

COMMITTEE ON PUBLIC SAFETY, HEALTH AND TRAFFIC

June 14, 2010

5:00 PM

Chairman Roy called the meeting to order.

The Clerk called the roll.

Present: Aldermen Roy, Osborne, Long, Ouellette, Shaw

Messrs: B. Sanders, B. Stanley, T. Arnold, L. LaFreniere, K. Sheppard

Chairman Roy addressed item 3 of the agenda:

3. Communication from Richard Boisvert, St. George Greek Orthodox Cathedral Board of Directors, requesting "No Parking" signs be placed temporarily on the following streets for Glendi 2010:

On Amherst Street, south side, from Highland Street to Kenney Street
On Central Street, south side, from Kenney Street westerly to 605 Central Street
On Kenney Street, east side, from Lake Avenue to Amherst Street
On Laurel Street, south side, from Kenney Street, easterly and westerly to the dead ends
On Merrimack Street, north side, from Hanover Street to Cass Street

On motion of Alderman Osborne, duly seconded by Alderman Long, it was voted to approve this item.

TABLED ITEMS

4. Communication from Bill Sanders, Finance Officer, submitting a proposed contract between E & R Cleaners and the City providing for the lease of a parking lot on Lake Avenue for a period of five years.
(Note: A copy of the parking lot layout plan and required ordinance amendments are also included within the attached documentation. Tabled 6/7/10.)

On motion of Alderman Long, duly seconded by Alderman Shaw, it was voted to remove this item from the table.

On motion of Alderman Long, duly seconded by Alderman Ouellette, it was voted to discuss this item.

Chairman Roy asked Mr. Sanders, what can you tell us about this?

Mr. William Sanders, Finance Officer, replied just referencing the cover letter that we had sent on 4-1 of your agenda material, we are bringing forward a proposed contract between E & R Cleaners and the City, which in general provides for the City's lease of a parking lot on Lake Avenue for a period of five years. The agreement provides for a \$50,000 annual base rental paid by the City to E & R Cleaners and recovery of the City's operating expenses. Any net profit after the rental has been paid and the City's operating expenses have been recovered will be split 75% to the City and 25% to E & R Cleaners. There is, on page 4-11, a financial projection of what Brandy Stanley, the Parking Manager, has developed relative to what our expectations might be regarding this lease. You can see a layout of the revenues from the different categories, special events, transient, monthly parking, that sort of thing, and then the expenses of the City down below. The very bottom line is the net operating income to the City that we would expect based on these projections and the first year, as you can see, would be about \$11,200 to the City of incremental revenue and in the second year \$32,000 and \$40,000 in the third year, \$40,000 in the fourth year and then \$41,000 in the fifth year. The proposed contract is also attached. There would be a revenue sharing change once receipts exceed \$120,000. As you will see on page 4-3, the sharing percentage goes from 75-25 in the City's favor to 50-50 for that portion over the \$120,000. The responsibility for the clearing of the lot would be that of the landlord. The City will execute, as part of this agreement, a \$1 fee that we will pay to him to prepare the parking lot for our lease. The expectation would be that this parking lot would be available for use probably by the beginning of September, somewhere in that timeframe, certainly by the time of the Chili Cook Off in October, which due to the location of this lot could be a significant plus for us. Ms. Stanley is obviously here with me to answer any questions that you may have.

Alderman Long asked Bill, if our gross receipts in year one are \$77,349 then there would be no split?

Mr. Sanders replied in the first year that would be true because the base rental would be \$50,000. We would recover our operating expenses of about \$17,000 and then there is a \$10,000 start up expense that we are going to incur when we put meters in the lot. That is correct, Alderman. We would not lose any money, but we would not make any money.

Alderman Long asked what data did we use to come up with the special event, \$54,000 in year one on page 4-11?

Ms. Brandy Stanley, Parking Manager, replied the \$54,000 is based on what is actually being generated by the existing parking spaces as well as our projection based on adding 35 spaces to the available inventory on that site.

Alderman Long asked so currently E & R is collecting \$54,000 a year?

Ms. Stanley replied no, they are collecting a little less than that because we don't have the benefit of the additional 35 spaces that this would provide.

Alderman Long stated throughout this contract there are different references to terminating the lease. On 4-3, number three, it says ten day notice for termination; on four there is a 30 day notice of termination from the tenant, which would be the City; and then there was another one somewhere, another 30 day. There were three references; two of them were 30 days and one was ten days. Is there an explanation why in the use portion of this paragraph there is a ten day termination on 4-3, number three, paragraph three?

