

**VILLAGE OF INNSBROOK
BOARD OF TRUSTEES
WORK SESSION MINUTES**
Innsbrook Village Hall
1835 Highway F, Innsbrook, MO 63390
Wednesday, November 04, 2020, 1:00 PM

AGENDA

- 1) CALL TO ORDER
- 2) APPROVAL OF THE AGENDA
- 3) EXECUTIVE SESSION - LEGAL COUNSEL [Pursuant to Section 610.021(1), RSMo.]
- 4) DISCUSSION:
 - I. Short Term Rental IssueThe following items will be discussed during the meeting;
 - Village Sales Tax Collection
 - Lodging Tax
 - Response from Renters/Property Owners
 - Response from Permanent Residents
 - Innsbrook Resort Trust Indentures (Subdivision) vs. Village Ordinances (Municipality)
 - Building Codes and Occupancy Permitting Processes
 - Hiring Building Code Enforcement/Inspector
 - Hiring Part Time Law Enforcement
 - Zoning Code Amendment (8.5.2.4) Prohibited Home Occupations: (40.1.1) Tourist homes
 - Complaints Received from Property Owners
 - Future Vision of the Village
 - Best Practices on Managing Rentals
 - Village Rental Property License
 - Village Response to Innsbrook Corporation
 - Reasonable limitation on number of renters
 - Reasonable limitation on length of stay
 - Reasonable limitation on vehicles
 - Reasonable imitation of rentals in permanent homes/residential areas
 - Application and Filing Fee
 - List of rental properties provided to the Village
 - Violation fee schedule
 - Enforcement of violations
- 5) ADJOURNMENT

MINUTES

The Wednesday, November 04, 2020 work session of the Innsbrook Board of Trustees was held via Zoom Video Conference and called to order at 1:00 PM (CST) with Chairman Thomsen presiding. Upon Roll Call, Trustees Cynthia Bowers, Trish Dunn, Ted Sator, Jeff Thomsen and Donna West were present. Due to the COVID-19 Pandemic, all Trustees and visitors attended this meeting via videoconference. After roll call, Chairman Thomsen announced that a quorum was present for the transaction of business. Also in attendance were Village Administrator/Clerk, Carla Ayala; Village Attorney, Michael Lindgren; and approximately 28 others.

APPROVAL OF AGENDA

Motioned by Trustee Dunn, seconded by Trustee Sator, to approve the agenda. All Trustees present voted "Aye". Motion passed and approved with a 5-0 vote.

VOTE TO ADJOURN INTO EXECUTIVE

Motioned by Trustee Dunn, seconded by Trustee West, to adjourn the work session and enter into executive session. By roll call vote, Trustee Bowers - "Aye", Trustee Dunn - "Aye", Trustee Sator - "Aye", Trustee Thomsen - "Aye", Trustee West - "Aye". Motion passed and approved with a 5 "Aye", 0 "No", 0 Abstain vote. Meeting adjourned into executive session at 1:03 PM.

EXECUTIVE SESSION - LEGAL COUNSEL

VOTE TO ADJOURN INTO WORK SESSION

Motioned by Trustee Bowers, seconded by Trustee Sator, to adjourn the executive session and enter into work session. By roll call vote, Trustee Bowers - "Aye", Trustee Dunn - "Aye", Trustee Sator - "Aye", Trustee Thomsen - "Aye", Trustee West - "Aye". Motion passed and approved with a 5 "Aye", 0 "No", 0 Abstain vote. Meeting adjourned into executive session at 1:41 PM.

DISCUSSION:

I. Short Term Rental Issue

The following topics were discussed during the meeting:

