



Safety Committee Minutes November 12, 2024

PRESENT: Committee Chairwoman Lisa Maruschak, Vice-Chair Stephanie Palmisano and member Lesley DeSouza, Clerk of Council Allen, Assistant Law Director O'Malley, Finance Director Iaconis, Service Director Sepik, Safety Director Scharschmidt and in the audience Council President Rounds.

The meeting was called to order on Tuesday, November 12, 2024 by Chairwoman Maruschak at 5:01 p.m.

Clerk Allen called the Roll call: **Palmisano, DeSouza, Maruschak**

Chairwoman Maruschak asked for a motion to approve the minutes from October 28, 2024; Moved by DeSouza; Seconded by Palmisano

Clerk Allen, Roll Call: **Aye: DeSouza, Maruschak, Palmisano**

Minutes approved

Chairwoman Maruschak: Opened the discussion with item 3 of Old Business regarding Airbnb. I see that there is a notation to define apartment building. I think that is a good idea and that it should be mentioned.

Councilwoman DeSouza stated that didn't we say an Air BNB could not be an apartment.

Chairwoman Maruschak responded yes, that is correct and so since you can't use an apartment, we are just defining what an apartment is.

Councilwoman Palmisano asked if there is already a Chapter 711? If there is that would be enough to reference that chapter here.

Chairwoman Maruschak asked Assistant Director O'Malley if he feels we need to put the definition for Chapter 711 in here, or have people cross reference to Chapter 711?

Assistant Director O'Malley stated that it can be done either way. It would be convenient to include the chapter here.

Chairwoman Maruschak suggested putting in another line item so that people don't have to cross reference. Continuing to XXXX.03 – there is still a line that states “the annual cost to be determined by the city”. Can we put a cost in at this point. I've seen them range from \$70. I am comfortable with \$200 which Director Sepik stated was the current rental amounts are. It would be \$200 annual fee plus late fees if not paid by January 1st of each year.

Councilwoman DeSouza agreed that it has to be updated, \$200 is acceptable to me.

Chairwoman Maruschak continued to XXXX.05 (10) regarding the admissions charge and tax as set forth in Chapter 191. Director Iaconis, can you speak on this section for us?

Director Iaconis responded that some cities do have a lodging tax but we do not. I've been doing some research withing the Taxation Code related to this. Chapter 739 is comparable to the licensing fee rather than a tax. I don't see that this section is applicable at this time.

Assistant Director O'Malley stated that the licensing fee could be assets in lieu of a tax. If that is the case, and the tax revenue isn't being collected on other hotels in the city. Sounds like it might be something that other cities have explored; I would have to explore this further to make a comment on this. The state has the authority over the taxing.

Director Iaconis agreed and stated that the work around the tax would be licensing fee or the inspection fee. Is your intention to have them pay a yearly fee and a tax on what they earn? Technically they should be filing a business return.

Chairwoman Maruschak suggested removing that section XXXX.05 (10) since we are charging the yearly fee. Moving on to 11(a) the insurance.

Councilwoman Palmisano stated that several cities around us are sitting at (\$300,000), Toledo is at (\$1,000,000) and nationwide the rates range from (\$500,000 – to \$2,000,000). I would agree if the consensus is to stay at \$300,000 or increase to (\$1,000,000). Either would be acceptable based on the information recently provided to me.

Councilwoman DeSouza added that I think the \$300,000 has just been there for years and maybe it's time for an increase.

Director Iaconis stated that a million is what any contractor has to have in liability. This isn't far from that, it's to protect the renter. Our insurance feels that a million is in best practice.

Chairwoman Maruschak stated that she is comfortable with the \$1,000,000 as well. Discussion was had about the number of years that records need to be retained for. It was settled on for four years and therefore section XXXX.06 (g) needs to be updated to read four years as well. Chairwoman asked Director Scharschmidt if there were any updates available regarding the carbon monoxide detectors?

Director Scharschmidt stated that he and Chief Bernard are checking to see if that is regulated by Air BNB, we are still checking on that and looking at neighboring cities.

Councilwoman DeSouza mentioned that in section XXXX.07 (a) the insurance needs to be updated here as well to the (\$1,000,000).

Chairwoman Maruschak agreed. Moving on to section XXXX.10 (g) we again have the reference to Chapter 711. Does that cover the prohibited acts or do we need more?

Assistant Director O'Malley stated that that covers it.

Chairwoman Maruschak stated that once the carbon monoxide section is included and these minor changes are completed, I think we are ready to go before council. All committee members agreed. I would like to move on to New Business - Chapter 619 is our Clean Indoor Air Act. You should have the Ohio Revised Code in reference to this printed. I feel like we need to rename and work off of what the state regulation is and use their language in ours.

Assistant Director O'Malley agreed with your observation and that we could model our law from the state law. You do have the authority with Home Rule over State Law. You want to be consistent with what the State Law has but we can deviate if needed.

Chairwoman Maruschak: I'll look for a motion to adjourn by Councilwoman DeSouza; Seconded by Councilwoman Palmisano

Council Clerk: Roll Call: **Aye: Palmisano, DeSouza, Maruschak**

Safety Committee meeting is adjourned at 5:27 p.m.



Barbara Allen
Clerk of Council


Lisa Maruschak
Chair, Safety Committee