



## City of Ashtabula

Ashtabula City Council

Community Development/Economic Development/Parks & Recreation Committee Meeting

Tuesday, December 17, 2024 at 2:00 PM

Council Chambers

4230 Lake Avenue, Ashtabula, OH 44004

Minutes

### Opening of Committee Meeting

#### Call to Order

The meeting of the Ashtabula City Council Community Development/ Economic Development/ Parks & Recreation Committee was called to order at 2:00 p.m. by Committee Chair DiGiacomo.

#### Roll Call

**Members Present:** **Chair:** Ward 5 Councilor Jane DiGiacomo, **Vice Chair:** Ward 4 Councilor Jodi Mills

**Absent:** **Member:** Ward 3 Councilor RoLesia Holman

**Officers Present:** City Manager James Timonere, Clerk of Council Stacy Millberg

**Parks & Recreation Board Members Present:** Blake Hinkle

**Visitor:** Catherine Colgen, Assistant Solicitor, Mary Church, Assistant Director Planning and Community Development, Council President John Roskovics

#### Sunshine Law Certification

A quorum was established as defined by the Ashtabula City Council Rules of Order. The meeting met the requirements of the Ohio Sunshine Laws Open Meetings Act.

### Welcome and Acknowledgement of Visitors

#### Special Guest Presentation

Mary Church and Catherine Colgan presented proposed changes to several codified ordinances. Mrs. Church stated revisions to the Temporary Stores and Food Trucks ordinance has been discussed previously and the area is seeing a lot more food trucks and people inquiring where they can set up food trucks. Mrs. Colgan stated there are several specific items that will need to be determined such as days and hours of operation, location requirements, any restrictions on food truck operations and anything else the committee deems necessary. City Manager Timonere stated most of the food trucks are on private property. As long as they are invited by the property owner, city officials do not need to be notified. The proposed legislation would cover public areas such as parks or public lots. Mrs. Colgan stated there are several sections of the current ordinance that are intended to be eliminated and she will need guidance from the committee on what should be included. Some examples include whether to allow food trucks in residential neighborhoods or only allowing them in commercial areas. Mrs. DiGiacomo stated she is not a fan of allowing food trucks in residential neighborhoods; however, there should be some allowance for events such as parties. Mrs. Colgan stated regulations can differ by district to include allowing food trucks in residential areas, with a permit, during certain hours. The legislations can be tailored to work for a particular

district. Mrs. DiGiacomo stated food trucks will attract people to the area and will be an economic driver for local businesses. Mrs. DiGiacomo stated neighboring cities charge an annual fee for food trucks to operate. City Manager Timonere proposed an annual registration fee. The City Manager asked the committee to review the proposed changes to the legislation and provide feedback. Mrs. Colgan stated council members should determine some rules and regulations for food trucks as well as a possible fine or other penalty for noncompliance.

Mrs. Church stated in two sections of Chapter 749 of the Codified Ordinances, specifically 749.09 and 749.13 which deal with licensing and permits, there is reference to appeals to the Zoning Board of Appeals; however, there is no such board. Mrs. Church proposed appeals be heard by the Administrative Board or the Planning Commission. The Administrative Board hears variance requests as it relates to setbacks. The Planning Commission only hears specific variance requests. Mrs. Colgan stated the way the current Codified Ordinance is written the Administrative Board would hear those appeals; however, she recommends they be heard by the Planning Commission due to the nature of the Chapter. The two sections would need to be changed and the Planning Commission will be empowered to hear the appeals. Mrs. Colgan will draft the changes and present them at the next committee meeting.

Mrs. Church stated section 165.05 is specific to the Planning Commission and states it shall hold regular meetings, at least once a month. Mrs. Church stated occasionally the Planning Commission does not meet. Mrs. Colgan recommends the language read the Commission shall meet less than every month but more than at the call of the chairperson. Mrs. Colgan added that the section states the Commission shall adopt its own rules and procedures and they have not done so. Mrs. Colgan and Mrs. Church will be working with the Planning Commission to assist them with establishing rules and procedures. In conjunction with that, Section 165.08 states that every decision of the Planning Commission has to be approved by City Council. Mrs. Colgan is asking the committee to consider changing that. City Council will maintain its authority in the appeal process.

### **Catherine Colgan, Assistant Solicitor and Mary Church, Assistant Director Planning and Community Development**

#### **2024-ORD-0017 Temporary Stores and Food Trucks Ordinances**

##### **749.09 License Appeals**

##### **749.13 Permit Appeals**

##### **165-05 Meetings, Rules, Records, Attendance and Quorum**

#### **City Manager's Report**

City Manager Timonere stated he has been trying to stay in touch with local businesses that sustained damages from the recent snow storm to offer assistance. The 2025 budget is being prepared. He has been discussing plans for 2025 with business owners in the Harbor and on Main Avenue. His office is working on the Appalachian Grant. The Land Bank has received its request for proposals to assist with the facade program. City Manager Timonere stated he has engaged GPD to start looking at things for the streetscape and sidewalk program so it will be ready to begin in the spring.

#### **Parks & Recreation Committee Report**

Committee Chair DiGiacomo stated the Parks and Recreation Committee has been working on rules for the parks. Mrs. DiGiacomo stated the committee is asking for an ordinance to prohibit registered sex offenders in public parks out of safety concerns for children. Assistant Solicitor Colgan stated before an ordinance can be written a lot more research needs to be done as there are Constitutional issues with this type of presence ordinance. Mrs. Colgan stated there is a lack of evidence that this ordinance is needed. There is no data that suggests this ordinance will actually protect children in a

park. Mrs. Colgan said the Ohio Revised Code puts specific limitations on where registered sex offenders can reside but it does not include public parks. Mrs. Colgan contacted the law department in Parma to inquire about legislation the city enacted in 2007 and is waiting to hear back.

**Ordinance regarding registered sex offenders being prohibited in public parks (safety concerns for children)**

**Unfinished Business**

None.

**New Business**

City Clean-up will be held on May 17, 2025 from 8:30 to 11:30 a.m.

**City Clean-up May 17, 2025 8:30 to 11:30 a.m.**

**Next Meeting**

**February 5, 2025**

**Adjournment**

The meeting was adjourned at 3:13 p.m. by Committee Chair DiGiacomo.