Ms. Stanley asked what section of the lease was that?

Alderman Long replied that was on 4-3, number three. Is that just at the end of the lease?

Ms. Stanley replied no, that particular section gives us the right to terminate in ten days if we are unable by reason of injunction or other interference to the premises for parking motor vehicles. If something happened to the parking lot so it could not be used, we would have the right to terminate with ten days notice.

Alderman Long asked but for another other reason, if we aren't bringing in the revenue we anticipated, we have 30 days? We can give notice in 30 days? We go to this contract in a year and a half and we are realizing that we are not bringing in the revenue that was projected and it is costing us, we can terminate in 30 days, give 30 day notice for termination? Is that how I read that, number four, term?

Ms. Stanley asked again, can you tell me what section?

Alderman Long replied it is 4-3, section four.

Ms. Stanley stated that gives us the right to terminate if the landlord does not deliver the parking lot on the agreed upon date. In other words, if for some reason the parking lot did not get built...

Alderman Long interjected there was a third termination. If the landlord has 120 days to terminate, my question is if a year and a half goes by and we're not bringing in the revenue that we were projecting and it is costing the Parking Division to operate, could we terminate?

Ms. Stanley replied not the way the lease is written currently. We can terminate with 30 days notice upon a breach of contract, either party can terminate, but there is no provision in there to terminate with 30-day notice.

Alderman Long asked so we are bound to the five years?

Ms. Stanley replied yes.

Mr. Sanders stated I believe that Mr. LaFreniere would probably like to make a couple of comments.

Chairman Roy stated I have a question for legal if I could. There is a moratorium in that area so that if I had a property down there I couldn't...the arena overlay, thank you. If I had a property in that area I couldn't raze it and make a parking lot. Is that correct?

Mr. Tom Arnold, Deputy City Solicitor, replied that's correct.

Chairman Roy asked so is this legal for us to be doing this?

Mr. Arnold replied yes. Since the City is going to be leasing and running the parking lot, the City itself is exempt from zoning and planning requirements, so yes, it is legal for the City to do.

Chairman Roy asked Mr. LaFreniere, did you have anything to add?

Mr. Leon LaFreniere, Director of Planning and Community Development, replied I didn't have a specific prepared comments. I was just prepared to respond to any questions the Board might have. As the Committee may know, a similar proposal was brought forward in 2007 and at that time, my predecessor, Mr. McKenzie, did indicate concern regarding proposals because of the overlay district provisions and the fact that this proposal, at least on the surface, could be interpreted as being contrary to the spirit and intent of the district requirements. As the current planning director, I feel that position is still valid. As the administrator of the zoning ordinance both then and now, I remain somewhat concerned that the apparent inconsistency of this proposal, with regard to what rights it would seem to convey through construction of the agreement versus the rights that are not

available to other private property owners in the district could be considered an inconsistency, if you will, with regard to public policy. In the end, it obviously represents a policy decision that must be made by the Board and we'll carry out whatever decision is made. I only raise these concerns because I would suggest that if we move in this direction, it may be appropriate for the Board to reconsider these prohibitions that exist in the district. The change in policy that this could be interpreted to represent could potentially make it more difficult for the Zoning Board to deny requests from private property owners who came in with similar proposals because of the fact that this would not be a permitted use for a private property owner. If it is determined that this should move forward, this is the one area that I would like to make a statement, that we are concerned about the design of the proposal. The original design, as I saw, did have a pass through in the center and I believe that was changed to accommodate more parking within the parking field as it was laid out. But specifically, with regard to safety, to have parking spaces that have to back out into the same area where there are going to be a lot of turning movements of cars entering and exiting the site, we feel would be a potentially unsafe situation and would suggest that that area itself be looked at as this moves forward.

Chairman Roy asked so you are suggesting that the parking plan itself, if it moves forward, should be approved by your office?

Mr. LaFreniere replied I'm not suggesting that specifically. As the plan is proposed, it does not conform to the zoning ordinance requirements with use, but also with the internal configuration. The City is certainly able to exempt itself from those requirements. The one area I feel that there should be some consideration given to is a safety concern with regard to how that is configured and that is where those spaces would be backing out into the entryway. That is the only area that I think warrants some additional consideration.

Chairman Roy asked do you have a suggestion of how we would do that?

