



City of Pataskala *Legislative Report to Council*

Legislative Report

October 16, 2017 Council Meeting

Unfinished Business

A. Ordinances

➤ **ORDINANCE 2017-4299 – 2018 BUDGET – 2ND READING**

The proposed 2018 budget and 5-year projections were presented to Council for consideration at the October 2nd Council meeting, with a formal review to be held at a special Council meeting on October 11th. We will be tracking any changes that need to be made to the budget, and incorporating them all at once into the proposed budget. This is to ensure that we all are working from the same version of the proposed budget instead of different amended interim versions. As a result, the attached exhibit remains unchanged from the 1st reading. We are requesting that the ordinance receive its' second reading at the October 16th meeting.

New Business

A. Ordinances

➤ **ORDINANCE 2017-4297 – 1ST READING**

Food trucks or mobile food vendors are currently permitted via a solicitor's license issued by the Police Department. A solicitor's license is required for a "peddler, solicitor, canvasser, itinerant merchant or mobile food service operation". The application for a license for a solicitor's permit also includes a fee; \$25 for 30 days or less or \$100 for no more than one year. There are no regulations for where a food truck may locate, hours, parking, signage, etc.

Prior to identifying the food truck regulations in the Code, the Planning and Zoning Department had used the regulations for Temporary Activities to issue a permit. A total of two permits were issued using these regulations.

The existing regulations for food trucks were created in 1985, well before their rise in popularity. Furthermore, there is no specific requirements on how a food truck is expected to operate. As a result, staff approached the Development Committee about establishing regulations for food trucks. Following their July 24th meeting, the Development Committee recommended the proposed regulations proceed through the code amendment process. The Planning and Zoning Commission recommended approved at their September 6th meeting.

➤ **ORDINANCE 2017-4298 – 1ST READING**

As part of the public hearing process for the Board of Zoning Appeals and Planning and Zoning Commission, the Code requires that the Planning and Zoning Department send notice of the hearing to the owner of neighboring properties “within 200 feet or two parcels from any point on the perimeter of the applicant’s property line, whichever creates more property owners”.

The Licking County Auditor, through their online mapping system, provides a tool whereby a list of property owners within a given radius of a property, in this case 200 feet, can be obtained. Issues arise when implementing the “two parcel” provision, which include:

- Interpretation of how to determine two parcels.
- Arbitrary notification process.
- Creation of holes in the notification area whereby one property will be left out while surrounding properties are notified.
- Arduous process to confirm property owner list provided by the applicant is accurate.
- Can create excessively large distances between “neighboring” properties.

Because of the issues that the “two parcel” provision creates, staff worked with the Development Committee to determine the radius of 300 feet from the subject property as the radius for notification. Furthermore, it was determined that it will be the responsibility of the Planning and Zoning Department not the applicant, to identify the individuals within that radius for notification. The Development Committee recommended the amendment proceed through the code amendment process at their July 24th meeting. The Planning and Zoning Commission recommended approval at their August 9th meeting.

➤ **ORDINANCE 2017-4300- 1ST READING**

An ordinance to amend section 929.03 (g) of the Codified Ordinances of the City of Pataskala.

➤ **ORDINANCE 2017-4301 – 1ST READING – INCOME TAX ALLOCATION RATES**

Once the debt service and operational funding requirements have been identified, the allocation of income tax revenues between the Debt Service, Street, Police and Capital Improvements funds must be calculated. The initial portion is taken off the top to cover any outstanding debt service requirements. After that amount has been calculated, the next level is allocated to the Street and Police funds to cover their current year operational needs. Any remaining funds at that point are allocated to the Capital Improvements funds. The 2017 allocations were as follows: 35.65% - Street; 53.00% - Police; 8.90% - Debt Service; and 2.45% - Capital Improvements. For 2018, the allocations are proposed as follows: 32.10% - Street; 52.00% - Police; 13.90% - Debt Service; and 2.00% - Capital Improvements. We are requesting that the ordinance receive its' first reading at the October 16th meeting.

B. Resolutions

➤ **RESOLUTION 2017-062**

A resolution authorizing and directing the City Administrator to purchase of property at 12778 Broad Street as part of the Mink Street and Broad Street Intersection Improvements Project