

**CASCO TOWNSHIP BOARD OF TRUSTEES
MINUTES, SPECIAL MEETING
MONDAY, JANUARY 7, 2019 @ 6:00PM**

Approved 2/18/2019

Call to Order: Overhiser called meeting to order at 6:00pm and led in the Pledge of Allegiance.

Present: Overhiser, Graff, Winfrey, Macyauski, Brenner and 23 other interested people.

Reason for Special Meeting:

Continued Review of Short-Term Regulatory Ordinance.

Update:

Allan explained that the Ordinance required a **one-year review** so we will get started.

Allan continued Kathy Stanton who is our rental guru has been developing a lot of the processes, forms and working with rentals and the complaints. Kathy reviewed a lot of the complaints, comments, board members brought in a lot of input into the process too. The public came to the meetings as far back as summer and discussed issues. The vast majority of the rentals complied with the Rental Ordinance, there were some that did not, are in violations, and some issues that we became aware of. We have been busy identifying all those issues to put them into a form that is usable. Also, we have identified a lot of the weaknesses internally in our process and we plan to make them better for next year. That is what we have been focusing in for the last two months. With that I would like Kathy to come up, she has prepared two reports from the previous two meetings and she has a summary of those reports. If you haven't been to these meetings you haven't been privy to what has been discussed to date. Kathy will give a summary to the board.

Kathy first presented the rental summary, which is the quick summary of the nine-page report that we spent 2 hours going thru two months ago. The summary is as follows.

2018 Rental Summary

In our first year of regulation and formal registrations, we had 110 registrations through the end of the year. There were approximately 104 properties being advertised at any given time, and there are currently 93 being advertised.

Financials

There have been registration fees collected from 107 rentals, providing \$21,400 in revenue to support the cost of managing and enforcing Short-Term Rentals. Expenses (Spring 2018 to date, actual) have been \$15,748.

Includes:

| | | | |
|-----------------|------------|---------------------|------------|
| Host Compliance | \$8,553.00 | Administrative Time | \$320.00 |
| Legal Expenses | \$675.00 | Kathy's Time | \$3,800.00 |
| Printing | \$400.00 | Mailing expenses | \$1,400.00 |
| Website | \$600.00 | | |

Between now and April 1st we will be spending the additional funds on:

- Further enforcement
- Working on the process for responding to issues/complaints
- Adding info to the spreadsheet for sorting data by subdivision (completed)
- Communication with registered renters
- Working to make the registration process more efficient

Where the Rental Properties Are Located

The rental units tend to be clustered in several areas. Currently, the 84 units advertising are located as follows:

| | |
|---|----------------------------|
| Glenn Shores 12 | Mt. Pleasant 7 |
| Glenn Haven Shores 4 | North of North Shore Dr. 7 |
| Blue Star Corridor (111 th – 107 th) 7 | Baseline to North Shore 29 |
| Miami Park 18 | |

Issue/Complaints

102 hotline calls were received between April and November 15th that were not test calls or general questions. 28% were anonymous calls. July was the heaviest call month with 36 calls, August came in 2nd with 20 calls.

Enforcement is the area which needs the most improvement, we have been working on the hardest. Citations were written for renting to too many, advertising for too many, or not responding when host compliance calls them.

There are some citations ready to go to our lawyer.

They have been working on STR Feedback and Responses.

SHORT-TERM RENTAL FEEDBACK AND RESPONSE

r

Feedback from Residents

Many renters are in it for the money -if we issue citations and enforce collection will help with compliance as it lessens their profit.

How many fire inspections are being done dormitory sleeping and other homes with third floor sleeping – how many of these were Inspected?

House on Columbine – too many -cars everywhere – not adhering to 12 – heard this complaint about other properties as well

A country place – should have to be a B&B or a short term rental – if a rental then they need to register each building.

Places with no house numbers and no stickers remain that way.

People are renting and still taking a homestead Exemption

Planned Response

We completely agree and are proposing a new role for the coming year that will help with compliance and responding to issues more quickly

We have inspected two properties where we received complaints about too many people. If there are others we need the help of residents so we can put them on the list for January, but we need to know where they are.

We need to have these situations reported when they are happening. However, if the cars are legally parked there isn't anything the township can do. If there are "too many people" we need to hear about at the time it's happening and the new compliance person would be able to assist with this by visiting the location and checking on the number of people.

Yes, there is confusion there. We will talk to the new Planning Administrator about this so it can be resolved.

We are doing a full survey of all rentals to ensure that all locations have green signs by April 1st. Those that don't have signs by then will be cited, some for the second time.

That is a state issue and a complete list of all our rental properties has been sent to the state by our accessor. We don't /won't have any updated information about what action they are taking. It is out of our hands.