Mr. LaFreniere replied I think the original design was successful in eliminating that hazard. I do, understand that it was eliminated so you could have the additional parking spaces. I would suggest that perhaps instead of double loading the area where that pass through was, maybe only loading it with parking spaces on the backside and making a wider aisle immediately opposite the entryway and that would serve to eliminate some of that conflict. It would result in the elimination of five or six parking spaces.

Chairman Roy stated there are five parking spaces right there in front of the entrance. Those are the ones that you are concerned about?

Mr. LaFreniere replied those are the ones that I'm concerned about.

Alderman Long asked are there going to be kiosks in this parking lot?

Ms. Stanley replied yes, we are proposing to install one parking kiosk.

Alderman Long asked with respect to the repair and maintenance, the City is responsible for any damages we cause, of course, but initially, are we striping it or is the landlord striping it?

Ms. Stanley replied the striping would be considered part of the paving, the lot development. Thereafter, the City would be responsible for regular maintenance which would be restriping on an annual basis. All repairs of capital expense that are capital in nature would be the responsibility of the landlord.

Alderman Long stated so initially it is delivered to the City, striped, paved and we just add a kiosk.

Ms. Stanley stated that's correct.

Alderman Long asked and then snow plowing the City will do and restriping if need be?

Ms. Stanley replied yes.

Alderman Ouellette stated I guess a lot of these questions are going to be for my own clarification. I'm looking at the map that is on page 4-10. It shows in dark outline, I guess, the property.

Ms. Stanley stated it shows the leased premises; it does not show the property because the property includes the building on Central Street directly to the west of the parking lot.

Alderman Ouellette asked on Central Street, in between Central Street and Litchfield Lane, where it is beside the proposed lot, what is there now, nothing?

Ms. Stanley replied no, there are 37 parking spaces that exist currently.

Alderman Ouellette asked and who controls that? Who owns that property?

Ms. Stanley replied it is also owned by E & R Cleaners. Under this lease it would be controlled by the City.

Alderman Ouellette asked and this land that is in question is owned by E & R Cleaners, where the parking spaces are, the 134?

Ms. Stanley replied correct.

Alderman Ouellette asked and they are going to lease those to the City?

Ms. Stanley replied yes.

Alderman Ouellette asked and we are basically going to get the revenues from that? In terms of an event evening, don't they charge for parking in that lot?

Ms. Stanley replied they do now, yes.

Alderman Ouellette asked they are going to give that up?

Ms. Stanley replied yes, because this proposal will allow an extra 35 spaces to be built, which will generate a commensurate amount of extra revenue than what is being generated currently.

Alderman Ouellette asked for them?

Ms. Stanley replied for the parking lot as a whole.

Mr. Sanders stated there is a split in the revenue, Alderman, if I could interrupt, where the City would get 75% of the revenue and E & R Cleaners would get 25% of the net profit and there would be a \$50,000 annual rental paid by the City to E & R Cleaners so it is better for them.

Alderman Ouellette asked so the parking spaces that are around the arena in the zone, we only get \$1 for those spaces?

Ms. Stanley responded on the street, yes.

Alderman Ouellette asked what about City owned lots?

Ms. Stanley replied City owned parking lots are anywhere from \$6 to \$10 for events.

Alderman Ouellette asked and who gets that revenue?

Ms. Stanley replied the City does, the Parking Division.

Alderman Ouellette asked who collects that money, people from your office?

Ms. Stanley replied yes, my staff.

Alderman Ouellette asked so you are going to staff that for events as well?

Ms. Stanley replied correct.

Alderman Ouellette asked how much are you going to charge per space?

Ms. Stanley replied the traffic ordinance that is attached allows us to set the rate at anywhere from \$10 to \$15 depending on what the amount is.

Alderman Ouellette asked what is the amount now that they are getting?

Ms. Stanley replied I believe between \$10 and \$15.

Alderman Ouellette stated you don't know off the top of your head?

Ms. Stanley replied \$10.

Alderman Ouellette asked so this Litchfield Lane will continue to exist or is that going?

Ms. Stanley replied Litchfield Lane continues to exist. However, a portion of it has already been discontinued and is owned by E & R Cleaners and I'll defer to Mr. LaFreniere, but I believe they can't build anything across that; it has to remain open.

Alderman Ouellette asked as of right now, is this blocked off with two dead ends on both sides of Litchfield Lane or can a car go all the way through?

