

## **MINUTES OF PERRYSBURG CITY COUNCIL**

### **MEETING HELD MAY 16, 2017**

Mayor Olmstead called the meeting to order at 6:32 p.m. Present were Council Members Nelson Evans, Jim Matuszak, Tim McCarthy, Rick Rettig, Jonathan Smith, Barry VanHoozen and Becky Williams (7). Also present were Bridgette Kabat, City Administrator, Karlene Henderson, Law Director, and David Creps, Clerk of Council.

Mr. McCarthy moved to approve the minutes of the May 2, 2017 meeting as written and to dispense with their reading. Ms. Williams seconded. Ayes: (7). Nays: (0).

#### **SPECIAL REPORTS**

None.

#### **LETTERS, COMMUNICATIONS, AND CITIZENS' CONCERNS**

Deborah Born, 125 E. Front Street, asked if there is a roundabout going in on SR199 at Eckel Junction Road. Ms. Kabat explained that a traffic signal will be installed at that intersection north of I-75. A roundabout is planned for Carronade and SR199 which is not in the City. Once these projects are completed, the intersection of Eckel Junction Road and SR199 south of I-75 will be closed. Ms. Born stated that Hood Park looks ugly and disgusting and the part of the retaining wall that is being done is not what they were told would be done. She added that there are Indian remains buried throughout the park.

#### **ADMINISTRATIVE REPORTS**

##### **Mayor's Report**

Mayor Olmstead reported that Riverside Park looks fabulous and will be completed by the end of the month. The portion of the retaining wall at Hood Park that is being replaced will be completed soon.

##### **City Administrator's Report**

Ms. Kabat invited Josh Amstutz, President of the Firefighters Union to address City Council. Mr. Amstutz invited the Administration and elected officials to the IAFF Fire Ops 101 which will be held on September 8, 2017 at Owens Community College. This is being done in conjunction with multiple jurisdictions and they can either be involved as a participant or an observer. Fire Ops 101 features staged scenarios in an extremely controlled environment.

##### **Finance Director's Report**

No report.

##### **Law Director's Report**

No report.

##### **President of Council Report**

No report.

## COMMITTEE REPORTS

### Finance and Economic Development Committee:

Mr. Matuszak gave his report of the special meeting held prior to the City Council meeting, a copy of which is attached hereto and made a part of these minutes.

Next meeting: Monday, May 22, 2017 at 5:00 p.m.

Mr. Matuszak introduced **ORDINANCE 52-2017 AMENDING PART EIGHT – TITLE TWO OF THE BUSINESS REGULATION CODE TO ADD CODIFIED ORDINANCE CHAPTER 813 FOR THE REGISTRATION OF MOBILE FOOD VEHICLES** and moved that the rules be suspended to allow for its reading by number and title only and to dispense with the second and third readings and proposed the following changes to the Ordinance: strike the 4<sup>th</sup> Whereas clause, add definition of Tax Administrator under 813.01 to mean City's Tax Commissioner, add 813.04(e) to require an agreement between the Tax Administrator and the Food Truck Operator that the Food Truck Operator will begin to withhold City income tax on day one of operations within the City, and to revise the fee from \$250 to \$100 for food establishments that have a brick and mortar building in the city. Seconded by Mr. McCarthy. Ayes: (7). Nays: (0). The Clerk read Ordinance 52-2017 by number and title only. Mr. Matuszak moved that Ordinance 52-2017 as amended be approved. Seconded by Mr. McCarthy. Ms. Williams said that she sees this as a start and that it needs to be discussed by the Safety and Planning and Zoning Committees, and they need to set up parameters as far as where the food trucks can go. Ms. Henderson said that she would recommend keeping it at the Safety Committee because Planning and Zoning deals with land use. Mr. McCarthy said that they need to look at incorporating into the Code this type of use and associated regulations including location of use and performance standards. He said there are some safety issues and regulatory issues. Ms. Williams questioned whether the food trucks will be allowed in residential areas. Mr. Smith asked how the fee of \$250 was calculated; he asked what costs the City is incurring. Mr. Matuszak said that it was not intended to replace real estate taxes, he considered the total impact food trucks might have on the City of Perrysburg. The City will incur the cost of documents for registration. Mr. Matuszak said he looked at how many times the food trucks might be in the City in a year. Mr. Rettig asked what the cost is for a stand at the Farmers' Market just to compare a similar situation. Ms. Williams said it is \$25 a week. Mr. Smith asked what the ultimate purpose of the process to register food trucks is. Mr. Matuszak said that it is to have the food trucks registered for income tax purposes. He said that all businesses have to fill out a questionnaire. Mr. McCarthy said that this process requires a health and fire inspection and a certificate of insurance with general liability coverage so there is a safety aspect in addition to the tax aspect. Mr. Smith suggested that the food truck operators be required to obtain a transient vendors' bond to take the burden off the tax division. Ms. Kabat asked if City Council is saying that if you have a party at your home and a food truck is there they would need to be registered. Mr. McCarthy said that if they are on personal property we still want them to pay taxes, be safe and have insurance. Mr. Smith asked about the smoker that is placed outside of Churchill's. Ms. Kabat stated that a mobile food kitchen is not necessarily on wheels. Ms. Williams noted that there was a food truck in a residential zoned property at Louisiana and Sixth Street. Mr. Smith said that he does not think they have all the answers. Mr. Evans said that some good points have been raised and he is not sure he can support the Ordinance at this time because if it is approved it is going to create a headache for the Administration because they are going to get

calls regarding enforcement. Mr. Matuszak moved to withdraw Ordinance 52-2017. Mr. Smith seconded. Ayes: (7). Nays: (0).

**Service Committee:**

No report.

Next meeting: Wednesday, May 24, 2017 at 5:00 p.m.

**Safety Committee:**

No report.

Next meeting: Monday, May 22, 2017 at 6:00 p.m.

**Recreation Committee:**

No report.

Next meeting: Tuesday, June 13, 2017 at 6:00 p.m.

**Planning And Zoning Committee:**

No report.

Next meeting: Tuesday, May 23, 2017 at 5:30 p.m., which is a change from the regular date.

**Personnel Committee:**

No report.

Next meeting: Tuesday, May 23, 2017 at 5:00 p.m.

**Public Utilities Committee:**

No report.

Next meeting: Wednesday, May 24, 2017 at 6:00 p.m.

**OTHER BUSINESS**

None.

**ADJOURNMENT**

Mr. McCarthy moved to adjourn the meeting at 7:33 p.m. Seconded by Mr. Smith. Ayes: (7). Nays: (0).

David D. Creps, Clerk

Michael J. Olmstead, Mayor