

Ad Hoc Committee on Business Encumbrances of Public Property
Meeting
March 2, 2020
DRAFT MINUTES

In attendance:

Mayor Bouley; Councilor Champlin; Councilor Fennessy; Councilor Kretovic; Councilor Pierce; Deputy City Manager Baía

Meeting called to order at 8:30 am

Councilor Pierce mentioned the nominal fees that were recommended by staff at the February Council meeting. He understood that the City is spending \$10,000 per year to pressure wash the sidewalks. He suggested that what was needed was a fine or penalty structure to encourage better business practices relative to outdoor dining spaces rather than permit fees.

Councilor Champlin stated that enforcement was critical.

Mr. Baía explained the current enforcement policy is to revoke a business' sidewalk permit if the business chronically fails to take proper care of the City's infrastructure. He also noted a case of a Main Street business that caused damage with its trash removal practices not necessarily related to outdoor dining. In that case, the business was required to pay for the clean-up.

Councilor Fennessy concurred that a penalty provision would help to enforce the appropriate standards.

The committee's consensus was to not implement permit fees but instead to recommend the creation of a penalty provision to discourage unacceptable business practices relative to the City's infrastructure.

Mayor Bouley inquired if anyone had a concern with the disparate types of outdoor furniture that restaurants are using. He noted some have sturdy chairs and tables while others have lower quality, plastic seating on the street. Mr. Baía noted that picnic tables are no longer allowed per the Council's adoption of the Main Street guidelines. He also stated that the City has found that some of the metal furniture has stained the granite and concrete and, as a result, the City began requiring mats to be used under certain dining areas.

The committee's consensus was that the existing regulations concerning street furniture are acceptable and they were supportive of the recent policy changes requiring mats to minimize damage to the sidewalks.

Mayor Bouley asked the committee if it had a concern with the variety of equipment used by businesses on Main Street to separate the pedestrian travel way from the dining areas. He stated that some separators appear quite cheap while others are sturdy planters that are more aesthetically pleasing. Councilor Champlin noted that in some areas of Main Street, the business may not have the physical space to use bulkier planters without infringing into Zone B which is prohibited.

The committee's consensus was not to recommend any changes to current regulations/practices relative to the equipment used to separate the dining areas from the pedestrian way.

Mayor Bouley raised a concern about equitable use of City property. He cited the example of Eagle Square. He noted that the Tandy's outdoor dining area seems to take up a disproportionate amount of the square at the expense of other potential users. He noted that he is fine with Tandy's expanding for a special event but during non-event periods they should be scaled back to be more compatible with the square and the different interests that use it including potentially other businesses.

The committee's consensus was that the City should promote more equitable use of public property.

Meeting adjourned at 9:25 a.m.

Respectfully,

Carlos P. Baía