Ms. Stanley replied cars can go all the way through.

Alderman Ouellette asked and that will continue to exist?

Ms. Stanley replied yes.

Alderman Ouellette asked so these parking spaces that abut Litchfield Lane will have to deal with traffic that may just be buzzing through?

Ms. Stanley replied they may.

Alderman Ouellette stated thank you. That clarifies things a little bit for me.

Alderman Long asked so currently E & R has the spaces to park 99 cars?

Ms. Stanley replied correct.

Alderman Long asked and they are collecting revenue for the 99 cars right now?

Ms. Stanley replied yes, they are.

Alderman Long asked do we know how many cars they park there during events?

Ms. Stanley replied yes, I do actually. I have the actual numbers that they submitted to me upon which I used to base the revenue figures.

Alderman Long asked what is the average that we are filling up the 99 parking spots?

Ms. Stanley replied the 99 spots don't get filled up a whole lot. It depends on whether or not there is a big concert. Again, the occupancy levels go up or down depending on the type of event at the arena. We did not project 100% occupancy for any but a few of the events based on what is already happening there.

Alderman Osborne asked what are the present real estate taxes on that property right now as it stands?

Mr. Sanders replied I don't know, Alderman. I believe we would have to get that for you. I don't have that.

Alderman Osborne asked approximately? You don't have any idea?

Mr. Sanders replied I do not.

Chairman Roy asked does anybody know that answer with the taxes?

Mr. Kevin Sheppard, Public Works Director, replied there are two properties approximately \$25,000...

Alderman Long interjected and the assessment would be higher for this use or would the value stay the same?

Mr. Sanders replied I expect that it would stay pretty much the same. I'm not the Assessor, but there is not a building being put up there and certainly the revenue generation is being improved, but I don't think it would appreciably change.

Alderman Long stated this is a piece of property that I'm sure in the future they are looking to develop. Currently, it just sits there. They have 99 spaces now; we are adding another 35. It is an opportunity for the City. It isn't a permanent fix, obviously, but it is an opportunity for the City to create some parking, which is needed on the Pine Street lot and also at the venues. It is clear in the contract that once this agreement terminates, the owner would have to go for a variance because he would be in the arena overlay district and would not be allowed to tear down and add new parking. I'm supporting this because I am of the opinion that it is looking to be developed. It isn't going to remain a parking lot forever, whether the City has it or not and as far as when the lease terminates, I would aggressively want to promote the development of this property rather than have it remain as a parking lot. That is covered in the lease. The bottom line is that there are plenty of businesses around there making money parking vehicles, it is an opportunity for the City to bring in some revenue, and it is parking that is needed during the business days and during events. I'm supportive of this process moving forward.

Chairman Roy stated I agree that it is a short term solution to a long term problem. We have parking issues and we need to work on getting some more parking. Question for legal, if I may...Is this going to create an issue in any way going forward about enforcing that zoning and that overlay by us disregarding what everyone else has to do?

Mr. Sanders replied no, I don't believe it will.

Alderman Long asked the 99 spaces now are currently in compliance?

Chairman Roy replied yes, they were there before if my memory serves me right.

Alderman Long asked wasn't there a building that came down? The 99 spots are in compliance so we are talking about an added 35 spots. I want to reiterate that the goal would be to develop this property and not to have it a long term parking lot.

Alderman Long moved to approve this item. The motion was duly seconded by Alderman Shaw.

Chairman Roy called for a vote on the motion. The motion carried, with Alderman Osborne voting in opposition.

5. **STOP SIGN:**

On Greenwood Street at President Road –NWC

Alderman Shaw

(Note: Tabled 5/3/10; A Multi-Way Stop Review is attached.)

On motion of Alderman Shaw, duly seconded by Alderman Long, it was voted to remove this item from the table.

