

COMMITTEE ON PUBLIC SAFETY, HEALTH & TRAFFIC

April 5, 2022 at 5:45 PM

Chairman Barry called the meeting to order.

The Clerk called the roll.

Present: Aldermen Barry, Long, Stewart, George-Kelly, Sharonov

Messrs.: J. Nazaka, L. LaFreniere, D. Boutilier, A. Aldenberg

1. The Traffic Division has submitted an agenda which needs to be addressed:
NO PARKING BUS STOP
On South Elm Street, east side, from a point 145 feet south of Baker Street to a point 40 feet further south
Alderman Burkush
NO PARKING ANYTIME
On Somerville Street, north side, 120 feet west of Lincoln Street to a point 160 feet further west
Alderman Heath
NO PARKING MONDAY-FRIDAY
On Somerville Street, north side, from Lincoln Street to a point 120 feet west
Alderman Heath
RESCIND NO PARKING MONDAY-FRIDAY
On Somerville Street, north side, from Lincoln Street to a point 218 feet west (ORD 9762)
Alderman Heath
CROSSWALK
On South Beech Street at Beech Hill Avenue, south side
Alderman Burkush

*On motion of **Alderman Long**, duly seconded by **Alderman Stewart**, it was voted to approve the Traffic Division agenda.*

2. Communication from Peter Telge, Stark Mill Brewery, requesting permission to place tables on the city green space adjacent to their property and use the public parking lot on the west side under the Amoskeag Bridge every Monday through Saturday from 11 a.m. to 10 p.m. and Sunday from 11 a.m. to 6 p.m. through October 30, 2022.

*On motion of **Alderman Long**, duly seconded by **Alderman Sharonov**, it was voted to approve subject to approval of the Expanded Street Seating Program.*

3. Communication from Chaz Newton, Solid Waste and Environmental Programs Manager, requesting approval of an ordinance amendment regarding throwing or putting snow in the streets.

Mike Intranuovo, Clerk, noted that we received a revision to the ordinance amendment that was handed out to the committee members.

*On motion of **Alderman Long**, duly seconded by **Alderman Stewart**, it was voted to approve the amended ordinance amendment and refer it to the Committee on Bills on Second Reading for technical review.*

4. Communication from Fuss & O'Neill, on behalf of the Elliot Hospital, requesting permission to install Rectangular Rapid Flashing Beacons at the existing crosswalk at the corner of Auburn and Canton Streets, and authorization for the Public Works Director to enter into a maintenance agreement with Solution Health (Elliot).

***Alderman George-Kelly** moved to approve the request. **Alderman Long** duly seconded the motion.*

Alderman Long asked if there was a maintenance agreement.

Alderman George-Kelly responded yes.

***Chairman Barry** called for a vote. There being none opposed, the motion carried.*

5. Communication from Fuss & O'Neill requesting approval for the following in reference to the W. Auburn and Depot Street development projects:
 1. Temporary Depot Street Closure for demolition.
 2. Temporary City Lot Closure (Tax Map 930, Lot 6) for temporary contractor parking and material storage.
 3. Dedicated Loading Spaces and Conversion of Depot Street Parking Permit Enforcement Time from 8 PM to 6 PM.

*On motion of **Alderman Long**, duly seconded by **Alderman Sharonov**, it was voted to table the request.*

6. Traffic ordinances related to W. Auburn & Depot Street projects:
 - NO PARKING ANYTIME**
On Depot Street, south side, from Canal Street to a point 35 feet east
Alderman Long
 - NO PARKING LOADING ZONE**
On Depot Street, south side, from a point 35 feet west of Canal Street to a point 45 feet further east
Alderman Long
 - NO PARKING LOADING ZONE 7 AM-3:30 PM, MON-SAT**
On Depot Street, north side, from a point 20 feet west of Hampshire Lane to a point 25 feet further west
Alderman Long
 - METERS- 10 HOURS 8 AM-6 PM, MON-FRI**
On Depot Street, north side, Elm Street to Hampshire Lane
On Depot Street, north side, from a point 45 feet west of Hampshire Lane to Canal Street
On Depot Street, south side, from Elm Street to a point 162 feet east of Canal Street
Alderman Long

