

**Record of Proceedings
Special Village of Peninsula Council**

Held: Monday, July 22, 2024

CALL TO ORDER: Mayor Schneider called the meeting to order at 6:00 p.m.

ROLL CALL:

Mayor Daniel Schneider, Jr.	Present	Steve Schultz	Present
Richard Slocum	Present	George Haramis	Present
Daniel Schneider	Present	John Najeway	Present
Douglas Steidl	Present		

OTHERS PRESENT: Solicitor: Brad Bryan, Village Planner Rita McMahon, Administrative Clerk Faith Dorton, Rich Piekarski, and Mr. Piekarski’s Representative Robert Phillips.

PRESENTATION OF AGENDA AND AMENDMENT OF THE AGENDA: Mr. Slocum made a motion to accept the agenda that was seconded by Councilperson Schneider. Roll call vote: Councilperson Schneider, yes; Mr. Steidl, yes; Mr. Slocum, yes; Mr. Schultz, yes; Mr. Haramis, yes; Mr. Najeway, yes. The agenda was accepted.

Hearing for Appeal of Denial of Short-Term Rental Certificate for 1715 Main Street Property.

Mr. Bryan swore in Rita McMahon, the Village Planner, who testified about the history and stated purposes of the Village Short-Term Rental Ordinance. Ms. McMahon identified Exhibit 1, the original version of the Village Short-Term Rental Ordinance that was adopted in 2019, and Exhibit B, the current version of the Ordinance that was adopted July 11, 2023. Ms. McMahon confirmed that the Village Ordinance, from its inception and in the 2023 amended version, has always prohibited renting accessory buildings on non-owner-occupied properties for short-term rentals.

Mr. Bryan then swore in Mayor Daniel Schneider. Mayor Schneider testified he is familiar with the 1715 Main St. property, also known as the Bronson house. The Mayor identified the short-term rental certificates issued by the Village for Mr. Piekarski’s 1715 Main Street property in 2022 and 2023 (Exhibits 3 and 4). The Mayor stated he signed the certificates under the impression that the main house was being remodeled and was not able to be used. That understanding was based upon what he was told by the Village Administrative Clerk at the time, Nancy Holdsworth.

Mr. Bryan then swore in current Village Administrative Clerk and Short-Term Rental Property Coordinator, Faith Dorton. Ms. Dorton identified Exhibit 5, the short-term rental application for the property for 2024. Ms. Dorton confirmed the final version of the application had everything required under the Ordinance and that she participated in a physical inspection of the property the week of May 6, 2024 with the Zoning Officer. Ms. Dorton identified Exhibit 6 as the follow-up letter to the inspection that was sent to Mr. Piekarski that denied his application due to the fact the rental unit was an accessory building. Ms. Dorton also identified Exhibit 7, Mr. Piekarski’s letter requesting an appeal of that determination.

Next, Mr. Piekarski was sworn in and introduced himself. He stated his company provides long-term and hospice care to the senior community. He described his history with the Village, his charitable donations, and his involvement with the community wherever he goes. He expressed his full support for regulating short-term rentals. He thinks Village residents don’t want him to rent out the “Bronson House” due to its historic significance. Mr. Piekarski shared his intention to preserve the Bronson House by only renting out the Barn.

**Record of Proceedings
Special Village of Peninsula Council**

Held: Monday, July 22, 2024

Mr. Piekarski explained his history of purchasing the Bronson House and desire to rent out the Barn. He spoke to Adam Fleder, who told him to contact Nancy Holdsworth for a short-term rental application. He stated there was no deception involved and that he thought he was following the rules. He has paid all his short-term rental taxes. Mr. Piekarski started to pass out documentation of his short-term rental payments. Mr. Bryan interrupted him to inform him that those tax forms are not public records and did not need to be publicly disclosed if Mr. Piekarski does not want them to be. Mr. Piekarski stated it has not been a secret to the Village and the public that he has been renting the Barn for the last two years. He has been advertising the property at different businesses around town. He stated it is difficult for him to stop “cold turkey” because he has rentals booked into the future. He has never advertised the Bronson House, just the Barn. His neighbors know it is “just the Barn”. Lois Unger offered to take pictures for his advertisement. He is at his Airbnb much more than others who have them in surrounding cities. He feels it would be unfair to have to cancel bookings after receiving the notice from Ms. Dorton. He is concerned about paying five to six hundred dollars for each cancelled booking and explained how the contract with advertising websites such as Airbnb and VRBO work to Council. It would be a large expense for him. He stated he would be happy to move into the Bronson House, but his wife wants to stay in their present house. He is therefore asking for his appeal to be granted.