Alderman Shaw stated when I first proposed this I was in error in asking for a single stop sign so I had it tabled. I then asked Traffic to do a study for a three way stop and the recommendation was to increase police enforcement in the area and just install the single at Greenwood Street, but I am asking the Committee to approve the three-way for a very specific reason. President Road is a highly travelled road as a cut-through from a residential area to a commercial area of South Willow Street. Traffic and speeding is a major issue. It is increasing. It is a no truck road, but it continues to have truck traffic that goes to Ryder and for some reason it is in their GPS to use President Road even though they are over 26,000 pounds. The Police have been highly involved in this. They come there on a daily basis, but they cannot be there all the time and they cannot increase their enforcement any more than they already have. I have spoken personally to the Police about this. The issue is that the traffic is going from a residential area. The eastbound traffic isn't quite as speedy and there were, on the eastbound study, at least 50 vehicles per day going in excess of 40 miles per hour from the first stop sign, pass Greenwood Street, into the commercial area and one vehicle was clocked at 64. Westbound, coming the other way from the commercial area into the residential area, the traffic travels at least halfway into President Road before they get a stop sign. The traffic count going the other way had clocked 51 vehicles going 41 to 50 miles per hour, 92 vehicles going 52 to 60, 59 vehicles going 61 to 70, one vehicle from 70 to 80 and one vehicle clocked at 85 miles per hour. I think this is a very volatile situation here. I think it is very important to stop the traffic before it enters the residential area and going the other way, stopping the traffic from picking up speed and flying through the second half of the residential area. I respectfully request that you approve the three way.

Alderman Osborne asked Alderman Shaw, what you are trying to say is that you want to keep the speed down in the residential part of that area, beyond Greenwood Street when you are getting into the commercial area? You want to protect your residents that are in that area?

Alderman Shaw replied yes, absolutely.

Alderman Osborne stated it is not going to get any better there, you know that, right?

Alderman Shaw replied I know.

Alderman Osborne stated it is going to double or triple unless they put that gate up there. I have to agree with you. I think something should be done there now, ahead of time because eventually this is going to happen anyway. That gate is going to go up or they are going to close it, one or the other. I have no problem with it.

Chairman Roy stated I will say that two years ago we adopted the Uniform Traffic Code and that is what our Traffic Division, who we pay to study this stuff and come up with these plans, looked at and none of the criteria was met for this three-way stop sign. That is why they said no and I'm going to have to agree with them because the criteria aren't met and that's our Uniform Traffic Code. I understand what you are saying, but if you are looking at the times, and with that stealth box that they have they can position police officers and they don't have to be there all day. They can be there in the morning hours when people are coming through and you can enforce it. That is what I believe.

Alderman Osborne stated all these studies and so on and so forth don't keep up with time either. Things are changing quite rapidly in that area and it is going to be even worse. By protecting who is there now...it is pretty rough on them as it stands now and has been over the years. It is going to get a lot worse. The only way that this Alderman...it is her ward...and I'll stand by that. I can see the whole situation. I was against that anyway to begin with because of the South Beech Street and Brown Avenue situation. It is bad there now. There are different studies out there. I went through all these, what you are talking about. I see no accidents, no accidents. I read all these. I read all that, but we aren't going to wait until there is one. I can see where that is straight on and where they can really pick up some speed after that first stop sign and then coming the other way it is probably worse because they don't have that first stop sign to worry about. I think it is a good thing to do in her area at the present time until they decide what they are going to do with Wal-Mart, whether they are going to put the gate there or close it completely. I say that in the future, that one street, President Road, won't have any houses on it. I think eventually that will be four way traffic running from the beltline right into the Wal-Mart area. This is the way I look at the future and that's what I like to do.

Alderman Shaw stated yes, I would like to add that I sat there one day for a couple of hours or pretty close to a couple of hours at a couple of these peak times when the traffic was the heaviest and I saw two or three vehicles, especially westbound

traffic, that nearly missed the mailbox and the front lawn of a couple of houses that are set on the southbound side, mainly because there is a curb in the road right there and going at that speed as you come westbound and where President Road curves at Greenwood Street, the traffic is almost blind as you are coming down from Greenwood and there is a tendency, as they are going fast, to slide over to that side. I know that it will be a matter of time before one of those cars goes through that house. It is 5,000 vehicles, which is short of the 6,000, but it is still close. I think it is a very important, very crucial area and it should be addressed.

Alderman Osborne moved to approve a three way stop sign at the intersection of President Road and Greenwood Street. The motion was duly seconded by Alderman Shaw.

Chairman Roy called for a vote on the motion. The motion carried, with Alderman Roy voting in opposition.

6. Communication from Mayor Gatsas requesting the Committee review the “bump out” at the intersection of Elm Street and Auburn Street.
(Note: Tabled 5/3/10; Plans for the intersection have been submitted by the Highway Department.)

On motion of Alderman Long, duly seconded by Alderman Osborne, it was voted to remove this item from the table.

On motion of Alderman Long, duly seconded by Alderman Shaw, it was voted to discuss this item.