RESCIND METERS- 10 HOURS 8 AM-10 PM, MON-SAT

On Depot Street from Elm Street to Canal Street, both sides (ORD 8256)

Alderman Long

RESCIND METERS- 10 HOURS 8 AM-8 PM, MON-FRI

On Depot Street, north side, Elm Street to Hampshire Lane (ORD 8397)

Alderman Long

RESCIND METERS- 10 HOURS

On Depot Street, north side, from a point 45 feet west of Hampshire Lane to Canal Street (ORD 8398)

Alderman Long

RESCIND NO PARKING LOADING ZONE 7 AM-3:30 PM MON-SAT

On Depot Street, north side, from Hampshire Lane to a point 20 feet west (ORD 8389)

Alderman Long

*On motion of **Alderman Long**, duly seconded by **Alderman Sharonov**, it was voted to table.*

7. Communication from Jodie Nazaka, Economic Development Director, requesting that the Expanded Street Seating Program be extended for another year from May 1 through October 31, 2022.

Alderman Long stated so we are looking to charge for the parking spots. However, the CEAG fund, is this eligible for them to apply to pay for that?

Jodie Nazaka, Economic Development Director, replied correct.

Alderman Long asked initially they have to put the money forward.

Ms. Nazaka responded 25%. So \$2,500 has to be an in-kind match up front. Making a request for the \$10,000, the applicant has to demonstrate that they can put in a 25% match, which would be \$2,500 that they would be contributing as up-front costs.

Alderman Long asked with respect to the street seating program, what is that cost.

Ms. Nazaka stated per space for the expanded street seating program is proposed at \$420 per space. That was after some discussion with Denise in Parking and also looking at some comparable communities like Portsmouth and Portland, Maine. I also looked into Nashua but it looks like Nashua hasn't moved forward with any public parking space street seating yet. It looks like that's pending. When you compare it to Portsmouth, Portsmouth is actually charging \$1,500 per parking space. Portland, Maine is more comparable to what we're proposing. They are based on a square footage assessment fee. It's an \$84 flat fee and then \$2 to \$6.30 depending on where you are per square foot. That's an average of between \$400 and \$484 per space in Portland, Maine.

Alderman Long stated so any restaurant in Manchester that wants street expansion, it's \$420 for this season.

Ms. Nazaka responded that's what we're proposing.

Alderman Long asked per parking space.

Ms. Nazaka replied yes, per parking space.

Alderman Long asked and CEAG money qualifies for this.

Ms. Nazaka stated the Community Event and Activation Grant does qualify for public parklets or activating a public parking space. We're encouraging them to submit for the grants to in a sense beautify the public parking space instead of just utilizing the jersey barriers that were previously put out. Maybe investing in a little bit more of an elevated platform or some plantings or amenities that make it a little more inviting to the public. Those do qualify under the Community Event and Activation Grant.

Alderman Long stated my concern is if the CEAG money qualifies, which it does, and that is at a 25% match, when you are given \$10,000...is it 20% or 25%?

Ms. Nazaka stated I believe it is 25%.

Alderman Long stated so you have to put up the \$2,000.

Ms. Nazaka stated you have to demonstrate the ability to contribute 25% in-kind match. The in-kind match can be volunteer hours depending on the type of grant that they're proposing, but for this type of grant if it's for expanded seating into parking spaces the best type of in-kind match would be funds.

Alderman Long stated I'm wondering if there could be some quicker way of getting this done other than applying for the CEAG. I get that we are not as bad as other cities but I would prefer not to have any of this. I get that parking revenue is down and this is a part of recovering that revenue, which is minimal according to what it is down. The CEAG is ARPA funding, so I don't know if there is a way we could get the applications quicker to the businesses that want to do this.

