

VENDOR COMMITTEE MEETING

Monday, April 13, 2009 – 3:00 p.m.

Conference Room A

I. Call to Order

Assistant Mayor Blalock called the meeting to order at 3:00 p.m.

II. Attendance and Introductions

Committee Members: Assistant Mayor Blalock, Michael Magnant, Police Chief; Steve Griswold, Deputy Fire Chief; Kim McNamara, Health Inspector; Jason Page, Code Enforcement Officer; Lea Aeschliman, Trustees of Trust Representative; Suzanne Woodland, Assistant City Attorney, and Kelli L. Barnaby, City Clerk

Others Present: Dylan Long, Vendor

III. Review of Map for Available Vending Space

Health Officer McNamara reviewed the map and advised the Committee that based on requirements outlined within the ordinance there are only 7 to 8 spaces remaining for use by vendors. She informed the Committee that private property and mobile/canteen trucks will not be affected by these changes. She discussed how the number was arrived at with a review of current ordinances and the CBD and Prescott Park area for spaces left available for carts, base on 52" or smaller carts. Sidewalks less than 7.33 feet were eliminated based on 52" carts.

The following areas were eliminated, per ordinance/ADA:

- 50' from POA permits
- 10' from driveways
- 30' from Fire Station
- Eliminated areas surrounding North Church
- Prescott Park Restrictions plus sidewalk width requirement ended up eliminating all areas in front of Prescott Park. (Based on the City GIS system.)
- Carts must leave a 3-foot passage for pedestrians and wheel chairs
- Carts must be 3-feet away from structures, per Fire Department.

Code Enforcement Officer Page spoke to the two vendors currently located in the Prescott Park area. Health Officer McNamara said the vendors on Prescott Park property would need permission from the park for use of the area.

Further discussion followed relative to additional eliminated areas that were affected by the following:

- Places next to parking spaces if the opening of doors and discharging of passengers overlapped necessary areas for minimum clearance for carts.
- Sidewalk ramps for handicap access.
- Uneven surfaces which would create grease containment, hand sink function, and overall safety issues.
- Areas where flowerbeds, street lights, and street equipment took up space and had not been reflected on the GIS map.
- Areas with little to no foot traffic.
- Areas where general safety would be affected (blocking views at busy intersection, pedestrian traffic across busy intersections without appropriate sidewalks, etc.)

Code Enforcement Officer Page reviewed for property lines and three spaces were eliminated that appeared to be City property but were actually privately owned (TD Banknorth and Bank of America).

IV. Cart Size Limitations for Vending Areas

Discussion followed regarding the size of carts and Code Enforcement Officer Page recommended the size of carts not exceed 52" wide and 48 inches long.

V. Phase-Out Size Concerns

Health Officer McNamara informed the Committee that the phasing out with size concerns has been addressed since the preparation of the agenda. Therefore, discussion is not required.

VI. First-Come, First Serve or other Methods of Permitting

Assistant City Attorney Woodland said some thought has taken place on where we want to go for licensing this season and moving forward. She said that a review of other communities' ordinances has been done and many communities rely on State requirements. She spoke to a lottery system that is used by some communities and such an overhaul to our system would take some time. She said it is advisable to recommend the City Council adopt a policy which will help vendors, the City Council and staff. Vendors would remain first come, first serve and we can add requirements relative to size later along with the creation of a lottery system.

VII. Discussion/Questions

Health Officer McNamara spoke regarding a ratio between the number of food and non-food vendors.

Assistant City Attorney Woodland said we also need to address special events and how vendors will be handled. She said a policy will be used as a tool for communication but you cannot limit the number of permits until an ordinance amendment takes place.

Assistant Mayor Blalock said that he feels the Committee has agreed that the number of acceptable vending spaces would be 7 based on the map and information provided relative to existing regulations contained in the ordinance. He recommended that a diagram of the acceptable sites should be part of the permitting process as well as the information relative to the established size requirements.

The Committee agreed that one of the 7 vendor locations would be in the Vaughan Mall at the end near the Cabot House store.

City Clerk Barnaby inquired as to whether the policy would include the issue of vendors being allowed to park in parking spaces. Assistant City Attorney Woodland said that the Committee should make a formal recommendation to the Traffic & Safety Committee dealing with this matter and then it would be brought forward to the City Council through the acceptance of the Traffic & Safety Committee action sheet and minutes.

Assistant Mayor Blalock said that the proposed policy needs to provide a recommendation from the Committee on the ratio of food and non-food vendors.

The Vendor Committee agreed to hold its next meeting on Monday, May 4th at 3:00 p.m. in Conference Room A.

VIII. Adjournment

At 4:05 p.m., Assistant Mayor Blalock closed the meeting.

Respectfully submitted by:

Kelli L. Barnaby, CMC/CNHMC
City Clerk