Alderman Long stated there has been a history since that bump out started of cars keeping in the two lanes and moving over once the light turns, causing problems with respect to that one lane that is going straight. The right hand lane should be taking a right and they are cutting in on a bump out. There have been some accidents. Reportedly, someone drove over it. Even to this day there is still the issue of people going into the right lane and wanting to merge over to the left. There is a plan that I viewed at the Highway Department that shows this whole layout. I think the problem here was that 25% of that plan was done. This bump out seemed to be about 25% of the plan. Professionals certify plans when they are all done and in this case the bump out was done so I feel that not only did the City prematurely do this bump out, but I also think that there could be some liability issues if the whole certification of the plan was implemented. From what I understand, the money has been appropriated to do that through the feds. However, from what I am understanding, any appropriation through the feds is still up in the air as to reallocating the money. I’m not sure specifically with this

one, but the appropriation will be in October so you are looking at November, December once it goes through the approval if we are going to implement the whole plan that was established for the south end. You also have Market Basket coming in. They are not responsible for the street. I don't know what their plans are as far as access to the Market Basket on Gas Street.

Chairman Roy stated no, Gas Street goes all the way down to the MTA. I can't think of that street.

Alderman Long stated I don't know what their layout is going to be with respect to Auburn Street on the south side of their property. Until we implement the full plan, I don't think we should have this bump out there.

Alderman Shaw stated I agree with him in that I think where Market Basket is going in there is going to be a complete configuration of that area. Even the most well intended plans do have flaws and this one happens to have a flaw. A lot of people have been complaining about it. I'm wondering about what is going to happen with the parking. Is it going to go back to parallel parking or is it going to be head in parking further down? How is that going to work if we take this out?

Chairman Roy stated we'll have to ask Mr. Sheppard if he can come up and answer some of these questions. I just want to say that I have heard this about someone driving over that a couple of times, but I have never seen any damage to the bump out itself or the signs that are on it. I look at that with a little bit of caution. I want everyone to remember that for our last meeting, we received a letter from the merchants on the east side of Elm Street, headed up by Mr. Dupont. When this first went in they weren't too happy with it, even though they were the ones who came up with this vision when they had a charrette a couple of years ago that involved not only our Highway people, Parking, CLD, but the merchants were there too, and someone from Planning was there and they came up with this plan. At first they didn't like it. Now that it has been in there for a while, they do like it and that is what that letter said because it did exactly what it was designed to do. It slowed the traffic down. There is no more raceway from Auburn Street down to Valley Street. As soon as they got those two lanes they were racing. The other thing that I would like to say is that with DeMoulas coming in, let's not forget that the Planning Board is going to be overseeing that project when it comes in and I'm sure there are going to be traffic studies done at both of those intersections. They should be the ones responsible for redoing those intersections, not us. That is something to keep in mind. Mr. Sheppard, can you enlighten us on some of these things about the funding that is coming in and the other question that we had?

Mr. Sheppard replied it is my understanding that there is funding coming in, as the Alderman mentioned, in probably September, October for earmarked funding for

this area. We would obviously come to this Committee to see which area in the Gas Light District we would want to be spending that in. The thought was at the intersection of Auburn and Elm Streets as well as South Elm Street, but as you said, DeMoulas is coming forward. I have seen some preliminary thoughts and had talked to the engineer. I think they are looking at a preference of parallel parking on Elm Street versus angled parking on Elm Street, which is the way it was before.

Chairman Roy stated that is the way it was before. That is what you think DeMoulas is thinking of?

Mr. Sheppard replied I believe that is their though.

Chairman Roy asked would that be on both sides of Elm Street, Mr. Sheppard, or just the west side?

Mr. Sheppard replied both sides I believe.

Chairman Roy asked are there still going to be, for a lack of a better term, the pinch downs in there to make it more pedestrian friendly?

Mr. Sheppard replied probably right at the existing crosswalk there would be a bump out at that point and sometime in the future, signalized pedestrian crossing.

Chairman Roy asked if this bump out comes out, it is going to go back to the four lanes?

Mr. Sheppard replied correct.

Chairman Roy asked and we are going to stripe it for parallel parking right now to the way before so the speedway is back?

Mr. Sheppard replied we would stripe it the way it was before, correct.

Alderman Osborne asked if you left the head-in parking and got rid of the bump out, how much space is left between the center line and the rear end of one of those parked cars?