Ms. Nazaka stated for that I would probably defer to Leon. For a little bit of background on how this dollar amount came up, obviously we took into consideration that the last two years this was offered for no cost to businesses that were willing to participate and that was an effort to help our small businesses and our downtown community and even businesses throughout the city on private property expand into the parking lots as they were trying to deal with the stay at home order and social distancing. That was key in the success of a lot of those businesses for the last two years. Now that the stay at home order has been lifted and dining is back at 100% capacity, there is no logical way that we could justify offering it for free. Expanding onto public property in other communities like I had mentioned, is now being assessed a little more carefully than it has been in the past. As I mentioned, Nashua is pending their approval of this being expanded into their public right-of-way. Portland went ahead and extended theirs back in October of last year through June. My assumption is maybe in June they will be

reevaluating it. Keeping us consistent with other communities, I would like for it to be free, but through discussions with other departments there was no justification for it.

Alderman Long stated my understanding is there is no match for the CEAG. My concern is, and I've spoken to other aldermen, that they really want the community activation to absorb some of this funding. If we were able to expedite that for these businesses just for the expanded seating...because if I'm a restaurant and I have to fill out an application and I'm asking for \$10,000 why not, right? I'll use that money. If there was an expedited process, let's say I have four parking spots, then I will just go after the cost to cover that.

Ms. Nazaka stated I think the point is for it to pay for the beautification so that it matches. There are examples in your packet of other communities in New England that have done outdoor seating in a much more aesthetically pleasing way that builds up the community rather than just putting out jersey barriers and painting them. The Peter Telge request is a little bit unique. Through correspondence with some of the downtown businesses, most of them will not be seeking expanded outdoor seating because most of them have full capacity inside and their kitchens can't withstand doing inside, sidewalk, and the expanded parking areas. These businesses are still interested in maintaining their sidewalk seating but they don't have the capacity to expand into the street. We'll be seeing much less this year than we have in the last two years. One example is the Bookery. I think they had four spaces in previous years and they will now be going down to two. We won't see massive requests quite as similar to what Peter Telge is requesting down in the millyard. That is definitely unique when it comes to expanded seating.

Chairman Barry asked other than Peter Telge, has anyone else requested the same to have outside seating to take away parking spaces.

Ms. Nazaka stated through correspondence with some restaurants downtown, we know there is interest from some of the downtown restaurants. Other than Peter Telge, I have not seen any large scale request come through my office.

Chairman Barry asked who is responsible, in this case, if we approved Mr. Telge's request contingent upon what we decide with the parking and what we're going to charge. Who would be responsible to notify these businesses that they're going to be charged and that there is another avenue that they can take to request the \$10,000 funding that goes with it. Also, the \$2,500 you're talking about is that refundable?

Ms. Nazaka stated for the in-kind match, I'm going to defer to Leon with any questions for the Community Events and Activation Grant. I don't believe it is refundable. I think it is to prove or demonstrate a fiscal responsibility from whomever is submitting the application.

Chairman Barry stated so in actuality they'd be getting \$7,500.

Ms. Nazaka stated that is my understanding but I'm not certain that is accurate.

Chairman Barry asked is that correct Leon that the businesses, if they apply for \$10,000, that they have to show good faith with \$2,500 so in actuality they would be getting for their business \$7,500 because they already kicked in \$2,500.

Leon LaFreniere, Planning Director, replied technically yes. That's for the Community Event and Activation Grant. With the Small Business Assistance Grants, there is no match per say, and those are for \$10,000.

Chairman Barry stated I'm fine with it as long as the city or someone from the city responds to each and every business that requests this and can tell them that there's another avenue that they can go through to cut their cost down.

