

Poland Village Council
REGULAR SESSION
Tuesday, January 5th, 2021

308 South Main Street
Poland, Ohio 44514-2082
(330) 757-2112
www.polandvillage.org

The Council of the Village of Poland Ohio met in REGULAR SESSION at the Poland Village Town Hall, 308 South Main Street, Poland, Ohio 44514-2082 on Tuesday January 5th, 2021 via zoom.

Caucus meeting called to order at 7:00 p.m.

Mr. Moffie talks about zoning and ordinances and the Moratorium on AirBNB's.

Mr. Graff is troubled about the possibility the property may be used for, transient people. He does not believe the neighborhood is set up for AIRBNB's. There is a swimming pool in the house, is it even allowed to be open to rentals due to the COVID 19 pandemic?

Jim Walkama will rely on the solicitor to see what the Village can legally do, and he is not a big fan of having the AIRBNB in the neighborhood.

Mike Thompson is under the impression the Village can legally ban AIRBNB's entirely to permitting them without restriction and everything in between. Requests that public comment be opened up prior to the meeting.

Solicitor Macejko agrees that there is a wide range of options with regards to short term rentals. As long as the Village follows the proper protocols, we can address the situation. We can put a moratorium in place until all protocols can be carried out with regards to the short term rental issue.

Anthony Lattanzio has heard nothing except good things about the owners of the property. He likes the proposed moratorium from solicitor Macejko to give council time to research the situation and do their due diligence on the issue.

Mike Zembower, 725 N. Main St. He believes the big question is what is wrong with what is happening with the AIRBNB? What is the zoning stipulation that is claiming they cannot operate an AIRBNB, and believes Council is just trying to stop this from happening and he doesn't believe the community as a whole is aligned with stopping the AIRBNB.

Solicitor Macejko stresses the simple fact, that no matter how complicated this issue may become, there is no permit that was issued.

Craig Sommers, 246 Edna Street. Has known the owners for 30 years and they are wonderful people and will be an asset to the neighborhood.

Dan and Sunny Sneaddon, currently live in New Springfield, Ohio. This was their dream house and really wanted to move their family here. Due to COVID he has been on leave of absence since July 2020. States that for health reasons, it is not safe for his family to move to their new home at this time. They decided to do the AIRBNB route to help defray the cost of having two homes until they were able to move in June of 2021. They would be very picky about who they rented to, and AIRBNB has controls in place. Sunny states they had 4500 views on AIRBNB since Christmas Even when it launched. This community needs this. They want to level the community up, not level it down.

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Mayor Timothy Sicafuse called the REGULAR MEETING to order at 7:30 p.m.
Mayor Sicafuse opened the meeting with the Pledge of Allegiance.

Roll Call was taken with the following Members present:

Mr. Christopher Graff, Member of Council
Mr. Anthony Lattanzio, Member of Council
Mr. Samuel Moffie, Member of Council
Mrs. Martha Morgan, Member of Council
Mr. Michael Thompson, Member of Council-President
Mr. James Walkama, Member of Council
Mr. Timothy Sicafuse, Mayor
Also present were:
Mr. Robert Canter, Clerk of Council, Fiscal Officer
Atty. Jay Macejko, Solicitor

A motion was made by **Mr. Graff** and seconded by **Mr. Lattanzio** to suspend the orders of the day.
Vote: Lattanzio, Moffie, Graff, Walkama, Thompson, Morgan - yeas. Motion moves 6-0.

A motion was made by **Mr. Lattanzio** and seconded by **Mr. Graff** to nominate Mr. Thompson as president of council.
Vote: Lattanzio, Moffie, Graff, Walkama, Morgan - yeas. Motion moves 5-0. Abstain-1.

A motion was made by **Mr. Thompson** and seconded by **Mr. Graff** to suspend the orders of the day to return to public comment.
Vote: Lattanzio, Moffie, Graff, Walkama, Thompson, Morgan - yeas. Motion moves 6-0.

Kathy Greene, Evergreen Drive. She is concerned about property values, and a precedent being set to allow AIRBNBs.

Lydia Wright, 15 Poland Manor, just moved to Poland and was thinking about having an AIRBNB in her guest house also. She is paying close attention to this meeting.

Tricia Perry, 15 Nesbitt. Loves airbnb's, has a rental property, and thinks the Airbnb is a good idea.

Angela Gossard, 208 Nesbitt. Inquires of owners what precautions they will put in place with the Airbnb.

Chad Davis, 210 Nesbitt St. Moved to Poland two years ago. His family owns many AIRBNBs in southern states. He would not have purchased his house if he knew there would be an Airbnb by him.