Call on noise during the day are being ignored

Unless the noise is obviously over the limit and constant- e.g. A blaring heavy metal music, someone playing with a siren, hot rodding up and down the street, or yelling drunken profanity it probably is not going to be curtailed; baseball games, children playing are healthy summer activities and should be expected in a residential area, whether they are residents or renters doesn't matter. However, that said, the new compliance role would be able to mitigate Circumstances not serious enough for the police to come, But more serious than kids playing baseball.

Despite all of our reporting we get no response back as to action taken

While everyone deserves to know that their call has been acknowledged and that there is action being taken – which we will work harder at 2019, calls that require follow-up or Citations take a while. When taking action we also have to Consider people's right to privacy.

Coordination lacking between calls on rentals

If we take this to mean that complaint calls weren't well managed during the 2018 season, we agree. The Coordinator will be more responsive to the Caller, and the Compliance Role can spend more time on resolving the issue.

Mt. Pleasant feels they have addressed many problems on their own with limiting rentals to 4 weeks a year but they still have one that has exceeded max capacity in advertising and actual rental guests and have reported it to the township – what is the township doing to help address this?

If this is the one Mt. Pleasant property we were made aware of by the rental committee two weeks ago, they have a good point. While the advertising is legal when it comes to listing the maximum occupancy there is copy, and reviews that certainly imply that the house can be rented to groups of 20. This issue will be addressed with the owners.

Some people complained about guests using profanity and other rough language and a party type atmosphere that was pervasive – claimed they and their guests could not enjoy there property – definitely more guests than allowed to be at the property

If the rental guests are being drunk and disorderly. a call is definitely warranted and deserves action at that time. We are working to improve responsiveness.

Emergency Contacts are not getting called.

We acknowledge this is an issue ad are working with Host Compliance to correct this. One of the problems we Uncovered is that the address has to match the address in the System or the Hotline won't connect the registered rental and the property you are calling about, so they don't find the contact. They are working to make their database more Forgiving so it will make the match. There is also an issue with Emergency Contacts not recognizing the H.C. phone number so they don't answer. We have asked Host Compliance if there is a single number we can ask people to put in their phone so they will recognize Host Compliance call.

Don't know who we should call

We will put a "Who to Call" list on the website that includes the number for Animal Control for dog issues. 911 should

be called anytime there is a personal danger issue, and Host Compliance should be called to record the complaint, or in non-time sensitive situations like trash cans overflowing on the curb.

Paul mentioned that an owner found out that there was over the maximum allowed of people in her home so she actually asked them to leave, but she did find them a place to stay. Paul thought that said a lot for our people that are registering are trying to abide by the rental ordinance rules.

The best experience was we went without a lot problems, we still have some issues though.

Kathy reviewed the Rental Roles from her spread sheet-these estimates are for 2019.

The blue part is the things that Kathy does :

Rental Registration 10-12 hrs in season -26 weeks: \$5,148.00

Write & send letters. Process registrations, organize folders & maintain contents, review advertising to Make sure it's legal, send permit, GNP, & Thank you letters, Send emails if registration isn't complete/monitor progress on missing info – agreements, inspection reports, et. al.

Maintain Rental Spreadsheet- 1 – 3 hrs. per week 40 wks: \$1,980.00

Add new registrations to spread sheet; send updated info to HC. Weekly, export updated list of Rentals and publish on the website.

Monitor Compliance using Host Compliance website and vacation rental sites: 2 –4 hrs per week 40 wks: \$2,640.00.

Monitor the Host Compliance website for violations, documents the evidence: Review violations with Rental Compliance.

Answer Questions & Advise 2 hrs, per week: \$1,320.00.

Answer questions about rentals in general, registration, and generally what's allowed and not allowed.

Coordinate SHAES inspections 2.5 hrs per wk: \$1,650.00

Work with Compliance to determine which rentals to inspect, schedule inspections.

Monitor Hotline calls 1 hr. per wk \$405.

Receive text notification of calls.

Follow-up on Hotline Calls; 1.5 -2 hrs per week: \$858.

Follow-up with caller, unless complaint is anonymous.

Drive-By & Photos – 8 hrs. per wk \$132.00

Drive by properties as needed to check for violations – green signs, check on complaint sites after the fact , etc.

Rental Coordinator Total \$14,133.60

The peach color is the things that the new position will do, STR Ordinance Coordinator: 3hrs per wk \$1920.00.

Investigates,issues. Determines whether a citation is warranted (e.g. visit rentals or get signed Affidavits), fill out and issue citations, monitor response to the citation. Determines follow-up If needed.

1 hr, per wk \$588.00

Answer questions about the rules and what's a violation, how violations are dealt with, etc.

1 hr. per week \$588.00

Work with coordinator to determine which rentals to inspect, participate in rental inspections,

1 hr. per wk \$382.20

Receive text notification of calls

1-4 hrs. per wk \$1528.80

Visit the site if warranted; follow-up with Owner/Agent, issue citation if warranted.

STR Ordinance Coordinator Total \$7,947.00

The green section is Host Compliance.