Mr. Sheppard asked can you say that again?

Alderman Osborne asked if you leave the parking the way it is now, I'm not saying it is the best way to do it, I'm just asking a question, but if we get rid of the

bump out and leave the parking exactly the way it is now, head-in, how much space is left? Is it still two lanes? There wouldn't be two lanes left would there?

Mr. Sheppard replied correct, there wouldn't be two lanes.

Alderman Osborne stated that wouldn't be too practical if you are heading south on Elm Street to run into the rear end of one of those cars, right?

Mr. Sheppard stated right. The bump out is to protect the angle parking.

Alderman Osborne stated so you have no other choice.

Mr. Sheppard stated if you want to maintain angle parking...

Alderman Osborne interjected I'm just thinking of the speed, but that isn't going to work.

Alderman Osborne moved to remove the bump out.

Chairman Roy asked has DeMoulas come forward and talked to you at all about this situation?

Mr. Sheppard replied I have had no formal discussions.

Mayor Gatsas stated there have been formal discussions with DeMoulas and their design team. Their feeling is that they are willing to post the bond for a five year period to do whatever the City wants to do in that intersection, but they feel it is imperative that before we leave bump outs in or take them out that we find out what is going to happen with the development across the street because it doesn't make very much sense to put angle parking on that side of the street and then want it on the other side of the street and then we would be configuring all over again. Their feeling is to go back to the four lanes and parallel parking on that side. They will put the bond up to make whatever changes need to be done in that area so there is a bump out or maybe a gradual design that takes it down 200 feet before the parallel parking comes in. I think it is imperative that when they are coming in they are going to change the whole complexion of that sidewalk. They are looking to make entryways that are leading down and staircases that will take people down into that parking lot and possibly an elevator so people have an opportunity to get up and down to Elm Street from down there. The direction that they are looking for us to go in is to remove the bump out, go back to four lanes, add parallel parking and see what happens across the street in the next few years and what we may want to see developed over there.

Chairman Roy asked did they say the amount of the bond?

Mayor Gatsas replied no, but I think the cost to remove what is there is about \$2,000. To put it in was about \$3,000 so I'm sure that if we were looking for a \$10,000 or \$15,000 bond to do what we needed, then that is something I'm sure they wouldn't have a problem with.

Chairman Roy asked and the mechanism to use that in the future would be...how would we trigger the use of those funds?

Mayor Gatsas replied it would be triggered if we were going to come in and the development was going to change the whole complexion down there, then certainly it would be something that they would consider such as going to the parallel parking after we would figure out what was happening across the street.

Alderman Ouellette asked Mr. Chairman, could you refresh my memory, wasn't it the City or City staff who actually proposed this to go to this bump out and angle parking situation down in that area?

Chairman Roy replied yes. They had a charrette with everybody involved, they came up with this plan and then they came to us, the last Board, towards the end of our term. Mr. Rhodes, I believe, from CLD, presented a whole plan and we passed it and said to put the bump out in. Does that answer your question?

Alderman Ouellette replied yes. I'm hearing that everyone has become familiar with it now and it has pretty much worked itself out and I remember some of the discussion was when we voted on it and I know the Mayor was an Alderman at the time and he voted against the project.

Mayor Gatsas stated correction...I voted for it until I saw what it looked like and what it was causing for a problem there. Then I asked for it to be removed. That was back in November that we got rid of it.

Alderman Ouellette stated I stand corrected then. I'm kind of reluctant to try to do something again with that intersection before we have a plan as to what it is going to look like. Are we going to continue to be changing that intersection?

Chairman Roy replied yes, from what I am hearing, it sounds like it will change for a third time. I have a problem. We spent money to put it up and now we are going to spend money to put it down. I think the developer should. I think the developer should pay for it.

Alderman Ouellette stated that would be my next question. Is the City on the hook for that money?

Chairman Roy replied we are for the \$3,000 it cost to put it up and right now in this plan, we would be for the \$2,000 to take it down.

Alderman Ouellette stated if DeMoulas wants a change I don't think they would have a problem with paying to change it. Would they?