Mr. Steidl pointed out he does not see “Barn” anywhere on the documents. Mr. Najeway asked if there were two addresses. Mr. Piekarski stated both properties have the same address, and the billing address for the utilities is the same. Mr. Steidl reiterated his point and asked if Mr. Piekarski was the one who completed the sketch for parking. Mr. Piekarski answered he thought he had prepared the parking space sketch and took the photos. Mr. Steidl stated his concern is that parking is only shown for the house and not the Barn. Mr. Steidl asked if the application is for the Barn, why doesn’t the parking map show the barn. It only shows the house. Mr. Piekarski stated Ms. Dorton asked for better pictures. Mr. Steidl stated Ms. Dorton did the right thing by saying Mr. Piekarski cannot rent an accessory building per the law, and the solution is to not violate the law.

Mr. Piekarski explained the Barn was approved from day one. Mr. Najeway asked whether Mr. Piekarski was transparent when he filed the application that he was renting the Barn. Mr. Piekarski answered yes. Mr. Bryan asked Ms. Dorton if she sent out the short-term regulations to all the short-term rental owners when she sent out the renewal applications. Ms. Dorton stated she referenced the link to the quarterly tax ordinance, which also had the short-term regulations attached, and included the pdf versions of quarterly tax forms.

Mr. Piekarski stated he was under the impression the regulations are still being edited. Mr. Bryan and Ms. McMahon briefly explained the current draft, along with the help of Mr. Najeway and Mr. Slocum. Mr. Phillips stated he understood the purpose of 741.04, but Mr. Piekarski should be allowed to rent out the Barn, since there was a mistake made by the Village. He suggested granting a certificate with stipulations. Mr. Piekarski reiterated his concerns about having his short-term rental taken away.

Mr. Bryan asked if anyone else on Council had any questions for Mr. Piekarski or if anyone in the audience had any comments or questions.

Mr. Bryan swore in Mo Riggins. Ms. Riggins asked why Mr. Piekarski didn’t read the regulations, since they are easily accessed. She is concerned that the Barn is still being advertised and that Mr. Piekarski never stopped advertising, even after he received the letter from Ms.

**Record of Proceedings
Special Village of Peninsula Council**

Held: Monday, July 22, 2024

Dorton. Mr. Piekarski answered that the existing bookings were made months ago. Ms. Riggins asked why it was still up. Mr. Piekarski explained that due to the appeal process, he has not removed his advertisement. Mr. Piekarski answered it wouldn't be American of him to stop his advertising entirely until the appeal was completed. Ms. Riggins voiced her concern that because he never removed his advertising, he now has more bookings. She is confused as to why he never looked up the rules. Three wrongs don't make one right.

Mr. Piekarski reiterated his request to keep his short-term rental.

The Mayor asked if any overflow guests from Mr. Piekarski's short-term rental stay at the Bronson House. Mr. Piekarski confirmed he has only allowed family and close friends to stay at the Bronson House. They are not charged for staying there.

Mr. Bryan swore in Jodi Padrutt. Ms. Padrutt asked if the initial approval of the Barn was because the house was under renovation. The Mayor answered yes. He noted Nancy Holdsworth is no longer working at the Village or here to defend herself, but that is what she told him at the time. With that information, he approved the short-term rental of the Barn. This year is the first year in which inspections were performed.

Mr. Steidl stated he is confused about what Mr. Piekarski is asking for within the current drafted regulations. Mr. Piekarski's short-term rental still does not meet the law, despite his apologies.

Mr. Phillips stated Mr. Steidl has an opportunity to do more than just apologize. Mr. Steidl said that opportunity would be to vote and break the law. Mr. Najeway asked Mr. Piekarski if he is asking Council to allow him to rent the Barn as a non-resident and not rent the house. Mr. Piekarski answered yes, since it has been approved by Village for two years and he "just wants it to be fair". Mr. Haramis said Mr. Piekarski wants Council to allow him to operate outside the guidelines in the law. Mr. Najeway added Mr. Piekarski has been in violation all along. Mr. Bryan clarified the certificate did not specify which unit it applied to when it was issued. Mr. Piekarski stated he told Ms. Holdsworth he wasn't living at the property. Mr. Bryan suggested that information could have caused the confusion with Ms. Holdsworth.