Greg Kelly, 209 Diana Drive. Expresses his concerns and is not for the property being used as an Airbnb.

Anna Ratliff, 209 Evergreen. Does not want an Airbnb, and is very concerned for the safety of her daughter.

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Rob Dunham, 214 Edna St. He believes the Village needs to offer the owners a path to compliance.

Catie K., 109 Nesbitt St. Feels the owners should have purchased a home on N. Main St. if they wanted it to be an Airbnb.

Mike Thompson asks if anyone knows of a community like ours, that has airbnb's and if they have effective schemes of regulation.

Dan Sneddon informs council that Asheville, NC has over 300 Airbnbs.

Angela Gossard inquires of owners on how long they plan to have the property be an AIRBNB. Sunny Sneddon replies they are planning on moving into the property in early June 2021.

Greg Kelly asks owners if they can make a commitment to end it as an Airbnb as of June 2021.

A motion was made by **Mr. Thompson** and seconded by **Mr. Lattanzio** to resume back to tonights agenda.

Vote: Lattanzio, Moffie, Graff, Walkama, Thompson, Morgan - yeas. Motion moves 6-0.

1. Acceptance of Minutes of Previous Meeting(s)

A motion was made by **Mrs. Morgan**, seconded by **Mr. Lattanzio** to accept the minutes of the previous council meeting.

Vote: Thompson, Lattanzio, Moffie, Graff, Walkama, Morgan - yeas. Motion moves 6-0.

2. Notification of Upcoming Meetings and Events to the Public and the News Media.

Committees

Blupr:	<u>02/02/2021 @ 6:30 p.m. Per Zoom meeting.</u>
Finance:	<u>02/01/2021 @ 5:00 p.m. Per Zoom meeting.</u>
Legislation:	<u>02/02/2021 @ 6:15 p.m. Per Zoom meeting.</u>
Police:	<u>02/02/2021 @ 6:30p.m. Per Zoom meeting.</u>
Streets:	<u>01/19/2021 @ 6:30 p.m. Per Zoom meeting.</u>

Boards and Commissions

Architectural Review Board	<u>02/01/2021 @ 7:00p.m. Per Zoom meeting.</u>
Planning Commission	<u>01/20/2020 @ 7:00p.m. Per Zoom meeting.</u>
Board of Zoning Appeals	<u>N/A.</u>
Western Reserve Joint Fire District	<u>01/20/2021 @7:30p.m. Per Zoom meeting</u>
Poland Municipal Forest Board	<u>01/26/2021 @7 p.m. Per Zoom meeting.</u>
Hine Memorial Fund Board	<u>01/21/2021 @ 7 p.m. Per Zoom meeting.</u>

Council

First and Third Tuesday monthly. Caucus at 7:00 p.m.
Regular Meeting at 7:30 p.m. at Poland Village Town Hall
Next Regular Meeting:
Tuesday January 19th, 2021 at Poland Village Town Hall

3. Report from the Mayor- Timothy Sicafuse

Mr. Sicafuse reported he finished the letter for Dave Smith for the foundation. Also touched base on email account storage with IDMI. Increase would cost : 500MB \$1.82/month or 1 gig for \$3.50/month, can be as added as needed.

A motion was made by **Mr. Thompson** and seconded by **Mr. Moffie** to accept the mayor's report.

Vote: Lattanzio, Moffie, Graff, Walkama, Thompson, Morgan - yeas. Motion moves 6-0.

4. Report from the Fiscal Officer- Robert Canter.

Mr. Canter is present to report he is working on year end items and getting current year setup.

A motion was made by **Mr. Thompson**, and seconded by **Mrs. Morgan** to accept the Fiscal Officers report.

Vote: Lattanzio, Moffie, Graff, Walkama, Thompson, Morgan - yeas. Motion moves 6-0.

5. Report from the Zoning Administrator -Timothy Clavin.

Tim Clavin is present, see attached.

A motion was made by **Mr. Graff** and seconded by **Mr. Lattanzio** to accept the Zoning Administrator report.

Vote: Lattanzio, Moffie, Graff, Walkama, Thompson, Morgan - yeas. Motion moves 6-0.

6. Report from the solicitor- Jay Macejko

Nothing beyond what was delivered in caucus.

A motion was made by **Mr. Lattanzio** and seconded by **Mr. Walkama** to accept he solicitor report.

Vote: Lattanzio, Moffie, Graff, Walkama, Thompson, Morgan - yeas. Motion moves 6-0.

