

**Village of Grand Beach Planning Commission
Regular Meeting (Held Electronically)
October 22, 2020**

Laurie Roche called the electronic (virtual) meeting of the Planning Commission (PC) to order at 7:30 PM EST.

Village Clerk Mary Robertson read the following information regarding the remote meeting:

This meeting is being held remotely due to the COVID-19 pandemic under Senate Bill 1108 which was recently passed. All Planning Commission members should identify themselves prior to speaking so that everyone is aware of who is speaking. The Planning Commission Chair Laurie Roche will read all of the agenda items as we go along for those that can't see the agenda.

There will be two times when the public can speak.

- The first time the public can speak will be when we call for "comments on agenda items".
- The second time is during "audience recognition" for general comments.
- All audience members will be muted until it is time for them to speak.
- Please identify yourself before speaking.

ROLL CALL – IN ATTENDANCE

James Bracewell – Attending remotely from Grand Beach, Michigan

Frank Giglio – Attending remotely from Grand Beach, Michigan

Robert Kegan – Attending remotely from Chicago, Illinois

Laurie Roche - Attending remotely from Evergreen Park, Illinois

Harry Walder - Attending remotely from Grand Beach, Michigan

ADOPTION OF AGENDA

Walder moved, seconded by Roche to adopt the agenda as presented.

Roll Call Vote

James Bracewell Aye

Frank Giglio Aye

Robert Kegan Aye

Laurie Roche Aye

Harry Walder Aye

Motion carried unanimously 5-0.

APPROVE MEETING MINUTES, SEPTEMBER 22, 2020

Walder moved, seconded by Bracewell to approve the Regular Meeting minutes of September 22, 2020 as presented.

Roll Call Vote

Frank Giglio Aye

Robert Kegan Aye

Laurie Roche Aye

Harry Walder Aye

James Bracewell Aye

Motion carried unanimously 5-0.

COMMENTS ON AGENDA ITEMS

None

NEW BUSINESS:

SHORT TERM RENTAL ORDINANCE DISCUSSION

Chair Laurie Roche and the Planning Commission members reviewed the proposed short term rental ordinance created by Robert Kegan and Harry Walder in great detail.

Many areas of the ordinance were discussed including:

- The term dwelling unit as used throughout the proposed ordinance. Roche said she had recently learned that there are some homes in Grand Beach with owners living in the home and renting out a room. Kegan said there was discussion about this, but there are some people that rent out a garage or mother-in-law suites. Roche was concerned as she doesn't think that renting out the apartments above garages meet code. Bracewell said that he would have to review the ordinance, but to the best of his knowledge, codes were not written to allow people to rent garages with living quarters above them. He said if people wanted living quarters above garages, there were rules such as no plumbing. Kegan doesn't think that the Village can regulate a non-code unit and would be willing to remove the word "unit" from the ordinance.
- The definition of a bedroom, including the definition found in the International Property Maintenance Code (IPMC). Kegan and Walder said the ordinance allows for two adults in each bedroom. Kegan said the house will have to be inspected to see if the rooms meet requirements including smoke alarms, egress and other safety requirements.
- Police Chief Ryan Layman said that Michiana appointed him as the code enforcement official, and he is covered under Michiana's insurance, but has to do the work as a contractor, on his own time and cannot wear his police uniform while inspecting homes. Roche was concerned with Chief Layman being able to keep up with inspections in both Grand Beach and Michiana. Kegan said the Village will be implementing something new with this ordinance and it will take time to get it going, and Chief Layman will schedule appointments for inspections.
- The local agent language was discussed and language will be changed to say that a local agent or designee must be able to respond to a call within one hour.
- Parking was discussed.
- Kegan and Walder will work on language regarding the rental period to say that homes can only be rented once during a seven day period which will eliminate the ability to rent for a few days and then rent again during that seven day period. The one rental per seven day period should help eliminate two and three day rentals for purposes of having big parties and will reduce the amount of traffic and noise.
- Registration fees were discussed. Roche explained that she had attended a Zoom meeting with the City of New Buffalo. She said their City Attorney explained that registration fees are to be justified and used to run the rental program, not to make money. They also had a presentation from Granicus which is a company that tracks short term rental properties for municipalities and provides a 24/7 hotline for complaints. They offer additional short term rental services. The fees charged by Granicus could be considered part of the cost of running the program.
- Home inspections are proposed to be done every three years.
- Safety requirements were discussed.
- Occupancy limits were discussed.
- Fireworks will not be allowed at any rental property during a rental period, however; owners of the property will be allowed to use fireworks when the property is not rented.
- Golf carts and insurance coverage were discussed.
- Roche said that the State of Michigan does not allow municipalities to charge a tax on rental properties although there is HB 6161 that will allow municipalities to collect an excise tax of 1%-5% to be used for recreational facilities that visitors enjoy while renting a home, if the bill is passed.

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- Chief Layman said that if renters are required to forward a rental agreement to the Village for each new rental, he will set up an email account for them to be emailed, rather than mailed to the Clerk's office.
- Kegan said he and Walder will work on an introductory packet of information for owners which could include a condensed version of the current rental packet.
- There is concern that the State of Michigan might move to control short term rentals and not allow the local municipalities to regulate the rentals.
- The average registration fee in Michigan runs between \$250 and \$500.

Roche said the City of New Buffalo adopted their short term rental ordinance in 2019 and they are having problems with it and have put a moratorium on rentals until they are able to make changes to the ordinance. Owners are not registering the rental homes and are not paying their fines. She does not want this to happen to Grand Beach, and wants to create a good ordinance from the start.

There was discussion regarding the need for an ordinance regarding trash cans Village wide. Kegan offered to work on an ordinance for trash cans. Bracewell said that trash cans have been discussed several times by the Council and he has always been in favor of an ordinance, but feels that the focus should be on the rental ordinance at this time and maybe Kegan can work on the trash cans at another time.

Kegan and Walder will revise the proposed ordinance based on discussions of the Planning Commission.

Roche said she is pleased with everything they have put together. She suggested holding a joint meeting with the Planning Commission and the Village Council with Village Attorney Sara Senica in attendance to help with legal questions. Clerk Mary Robertson will forward the revised proposed ordinance to the Village Attorney and will schedule a joint meeting.

AUDIENCE RECOGNITION

Village resident Brendan Duffner said he is very appreciative of all of the work that has been done on this ordinance to keep the Grand Beach neighborhoods safe.

Debbie Lindley told members to be careful when chatting in the chat room during a virtual meeting because there is a quorum present.

ADJOURNMENT

Bracewell moved, seconded by Walder to adjourn the meeting.

Roll Call Vote

James Bracewell	Aye
Frank Giglio	Aye
Robert Kegan	Aye
Laurie Roche	Aye
Harry Walder	Aye

Motion carried unanimously 5-0.

With no further business, the meeting was adjourned at 10:32 PM EST.

Respectfully Submitted,

Mary J. Robertson
Clerk-Treasurer