Mr. Bryan advised Council it could deny Mr. Piekarski's appeal, grant his appeal, or grant or deny his appeal with conditions. Mr. Steidl voiced his concern that Mr. Piekarski will not comply with the rules next year. Mr. Piekarski shared that he's an honest person. Mr. Bryan suggested that Council discuss their decision in an open discussion rather than in an executive session. Mr. Schultz asked for the Mayor's thoughts, due to the confusion with respect to this issue in the past. The Mayor shared that he is open to suggestions from Council, since he took advice from Ms. Holdsworth without documentation.

Mr. Steidl made a motion that was seconded by Mr. Najeway to deny the appeal but issue a temporary, short-term rental certificate effective through the end of the 2024 calendar year. Roll call vote: Councilperson Schneider, yes; Mr. Steidl, yes; Mr. Slocum, yes; Mr. Schultz, no; Mr. Haramis, abstain; Mr. Najeway, yes. The motion was approved. Council made it clear to Mr. Piekarski that he would need to comply with the terms of the Village short-term rental ordinance with respect to the rental of accessory buildings, however it reads at the time, in 2025.

Water and Short-Term Rental Surveys

Mr. Najeway made a motion that was seconded by Councilperson Schneider to make it optional for residents to include their personal information on the water survey and to remove the third paragraph and the first sentence in the fourth paragraph from the proposed survey. Roll call

**Record of Proceedings
Special Village of Peninsula Council**

Held: Monday, July 22, 2024

vote: Mr. Schultz, no; Councilperson Schneider, yes; Mr. Steidl, yes; Mr. Slocum, yes; Mr. Haramis, yes; Mr. Najeway, yes. The motion was approved.

Mr. Slocum made a motion that was seconded by Mr. Schultz for the verbiage to change in the appropriate section to “should the Village pursue bringing potable water to the Village sewer district only”. Roll call vote: Mr. Schultz, yes; Council Schneider, yes; Mr. Steidl, yes; Mr. Slocum, yes; Mr. Haramis, yes; Mr. Najeway, yes. The motion was approved. Mr. Najeway made a motion that was seconded by Councilperson Schneider to approve sending the surveys with a self-addressed, stamped envelope. Roll call vote: Mr. Schultz, yes; Councilperson Schneider, yes; Mr. Steidl, yes; Mr. Slocum, yes; Mr. Haramis, yes; Mr. Najeway, yes. The motion was approved.

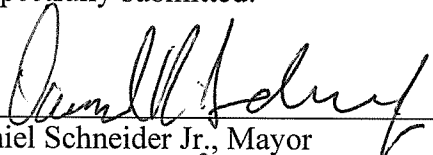
Mr. Najeway made a motion that was seconded by Mr. Slocum to approve the version of the short-term rental survey that was presented in connection with the agenda for this meeting. Roll call vote: Mr. Schultz, yes; Councilperson Schneider, yes; Mr. Steidl, yes; Mr. Slocum, yes; Mr. Haramis, abstain; Mr. Najeway, yes. The motion was approved.

Mr. Najeway made a motion that was seconded by Mr. Slocum to send the cover letter as proposed. Roll call vote: Mr. Schultz, yes; Councilperson Schneider, yes; Mr. Steidl, yes; Mr. Slocum, yes; Mr. Haramis, abstain; Mr. Najeway, yes. The motion was approved.

ADJOURNMENT:

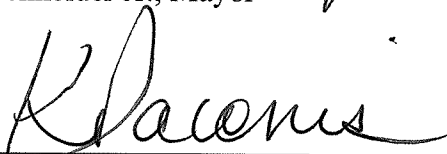
Mr. Slocum made a motion that was seconded by Mr. Najeway to adjourn the meeting. Roll call vote: Councilperson Schneider, yes; Mr. Steidl, yes; Mr. Slocum, yes; Mr. Schultz, yes; Mr. Haramis, yes; Mr. Najeway, yes. The motion was approved. The meeting was adjourned at 8:01 p.m.

Respectfully submitted:



Daniel Schneider Jr., Mayor

9/10/24
Date



Katie Iaconis, Fiscal Officer

9/10/2024
Date