7. Report from the Chief of Police and Street Commissioner- R.D. Beatty.

Submitted in writing. See Attached

A motion was made by **Mr. Thompson** and seconded by **Mr. Lattanzio** to accept the Chief and Street report.

Vote: Lattanzio, Moffie, Graff, Walkama, Thompson, Morgan - yeas. Motion moves 6-0.

8. Report from Engineer-liaison (ms)- Martha Morgan

Mrs. Morgan discusses the grant was delivered to Eastgate. The Village has submitted the 2021 grant for streets repair.

A motion was made by **Mr. Thompson** and seconded by **Mr. Lattanzio** to accept the Engineer-liaison report.

Vote: Lattanzio, Moffie, Graff, Walkama, Thompson, Morgan - yeas. Motion moves 6-0.

9. Reports from outstanding committees of council.

- A.) Finance, Wage, Audit & Insurance Committee- Nothing new to report.
- B.) Legislation Policy Committee-Mrs. Morgan reported they met with the sidewalk legislation and is currently with planning. Update about the golf cart legislation, Ryan will have more information for her at a later date.

A motion was made by **Mr. Thompson** and seconded by **Mr. Graff** to accept the Legislation Policy Committee report.

Vote: Lattanzio, Moffie, Graff, Walkama, Thompson, Morgan - yeas. Motion moves 6-0.

- C.) Police & Fire Committee- Nothing to report.
- D.) Streets, Sidewalks & Drainage Committee- Nothing to report.
Vote: Lattanzio, Moffie, Graff, Walkama, Thompson, Morgan - yeas. Motion moves 6-0.
- E.) Building, Lands, Utilities, Parks & Recreation Committee- Nothing to report besides wanting to ask for the \$15,000 for BLUPR.

A motion was made by **Mr. Thompson** and seconded by **Mr. Graff** to accept the Building, Lands, Utilities, Parks and Recreation Committee report.

Vote: Lattanzio, Moffie, Graff, Walkama, Thompson, Morgan - yeas. Motion moves 6-0.

10. Reports from Boards

- A. **Planning Commission**- Nothing to report.
- B. **Board of Zoning Appeals**- Nothing to report.
- C. **Architectural Review Board**- Nothing to report.
- D. **Forest Board**- Mr. Graff reports about the deer over population and more importantly there will be a budget ready for the next forest board meeting. Mr. Sam Moffie is present to thank the late Don Manning for the forest funding from Senate bill 310. This fund can be found on [ISC.Ohio.gov/budgets-fund 7035](http://ISC.Ohio.gov/budgets-fund-7035). This will be administered by the development service agency and ODNR. We will have one year to use the funds or lose them. Mr. Moffie inquires council on their thoughts about setting up a special committee for this money. Mr. Lattanzio is against the idea, due to having a forest board, a fiscal officer and solicitor; all who have knowledge about expenditures.

A motion was made by **Mr. Thompson** and seconded by **Mr. Lattanzio** to accept the Forest Board report.

Vote: Lattanzio, Moffie, Graff, Walkama, Thompson, Morgan - yeas. Motion moves 6-0.

- E. **Hine Memorial Board**- Nothing to report.
- F. **Western Reserve Joint Fire District, Board of Trustees**- Mr. Thompson reports they will meet on January 20th for the reorganization meeting.

A motion was made by **Mr. Lattanzio** and seconded by **Mrs. Morgan** to accept the Western Reserve Joint Fire District Board report.

Vote: Lattanzio, Moffie, Graff, Walkama, Thompson, Morgan - yeas. Motion moves 6-0.

11. Reports from Special Committee.

12. Communications from Poland Village Residents –

Jenna Farina-Wirtz, 122 Massachusetts Ave. Ask council for any updates on 259 N. Main Street, also on 103 Massachusetts both properties abandoned and neglected.

Patty Wanat, 19 Michigan Ave. She is present to thank Mr. Moffie for getting the money for the forest board.

Elinor Zedaker, thanks Mr. Moffie for being diligent for getting the funds for the forest board.

13. New Business –

14. Old Business –

15. Motions, Ordinances, and Resolutions –

A motion was made by **Mr. Lattanzio** and seconded by **Mrs. Morgan** to make a resolution placing a moratorium on the permitting and operations of any short term residential real estate and rentals in the Village of Poland. Waiving three readings and declaring it an emergency.

Roll Call Vote: Lattanzio, Graff, Moffie, Walkama, Morgan, – yeas. Thompson-no. Motion moves 5-1.

A motion was made by **Mr. Lattanzio** and seconded by **Mrs. Morgan** to make a resolution placing a moratorium on the permitting and operations of any short term residential real estate and rentals in the Village of Poland.

