

# **BUSINESS AND ECONOMIC DEVELOPMENT COMMITTEE**

Tuesday, April 22, 2014 5:15 PM

City Council Chambers

## **Minutes**

City Councilors Present: Chair Durgin, Councilor Baldacci, Councilor Nealley, Councilor Civiello, Councilor Sprague, Councilor Gallant, Councilor Graham and Councilor Plourde

City Staff Present: Tanya Emery, Cathy Conlow, Steve Bolduc, Jason Bird, Norm Heitmann, Jeremy Martin, and Paul Nicklas

Chair Durgin called the meeting to order at 5:15 p.m.

Tanya Emery, Director of Community and Economic Development, announced the hiring of Caitlin Brooke who will be the new Downtown Coordinator/Business Development Specialist to replace Jason Bird who has been hired as the new Community and Economic Development Officer.

### 1. Amendment to the Lease Agreement with Stillwater Enterprises, Inc.

Steve Bolduc, Economic Development Officer, explained that this is a request of Stillwater Enterprises, Inc. to exercise an extension of their lease of 108 Florida Avenue. Chris Higgins, an owner, was also present in support and to answer any questions of the Committee. Mr. Bolduc indicated that Stillwater Enterprises, Inc. has made approximately \$3,800 in improvements to the heating system and this amount has been applied to the first year's rent.

Councilor Sprague moved Staff recommendation. Councilor Baldacci seconded the motion which passed unanimously.

### 2. Amendment to Promissory Note – Neville

Director Emery explained that this is a request from Barbara Neville to amend her deferred payment Community Development Rehabilitation Loan to transfer the joint ownership from her daughter to her sister. Staff recommended approval subject to approval of the City Solicitor or Assistant City Solicitor.

Councilor Sprague moved Staff recommendation. Councilor Baldacci seconded the motion. The vote was unanimous and the motion passed.

### 3. Outdoor Table Permits

Assistant City Solicitor Paul Nicklas explained that Staff is proposing a number of changes in the way the City handles outdoor tables by charging a fee for the use of the property, fencing standards, and approving these request through the Code Enforcement Department rather than through individual licenses.

Chair Durgin noted that this item was for discussion and no action was required by the Committee.

Councilor Gallant felt that the proposed \$1,000 fee was excessive and questioned whether or not the Code Enforcement Office could handle this additional work. Councilor Baldacci felt that the fencing standards were fine but that the fees are excessive. Councilor Nealley agreed that the fees were too high but indicated that there should be a fee and some fencing standards.

Councilor Graham also felt that the proposed fee was too high, and suggested regulations for the standardization of the fencing, code of conduct and responsibilities.

Councilor Sprague felt that restaurants were positive in the downtown and the City should be very reluctant to charge a fee at all. He said that he was opposed to fencing as restaurants should be able to set up outdoor areas as they want. He did not have a problem going through the Code Enforcement Office for permitting.

Peter Ramsey, a downtown resident, said that a fee could help pay for cleaning up parks and suggested \$3-4 per sq. ft. A Waverly Restaurant representative felt that the fees were too high. He said that they clean their area and shovel the sidewalk in front of their restaurant. Gene Beck, Nocturnum Draft House strongly disagreed with the proposed fees. He indicated that they clean up their area, and with the fee for liquor insurance and possibly for a fence, the proposed fee for use of the sidewalk was too high.

Councilor Nealley made a motion to move forward all three recommendations made by staff but amending the proposed fees and giving latitude on the fencing approval. The motion did not receive a second and, therefore, failed.

Director Emery indicated that in the Maine Business Enterprise Park there is a Design Review Committee consisting of Code Enforcement, Legal and Community and Economic Development staff who review project designs. She suggested that this concept could be a way to address this. She indicated that Staff could look at this, put it into a proposal, and bring in back to the Committee to review.

4. Proposed Community Development Block Grant Budget for Upcoming Fiscal Year 2014

Jason Bird, Community and Economic Development Officer indicated that the CD Block Grant Budget approval is a multi-step process. The proposed FY 2014 Budget is basically a replication from the prior year. Mr. Bird discussed with the Committee Members the various line items as areas proposed for funding.

5. Mark Greenleaf – Carolina's Sports & Spirits

Councilor Baldacci suggested postponing this item to the May 6, 2014 Meeting and re-notifying Mr. Greenleaf who was not present.

Jeremy Martin, Code Enforcement Officer discussed the memo that was forwarded to the Committee. He indicated that Mr. Greenleaf would like to open an outside patio. In order for him to do so quickly, he will need to go through the Planning Board for approval. He indicated that he would ask Mr. Greenleaf to come in to City Hall and meet with staff.

Mr. Martin also indicated that there are certain things that Staff could do by amending the Land Development Code to make things easier for applicants in this process and the proposed changes will come back to the Committee for review. He indicated that staff is working on an ordinance change to allow more to received approvals through Staff for these types of applications rather than going to the Planning Board for approval.

Director Emery said that it would be more expeditious for Mr. Greenleaf to go through the process of receiving Planning Board approval than waiting for an Ordinance amendment approval.

No action was taken by the Committee on this item.

6. Executive Session – Economic Development – MBEP Option Agreement – 1 M.R.S.A. § 405(6)(C)

Councilor Nealley moved to enter Executive Session under 1 M.R.S.A. § 405(6)(C) at 6:18 p.m. Councilor Baldacci seconded the motion. All in favor, motion carried.

Councilor Plourde moved to exit Executive Session. Executive Session ended at 6:35 p.m.

7. Committee Action on Above Item

No action was taken.

8. Executive Session – Economic Development – Lease Negotiations – 1 M.R.S.A. § 405(6)(C)

Councilor Baldacci moved to enter Executive Session under 1 M.R.S.A. § 405(6)(C) at 6:36 p.m. Councilor Nealley seconded the motion. All in favor, motion carried.

Councilor Gallant moved to exit Executive Session. Executive Session ended at 6:48 p.m.

9. Committee Action on Above Item

No action was taken on this item.

The meeting was adjourned at 6:48 p.m.