

COUNCIL PRESIDENT-JENNIFER WASILK
COUNCIL AT LARGE-DAVID JANIK
COUNCIL AT LARGE-JOE MILLER
COUNCIL AT LARGE- PHIL VAN TREUREN

COUNCIL WARD ONE-BRIAN DEMBINSKI
COUNCIL WARD TWO-ED COWGER
COUNCIL WARD THREE-CHUCK WINIARSKI
COUNCIL WARD FOUR-MATT NAHORN

CITY OF AMHERST, OHIO

OFFICE OF THE
CLERK OF COUNCIL
(440) 988-2420
(440) 988-2570 fax

OLGA SIVINSKI
206 SOUTH MAIN STREET
AMHERST, OH 44001
council@amherstohio.org

Minutes of the Ordinance Committee Meeting held May 21, 2018 at 7:00 P.M.
Present were Chairman Dembinski, Mr. Janik, Mr. Miller, Mr. Van Treuren, Mr. Nahorn, Mr. Winiarski, and Mr. Cowger. Also present were Council President Wasilk, Mayor Costilow, Safety Service Director Jeffreys, Auditor Pittak, Treasurer Ramsey, Law Director Pecora, Assistant to Law Director Carlson, and members of the public.

A-18-28 Add section to ACO pertaining to carts and food trucks

Mayor Costilow spoke to the legislation, its history and how it shall be generic and not picking on one business. He explained how he obtained the information. Mr. Van Treuren asked how these trucks will relate as to Design Review Board. Mayor Costilow said that if the established businesses want to change the color of a door, or put in windows or put in a roof, they have to go to DRB. So how is it fair to these brick and mortar businesses that a mobile vendor comes up and sets up a carnival type tent that does not fit into an downtown area? Mr. Winiarski said DRB came around as a condition of getting grants. He said if start saying who is going to be review and who isn't, you are probably opening up a can of worms. Mr. Miller asked who was on the DRB, and Mr. Winiarski named the seven members.

Mr. Darryl McCarty was in favor of DRB reviewing these food trucks. Mayor Costilow reminded everyone that DRB is only for the downtown area.

Mr. Winiarski that he is in favor of food vendors, but not necessarily for downtown area. He compared and discussed having a food truck at a private home for a party vs. downtown. He agrees to them purchasing a permit as they are getting fire and police protection - a level of a playing field. To roll in and poach customers from businesses who work really hard to comply with all the rules is not fair. Mr. Jeffreys wanted more input from the law director - but if you challenged him as to a potential area, south of the tracks would be a suggestion if it meets all the criteria. Mr. Winiarski does not want them on public parking areas, and south of the tracks would be a good idea. It's recently developed and not in front of existing buildings. Mr. Miller wanted to promote the downtown as a downtown investment area. Vendors will have input in other ways for the established businesses rather than just customers. He would like to see vendors on private property only, not on public property. He would like a provision on the limits to

proximity to sidewalks. Mr. Carlson spoke to residential areas vs. commercial areas where they may be allowed. There was some confusion as to the version of the proposed legislation. The Chair provided the section where graduation parties are given as an example. Mr. Darryl McCarty spoke to being a business who is always available, not only when it's convenient. He does not believe it's a fair playing field. He agrees there should be some rules but they should not be in the downtown area. Mr. Cowger pointed out some typing errors. He asked about ice cream trucks and how they would be affected. Also, how will the Girl Scouts selling cookies be affected. How will a food truck be addressed that is in place while a business is being renovated. Mayor Costilow said some of those things can be cleared up easily. He went over some of the things that were discussed and how language can be tweaked. Mr. Miller feels all food truck should register with the city. All solicitors are registered and fingerprinted and feels every vehicle that comes here should also be registered. The person driving the vehicle should be run through the police department and fingerprinted, and not only pull a permit. Mr. Janik asked how long our moratorium was for? There was conversation on this. The Chair spoke to the 100' requirement. Mr. Van Treuren asked if anyone had an idea of how many food truck vendors want to come into the city?

Mr. McCartney spoke to the public vs. private property sales at places such as Nordson and schools. He would like to see limits on how many trucks are at any function at any time and how many times they should be coming in. He feels there is a place for them, but does not feel they should be downtown. Who is private and who is public should also be defined. Mayor Costilow said schools are private property and vendors would have to get permission from the school.

Mr. Nahorn thanked Mr. McCartney for coming down and with everyone contributing, will provide us with the most successful legislation. He liked the proposed section 7 in the ordinance and perhaps it should be added that they are responsible for removing all garbage and litter.

Mr. Winiarski addressed the insurance issue and feels it should be one or two million.

Mr. Cowger motioned to table. Seconded by Mr. Miller. Vote 7-0 to table.

Mr. Miller motioned to adjourn. Second by Mr. Cowger. Voice vote 7-0 to adjourn.

The meeting adjourned at 7:48 P.M.

Brian Dembinski, Chairman
Ordinance Committee