

**CITY OF MARSHALL
RENTAL CODE ORDINANCE COMMITTEE**

M I N U T E S

Tuesday, October 10, 2023

MEMBERS PRESENT: John Decramer, Mark Klaith, James Carr & Brad Meulebroeck
MEMBERS ABSENT: Shawn Butler and Zachary Gilman
COUNCIL LIASIONS: Craig Schafer and James Lozinski
STAFF PRESENT: Sharon Hanson, City Administrator; Jason Anderson, Director of Public Works/ City Engineer; Pamela Whitmore, City Attorney; Quentin Brunsvold, Fire Chief; and Steven Anderson, City Clerk.
OTHER: None.

At 12:03 PM Co-Chair Decramer called the meeting to order.

Approval of the Minutes

Motion made by Member Meulebroeck, seconded by Carr to approve the minutes as presented. All voted in favor.

Draft Rental Ordinance

Decramer asked section by section that had edit by City Attorney Whitmore if any members had comments. Under Section 18-154 Whitmore found a minor punctuation correction to be amended. Section 18-151 Interim Housing, Carr asked the group why this section needed to be included and didn't agree with it being in the ordinance. Whitmore explained that interim housing was a common provision in many rental ordinances and that it is usually a last resort for landlords who are unwilling to work with the city on issues or flat-out refusal to make fix violations. Schafer added he hoped that things would never get far enough in Marshall to use the provision, but it needs to be in there as part of the legal arsenal for the city to use. The committee members questioned under Section 18-149 Additional conditions for short-term rental units if VRBO/Airbnb owners would need to register for short-term rental units and long-term rental units on the same property. Whitmore clarified that it was in the ordinance that both types of units would need to be registered separately. Whitmore asked the group about the Minnesota Department of Health posting requirement for pools in short-term rental units. The group agreed to the change. Section 18-146 Maintenance Standards Uniform Building Code would be amended to Minnesota Building Code.

Whitmore brought up some questions and clarifications asked by staff. Under Section 18-143 Posting of Registration, it was determined that "If, upon renewal, no changes have been made to the information contained in the previous term's rental unit certification, then the previous posted certification is deemed up-to-date" would be removed because the date would always be changed and thus there would always be a need for a new posted certification. The group did request that the certificate be roughly postcard size and possibly include a QR code with pertinent information. Staff strongly suggested having a physical fence under Section 18-149 (f) Additional conditions for short-term rental units. The group gave various examples of what "containment" would be and decided that a physical fence would be too burdensome and decided to leave the amendment "...when outside, pets must be contained within the yard, including by lease or secured kennel, if the yard is not fenced in a manner that provides a containment area for the pet within the yard" as is. Under subsection (i) the group consented to including the International Property Maintenance Code by reference instead of a specific version so if any changes were to occur the city ordinance would not need to be revised.

Whitmore and J. Anderson initiated conversation about the initial registration fee. The original intention of allowing no fee during the first year of enactment was to incentivize landlords and the hope was that the ordinance had been adopted in the later half 2023 not the beginning of 2024. The group voiced concerns and consensus was made that for the first six months after registration begins no fee would be charged. The group also revisited how often registration would occur. After some back and forth discussion the group agreed to even year registration bi-annually and if a registration occurred during an odd numbered year registration would still need to be done the following year. The committee also sought clarity that buildings were to be registered and not individual units. The group affirmed that was what was wanted in the ordinance. The final item the group wished to review was the self-inspection checklist but the actual list itself had not been created yet. Staff indicated a draft self-inspection checklist could be created and the group wanted to meet one last time to review the checklist before making a recommendation to council.

Adjourn

At 1:41 PM Co-Chair Decramer adjourned the meeting.

Respectfully Submitted,
Steven Anderson
City Clerk