she was at an event where Mayor Peterson was speaking. Her mother was standing next to her, and remarked, "I pity whoever has to follow him!" Mr. Peterson has been a treasured friend and a steady hand, an excellent teacher, and she appreciates all he has done. The true sign of a leader is when they are willing to pass that torch, and Mr. Peterson personifies

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that! Thank you to him for all he has done! She appreciates the trust, belief and friendship he has extended to her since the beginning of her service on Council.

EXECUTIVE SESSION

Mayor Amorose Groomes moved to adjourn to executive session at 9:18 p.m. for conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action.

Mr. Reiner seconded the motion.

Vote on the motion: Ms. Alutto, yes; Ms. Fox, yes; Mr. Reiner, yes; Mr. Peterson, yes; Vice Mayor De Rosa, yes; Mr. Keeler, yes; Mayor Amorose Groomes, yes.

Mayor Amorose Groomes announced that following the executive session, the meeting will be reconvened and adjourned. No further action will be taken.

ADJOURNMENT

The meeting was reconvened at 10:37 p.m. and adjourned.

Mayor – Presiding Officer

Clerk of Council