- *Village Sales Tax Collection* - Trustee Bowers would like to incorporate a monthly, quarterly or annually report from the Missouri Department of Revenue for the Village Administrator to report to the Trustees. Trustee West believes this can be done and that the sales tax issue is a Village wide issue.
- *Lodging Tax* - All Trustees would like to look into this in the future, as it seems appropriate with the number of short term rentals in the Village.
- *Response from Renters/Property Owners and Permanent Residents* - Trustees believe that continued communication and a working relationship with Innsbrook Corporation moving forward is a benefit to the whole community. There may be a need for a public forum in the future.
- *Innsbrook Resort Trust Indentures (Subdivision) vs. Village Ordinances (Municipality)* - Trustee Bowers states that residents are coming to the Village for assistance because they feel like they do not have a voice with the Home Owners Association (HOA), and if the Innsbrook Resort Trust Indentures were enforced the Village would not need to get involved. Trustee Dunn and Sator state that the Village is a municipal entity, and Innsbrook Corporation need to take care of the enforcement of their own indentures.
- *Building Codes and Occupancy Permitting Processes* - The Trustees believe that building codes and occupancy permits should be included in the Planning and Zoning Code, and would like to see our Comprehensive Plan updated to include such. There is concern about some short term rentals with two or three bedrooms advertizing they sleep 18-20 persons. This is a potential fire risk, and for the safety of renters something should be put into place to prevent this number of people in such a small structure.
- *Hiring Building Code Enforcement/Inspector* - Trustee Thomsen went over the history of building codes and the Planning and Zoning Commission. The Village did not have the funds to inspect buildings properly and at that time. Therefore, the Warrenton and Wright City Fire Protection Districts agreed to inspect new homes in the Village. The Village currently does not have the funds to hire someone for this duty. Trustee Bowers would like a discussion with Innsbrook Corporation about short term rental occupancy requirements, the safety of individuals is a priority.
- *Hiring Part Time Law Enforcement* - The Trustees are split on hiring Law Enforcement. Some would like to revisit the topic down the road. Some do not believe that Law Enforcement is needed in the Village.
- *Zoning Code Amendment (8.5.2.4) Prohibited Home Occupations: (40.1.1) Tourist homes* - Trustee Bowers stated that the current Village code restricts tourist homes. A tourist home is defined as a private home with rooms for rent, usually for one night, to tourists, travelers, etc.. This provision should be removed with the short term rentals in the Village. The Trustees agreed and Chairman Thomsen asked Trustee Bowers to make a motion for such during the regular meeting.
- *Complaints Received from Property Owners* - Trustee Bowers states that she gets approached on a daily basis and would like for the Village to look into a smoother complaint process. Possibly an online process where individuals can attach and send pictures or video with their complaint. Village Administrator, Carla Ayala, stated that a complaint form is available online and all complaints can be emailed along with pictures or other evidence. There are regulations in the Village Nuisance Ordinance that can be reported. However, at this time, the Village has not received complaints regarding short term rentals. Chairman Thomsen stated

that Innsbrook Corporation will be incorporating a 24 hour phone number to call, and Innsbrook Corporation will handle those calls through their security department.

- *Future Vision of the Village* - Chairman Thomsen would like to see an update to the Village Comprehensive plan. Trustee West would like to have All City Planning, or a similar third party, conduct public forums to receive input from the Village residents when it is safe to gather in groups again.
- *Best Practices on Managing Rentals* - Chairman Thomsen believes that the Village is heading in the right direction with Innsbrook Corporation. Trustee Bowers has reservations about Innsbrook Corporation enforcing their indentures, and would like to engage a third party like All City Planning if we get to the point that their procedures are not working anymore.
- *Village Rental Property License* - Chairman Thomsen stated that Innsbrook Corporation will have a permitting process in their indentures, which the Village will have access to for tax purposes. Trustee Bowers mentioned that the Village has seen an 140 percent increase in short term rentals, and if the agreement with Innsbrook Corporation does not work out, would like for the Village to implement a licensing process. Trustee West would like to have an annual review in January 2022, and discuss after that time. Trustee Sator would like to see how this process with Innsbrook Corporation plays out.
- *Village Response to Innsbrook Corporation* - Chairman Thomsen and Trustee Dunn met with Charlie Boyce and Chip Wobbe last week. Short term rental owners will meet with Innsbrook Corporation with a proposed list of rules, hopefully before Thanksgiving. After which, another meeting will be held between the Village and the Corporation. It is hopeful that an update to the indentures will be finished and put into place by January 31, 2021. Trustee Dunn mentioned that a great deal of thought have been put into these limitations by Innsbrook Corporation and states that this is a good indication going forward, and is hopeful that these updated indentures will work. Trustee Bowers will trust but verify. Indentures are currently not being enforced. Trustee West would like to give this a chance and is hopeful this works.

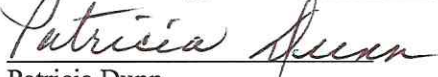
ADJOURNMENT

Motioned by Trustee Sator, seconded by Trustee West, to adjourn the work session. All Trustee's present voted "Aye". Motion passed with a 5-0 vote. Meeting adjourned at 2:48 PM.

I hereby certify that these are the original minutes of the regular meeting of the Board of Trustees held on Wednesday, November 04, 2020.

Carla Ayala, Village Administrator/Clerk

Date Minutes Approved: 11/10/2020



Patricia Dunn,
Village Board Clerk
(seal)



Attest: Carla Ayala,
Village Administrator/Clerk