Ms. Nazaka stated in previous years this was coordinated through the City Clerk's Office through the encumbrance permit, so we'll work in partnership with the City Clerk to notify the businesses and work it through. It will be the same application process to expand the encumbrance. I think Denise is in the audience too, and the number we spoke about was more so factoring for the Elm Street area and off-street parking spaces and the value of those. I don't know if the Board wants to entertain a different amount for millyard spaces.

Chairman Barry stated I spoke with Alderman Long about it because that's one of our concerns. If it's a different value down at Arms Park for parking spaces, all we have to do is go through Denise and calculate what those costs would be compared to the costs downtown which would be different. We're all in agreement that it's not going to be uniform where one size fits all. It could be more downtown than it is at Arms Park.

Ms. Nazaka stated that's certainly an option. What Denise and I did when we were discussing this is we took an average of the two numbers. The low value of the cost of a space is \$58 and the high value is \$80 so we split it in the middle and that's how we came up with the cost of \$420.

Alderman Sharonov asked Denise, the \$420 per space for the six-month season is that about the average amount that a parking space generates. Will the city recoup 100% of the revenue?

Denise Boutilier, Parking Director, stated a parking space generates about \$10 a day. If we used that number, it seems like we would be charging the business quite a bit of money over the course of a month and six months. The other option was going with the monthly rate of a parking permit and those range from \$55 to \$85. That's what Jodie was referring to. We took an average of those monthly rates and came up with a cost of the space. The other option that we have is we can charge them \$20 a day for a paid display permit which we do for construction vehicles. The amount is exorbitant. We're not trying to gouge the businesses; we just feel there needs to be a fee now with the Board's approval. The \$420 over six months seemed pretty reasonable.

Alderman Sharonov stated I agree. Even though the city is set to lose a little bit of money, this is still a reasonable amount of money for the six months.

Alderman Stewart stated I want to agree that I think it is a reasonable amount, too. It's public property, it's a public good meant for everyone. I can certainly understand the last few years doing what we did given the extraordinary circumstances and reduced capacity in restaurants. The circumstances now are not where we were pre-Covid with regard to capacity issues. I think giving it away is not good for city taxpayers or anyone else who would basically be subsidizing this. This is certainly a way to still help the downtown restaurants and having them pay less than they would otherwise. You mentioned the sidewalk encumbrance permits. Is that something they pay for as well to utilize what otherwise would be public space for their business? I think this makes sense.

Alderman Sharonov moved to approve the *Expanded Street Seating Program in the downtown from May 1 through October 31, 2022*. **Alderman Stewart** duly seconded the motion. Chairman Barry called for a vote. The motion carried with Alderman Long being duly recorded in opposition.

8. Traffic Signal Analysis for Mammoth Road and Smyth Road/Wellington Terrace submitted by the Department of Public Works, Traffic Division.
(Note: For informational purposes only; no action is required.)
9. Special events update from the Police Department, if available.

Allen Aldenberg, Police Chief, stated for upcoming special events, on April 30 we have the Reach for Hope 5K at Northeast Delta Dental Stadium. The Taco Tour is on May 5. That one has some hard road closures and several police details. On May 7 is the 10-Miler at Arms Park and that will come with many police details as well.

Alderman Long stated Chief, I want to thank you. I know during the St. Patrick's Day Parade there were days in a row that had races and Canal Street wasn't shut down. I know I had brought that up over a year ago because on Canal Street by Wall Street Towers, they can't get out for the weekend if there are multiple races and that's shut down. So I just want to thank you for keeping that in mind. When I looked at the race routes, Canal Street wasn't shut down and I appreciate that.

Chief Aldenberg stated I appreciate it. Credit goes to the Traffic Unit. We've learned many painful lessons and we are still learning.

*There being no further business, on motion of **Alderman Stewart**, duly seconded by **Alderman Sharonov**, it was voted to adjourn.*

A True Record. Attest.



Clerk of Committee