Address identification: \$5,340.00

Integrate our spreadsheet data with their database & application
 Compliance Monitoring: \$1,785.00
 Provide customized access to Casco rentals, showing compliant and non-complaints rentals
 being advertised
 24/7 Hotline Service \$1,428.00
 Provides information about the calls, phone numbers, addresses, nature of the call
 Host Compliance Total \$8,553.00

Other – (expenses) Gray area
 Postage for pre-registration letters, sending permits. \$ 150.00
 Legal fees for pursuing non-paid citations \$3,000.00
 SHAES inspection fees for 35 residences @ \$100 each \$3,500.00
 Other totals \$6,650.00.
 Total all \$37,283.60

Judy asked if the only thing that is new is the orange/peach area? Kathy responded with yes.

Allan mentioned that the draft letter is for the board members to take home and read. Kathy explained that this letter will go out to everybody whom registered in 2018. She said we didn't have any serious issues in 2018 but a few things will change as we move into 2019. We will start accepting registrations now and the deadline is April 1, 2019. The letter explains that we are going to expect 100% compliance. We will be strictly enforcing compliance for the maximum number of occupants, only one turn over per week, minimum stay of nights, and having online advertising that complies with the rules. We will be providing with a 2019 registration form. We are anticipating that the fee for 2019 will be \$325.00 based on the cost that Kathy's spreadsheet provided.

Kathy continued that we are eliminating the Red (R) stickers, but we do expect everyone to have the green emergency address signs in place by April 1st. We will continue to schedule inspections with SHAES between now and April 1st. Anyone who had a Health Department inspection in 2018 they will not need one until 2021. The 9-page rental report is on the Casco Township website.

The purpose of passing this out tonight that at our next meeting bring back any revisions if there are any so we can send them out as quick as we can.

Included with this letter is the registration form and a copy of the Good Neighbor Policy, will be included with the letter.

Judy thought it would be helpful if Allan explained the compliance person we talked about.

Allan explained that we are looking for somebody that will be helping to insure that complaints are complied with, someone that might be able to respond to complaints, also an individual who could follow up those complaints, and issue citations if needed. This area we were lacking last year, Alfred Ellingsen, Zoning Administrator, is retiring, this year. We have a new Zoning Administrator, but we feel that it is difficult for a ZA to go out and take care of these rental issues, so were focusing on the rental ordinance we hope to fill this position soon. It will be a difficult role to fill, were looking for someone who can work when needed. We are looking for some people to verify issues as they come up.

PUBLIC COMMENT:

John Barkley: Thanked Kathy for her report, he felt it was good and accurate. Our focus group was conducted on September, 7, 2018 by Judy Graff, there were a number of residents from the township, I got the opinion from them the worse concerns or the most concerns are from those residents. STR Disturbance comments from many lakeshore residential homes. This is the same handout that I shared with you at the last meeting, with a quick summary, those people thought the ordinance wasn't effective. He thought that some of the issues that Kathy mentioned, he was wondering when these issues would be handled in dealing with Host Compliance in filling those gaps. He felt that police follow-up wasn't adequate, we need more resources to value enforcement to be compliant. He also feels that the township should post the job, interview applicants, and that the person should

be more than an arms-length away from the township board. This person should be objective in their analysis about the rental issues. From the focus group the feedback was that the problems were getting worse. There are more people so that means more STR's

Kathy asked John what the brake down is of the 30 people how many were pro renters and how many were non renters? John said it was a balanced mix that was invited to the meeting, the 20 people that gave me feed back were probably biased, it was probably more towards the non-renters, because they were the ones that were experiencing problems. Kathy asked there were 30 people invited and 20 people provided feed-back. John answered with 30 people were invited, 20 people provided feed-back only 12 people attended the meeting, it was a 2 ½ hr session.

Dan Fleming expressed his concerns about property rights.

Laura Townsen thought to have a meeting right after the vote was done blows her mind, she hopes the board is taking a close look at that.

Maureen Perideaux- Concerned about daytime noise.

Scott Marks-Concerned about golf carts, homes being rented that are renting to too many people.

Chris Barzck- Questioned what the citations were for, that are going to the attorney.

Darren Massey suggested to look back at what other townships are doing about renting. He also said that he is still disturbed that 4 weeks after the referendum was done that John Barkley and Judy Graff had a meeting, there are a number of people in this room that have been coming to these meetings all along and none of us were invited to this meeting, he understands that the meeting didn't even occur in Casco, so why wasn't this meeting held here at the township hall, we had to cross out of the jurisdiction to have that meeting. He is really troubled that Judy didn't include a lot of us people that have sat in front of her at these meetings, you represent the township. Darren said he asked our policeman if we are under policed here in Casco, he also asked Allan and the answer he got from both was, no, we are not under policed.

Lu made motion to adjourn. Paul supported.

Meeting adjourned at 7:35pm

Minutes Respectively Submitted by
Cheryl Brenner, Clerk