Roll Call Vote: Lattanzio, Graff, Moffie, Walkama, Morgan, – yeas. Thompson-no. Motion moves 5-1.

A motion was made by **Mr. Moffie** and seconded by **Mrs. Morgan** to appoint a special committee to oversight the \$100,000 for the forest board.

Roll Call Vote: Moffie and Morgan-yeas. Lattanzio, Thompson, Graff, Walkama-no's. 2-4. Motion fails.

16. Second & Third Reading-

DISCUSSION/REMARKS: None.

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17. Presentation of Bills -

- a. A motion was made by **Mr. Graff** and seconded by **Mr. Lattanzio** to pay outstanding bills.
Vote: Lattanzio, Moffie, Graff, Walkama, Thompson, Morgan - yeas. Motion moves 6-0.

18. Questions from the Media -

19. Remarks by Council and the Mayor:

- A. Mr. Thompson- Congratulates Sam Moffie.
- B. Mr. Lattanzio- looking forward to the air BNB status.
- C. Maratha Morgan- Thanks everyone for coming.
- D. Mr. Moffie- Happy new year everyone.
- E. Mr. Graff- Congratulates Mr. Moffie.
- F. Mr. Walkama- Excited about the new year.

- 20.** A motion was made by **Mr. Thompson** seconded by **Mr. Lattanzio** to adjourn the meeting at 8:45 p.m.

Vote: Lattanzio, Moffie, Graff, Walkama, Thompson, Morgan- yeas. Motion moves 6-0.



January 5th, 2021

Robert P. Canter, Deputy Clerk
Village of Poland, Ohio

*The next REGULAR MEETING of the Poland Village Council will be **Tuesday, January 19th, 2021.** Caucus will begin at 7:00 p.m., with Regular Session beginning at 7:30 p.m. The meeting will be held at the Poland Village Town Hall, 308 South Main Street, Poland, Ohio 44514-2082.*

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REGULAR POLAND VILLAGE COUNCIL MEETING
January 5, 2021

CAUCUS @ 7:00 P.M.
MEETING @ 7:30 P.M.

AGENDA

Proposed Air B&B 211 Diana Drive(SM)

\$100,000 from SB310 via ODNR/DSA for Poland Municipal Forest(SM)

The meeting will be held at Poland Village Town Hall, 308 S. Main Street, Poland, OH 44514.

**Zoning Report
1-5-2021**

1. 1057.....7 Morse Pl.....Rear Deck..... \$70.00

2. The Architectural Review Board met Monday January 4, 2021 at 7 via Zoom. Three items were on the agenda: 1. Sign application for 95 W. McKinley Way was approved (Law Offices of Robert J. Moderalli) 2. Sign application for 95 W. McKinley Way was approved (Rosewood Real Estate Group). 3. An application for two signs for 90 S. Main St. Pizza Boy Shop were reviewed. Hanging sign was per code and was approved. Flush mount sign was denied due to internal illumination and size. Owner will be applying for a variance. Also discussed were 57 N. Main St. and curb/parking lot changes, the historical district and structure clauses in the code for ARB and how to implement them, and a brief review of 211 Diana Dr. The next Architectural Review Board is scheduled for Monday February 1, 2021 discussion starting at 7 via zoom.

3. The Planning Commission met Wednesday December 16th, 2020 via Zoom. A lengthy discussion was held regarding the incorporation of the proposed historical legislation into the existing 1460 as well as the existing code under 1266 allowing ARB to establish historical districts and structures that would then allow ARB to review for approval those residential structures so identified before a zoning permit could be issued. Currently ARB only reviews commercial structures. The next planning commission meeting is scheduled for Wednesday January 20, 2021 at 7 PM via Zoom.

4. Investigations
 - a. 7 Morse Pl deck without a permit
 - b. 211 Diana Dr. nonpermitted use under 1272 Residential District One (VRBO use in a residential R1 district)
 - c. 259 N. Main St. debris

Timothy S. Clavin
Poland Village
Zoning Administrator

Report to Council 01-05-2021

Streets

1. We had to have a snow plow bracket repaired. It is the bracket that attaches the right hydraulic ram to the plow. It has been repaired before. Cost was \$200
2. All Christmas decorations have been put away as of 01-04
3. Current projects
 - a. Cold patch. Note: cold patch is \$102 per ton
 - b. Storm sewer clean up
 - c. Equipment repair and maintenance
 - d. Possible roof repair

Police

1. Some of the safety equipment for the Department has arrived at Blue-Line Police Supply. No taxpayer money was used in this purchase. All confiscated drug money.

Respectfully submitted,

Chief R. D. Beatty