

ZONING, PLANNING & ORDINANCE COMMITTEE MEETING MINUTES

June 2, 2015 - 6 pm

Chairman Ulmer called the meeting to order at 6:45 pm. Committee members present: Chairman Phil Ulmer, Aldermen Ron Burlingame, Raul Meza and Carl Opper. Also present were Mayor Jay Nolan, City Clerk Wells, City Administrator David Nelson, Aldermen Mike Kelly, Mike Clarke and Jeremy Adams, Supt. Parks & Recreation Mike Clingensmith and members of the audience.

Public Comment:

- Jay Schulz, 1503 Pheasant Run and manager of Jay's Lanes, 5507 Route 14 addressed the Committee with respect to the improvements being made at the bowling alley that should bring in additional sales tax revenue and requested the City reconsider the proposed amusement tax on businesses.
- Kelly Schulz, 1503 Pheasant Run, requested that before the ordinance is approved, a report be put together that spells out the projected revenue to be generated from the 3% tax, why the park fund is in the red and a list of other possible options.
- Mayor Nolan commented that the shortfall is a result of a continued decline in the City's property tax revenue and the increase in mandated pension obligations.

Proposed Ordinance Establishing a 3% Amusement Tax

The Committee reviewed the proposed ordinance establishing a 3% amusement tax. Administrator Nelson indicated that the original intent was to apply the amusement tax to groups that use the parks for profit which was later expanded to include other areas based on the state's definition of amusement. There are no statistics available to the City in order to make a comprehensive estimate of what the tax would generate in the business community.

Moved by Alderman Burlingame, seconded by Alderman Opper to implement the ordinance amending what was presented to only include events that would be using city owned parks that are run at a profit. Further discussion ensued:

- Alderman Kelly proposed an idea to charge for parking in the parks.
- At Anna Marie Platt-Miller's suggestion to consider grant funding and volunteer service hours, Alderman Clarke responded that a Parks Foundation was created to explore grant opportunities.
- Sherri Foster, 113 Shawnee Ln., acknowledged the Committee's frustration over a lack of public participation and indicated her willingness to participate. Sherri pointed out the 3% tax can add up for families that may be covering the cost of amusements for their entire family. She noted her objection to the waiver of the fees for Milk Days due to the city's financial condition. Mayor Nolan stated Harvard Milk Days makes an annual \$3,000 donation which goes into the general fund to help offset costs and pays for water and electricity. Other City costs include police protection which is a City policy decision and Public Works. The man hours for Public Works has gone down over the last several years due to better organization between the City and Milk Days.

Chairman Ulmer called for a vote and clarified the motion is to approve the ordinance in its original form before it was expanded which means the 3% tax would only be imposed on consumers who attend for profit events at city owned parks. All ayes. Motion carried.

At Alderman Meza's inquiry, Administrator Nelson noted he had a conversation with the City Attorney with respect to imposing a tax on Red Box. It was the City Attorney's opinion that it was outside of the City's authority to impose a tax as Red Box doesn't fit the definition as supplied by state law.

At 7:20 p.m., moved by Alderman Burlingame, seconded by Alderman Opper to adjourn the meeting. All ayes. Motion carried.

Submitted by:
Chairman Phil Ulmer