

Legislative Committee Meeting

The Legislative Committee met on November 16, 2020 at 6:45 P.M. via the Zoom meeting application to discuss a Business Occupancy Registration Program and Food Trucks.

Present at the meeting were committee and Council members David Frey, Chuck LoPresti and Joe Marko. Others present were Council members Joe Gambatese, Jeff Price, Lane Schlessel, Steve Grushetsky, Mayor Patrick Ward, Law Director John Luskin, Assistant Law Director Ray Schmidlin and Assistant Clerk of Council Kelly Miller.

Chairman Frey called the meeting to order and referred to the proposal by the Building Department which was previously sent to all members of Council. He then directed the conversation to Mayor Ward who gave a brief explanation of the yearly Business Occupancy Permit Program being proposed.

Mayor Ward stated the program would hold businesses accountable if they relocate to another office space or address within the city, tenant changes, addition of another business, or changes to the nature of the business. This would also help the Building Department with updating the contact information for the business owner, building owner, and manager. He indicated that the city doesn't always know when these changes are taking place.

In addition, it was discussed how this information would be shared with both the Police and Fire Departments. Mayor Ward remarked that in order to keep up the welfare of the city, this program will make it easier for the Fire Prevention Officer and the Building Department to work together.

Mr. Schmidlin mentioned there would need to be revisions made in the business code, which he would draft the legislation for Council to review. He did question whether there needs to be a criminal penalty for violating the housing provisions, or if it should be changed to a civil penalty.

Mr. Luskin explained how the civil penalty is far more effective as a direct impact on public safety. He commented due to COVID-19, there haven't been many criminal trials postponed or delayed.

A discussion took place regarding the civil penalty and whether it would be a detriment to the program. It was clarified the due process of law is much more efficient with a civil penalty. In addition, the cost associated with a criminal sanction would be much greater.

Next, a registration program for food trucks operating in the city was discussed. Mayor Ward stated there have been many food trucks popping up in the past few months. He said a system needs to be established to verify the legitimacy of these businesses as well as being in compliance with the Board of Health. Mayor Ward also mentioned how it could be problematic to local businesses, the consideration of pedestrian safety and vehicular flow. It was agreed at the very minimum, permission needs to be given including a fee schedule.

Mayor Ward spoke about the Food Truck Monday's event held each summer at Legacy Village. The event is designed to be indiscriminate and benefit all the businesses by drawing a crowd.

Mr. Price expressed health and safety concerns, especially regarding wastewater, trash and recycling. Mr. Schlessel suggested that part of the fee be refundable to the vendor if they follow the established rules to encourage safety and cleanliness in the city.

In summary, Mr. Frey asked for drafted legislation to be provided to Council prior to the Thanksgiving holiday.

With no further discussion, the meeting was adjourned at 7:23 PM.

Respectfully submitted,

David A. Frey
Committee Chairman