Mayor Gatsas replied if I may, Mr. Chairman, I think their bone of contention is that we have rushed into this solution without any development across the street on the west side of Elm Street. Because someone said it was a good idea to put angled parking in, it looked like it was okay and made sense until we started seeing...the other day I happened to see a gentleman who was riding his bike and when he was coming down the lane, he had no place to go and he was pretty close to going over the top of it. People who are coming up Auburn Street to take that right onto Elm Street on a red light have a serious challenge there. Certainly just because DeMoulas is going in it is a catalyst, but I think this letter and discussions were long before this. People across the City...we keep hearing on a regular basis in this office about the bump out and when it is going to go. It is something that people are talking about, regardless of whether DeMoulas is going in or not. I think that we ought to find out first what the best plan for across the street on the west side of Elm Street is. I'm not too sure we can call it a race through, but I think coming down the other way is as much of a race through when you are heading north. Who is going to park their car and then attempt to cross that street to get to whatever businesses may be on the east side of Elm Street? It is going to be a very difficult challenge.

Chairman Roy stated I wouldn't characterize it that we rushed into it because the process that the City and the merchants when through down there with that charrette and in the plans that CLD has there are pinch downs and the narrowing of that, I'll call it a speedway, but it's not, that length of road, in several spots before it gets to Valley Street to make it pedestrian friendly. It wasn't a rushed process; it was a methodical process that took several months to come up with the plan and all the merchants were involved.

Alderman Osborne stated I go along with the Mayor when he says that we need to develop the west side of Elm Street. I think we have to let DeMoulas or whoever is going in there decide what they think is best for their businesses seeing as they are investing all that big money, whether it is Christmas Tree Shop or DeMoulas, I think they can handle it. I don't think we have to worry about it too much whether it is \$3,000 or \$2,000. I think they will handle it on their own without us asking them to.

Alderman Long asked at the last Board meeting, was the vote specifically just for this bump out or was it to approve the whole plan that the charrette had come up with?

Chairman Roy replied if I remember correctly and correct me if I am wrong, Mayor or Mr. Sheppard, it was for this bump out, knowing that it was a portion of the overall...we were working towards the overall development of that whole area, which includes narrowing of Elm Street from three lanes at Granite Street down to two and eventually down to one at Auburn Street if I'm not mistaken.

Mayor Gatsas stated I think the biggest driver of the whole picture was additional parking for the Verizon Center and additional revenue. If we could add in 40 spaces, that was one of the driving forces that was there. Certainly, I think that during a hockey game at the Verizon Center there are people there, but if you drive by during the course of the day, people cross two lanes, come back down and they are still going down there. I think it is important, whatever we do there, it must be with the understanding of what is going to happen on the east side of Elm Street. I know the merchants came in and said that they favored the charrette, but I'd take a look at what is occupied on that side of the street today. There are probably only three businesses that I can think of that are in there now. It is one block in from Auburn Street and then you have to go almost to the end until you get actual activity in one of the buildings there. I think it is important that we wait until we find out what is going to happen. I have to believe that in the next six months there is going to be some activity and development there because DeMoulas is coming in across the street and they are going to bring in an awful lot of traffic. His wish is to see the bump out go and he will put up the bond to fix it. I think we should get rid of it because people don't like it.

Alderman Long asked is the federal money a specific area?

Mr. Sheppard replied for the Gas Light District.

Alderman Long asked the bump out that you are talking about on the east side, is that Grove Street? Where the crosswalk is?

Mr. Sheppard replied correct.

Alderman Long stated just to comment, from reviewing this, there is a plan. The plan looks like it would work. What is taken out of that plan is this bump out. Now in that plan you have several areas of warning that there is a bump out. What happened was the City implemented this bump out and as far as working its way out...I go down there every day. Today I went down there and it is the same

situation. People are beeping their horns, someone is trying to cut in and there are constant issues. If I am the sixth car back, the light is turning red before I get to go because everyone is moving in. It would be nice if we did a shuffle, one for one, but it doesn't work that way. Once the first one goes, they all follow to the right. I'm the sixth car back and I have another red light by the time I get up there because the cars on the right are going down. I don't believe it has worked its way out. I think it should come out.

Alderman Shaw stated I was just going to agree with Alderman Long and second the motion from Alderman Osborne.

The motion was duly seconded by Alderman Shaw.

Alderman Ouellette asked although Alderman Long makes a good point, how long has the traffic situation been from Granite Street to Merrimack Street and it is the same situation? You have people who are in the wrong lanes and they are weaving in and out. It is not just that intersection that that is a problem. It is a problem from Granite Street up to Bridge Street as the lanes change. My question would be, is there a possibility that we could change this back to the way it was and then in two or three years go back to the bump out again? Do we know that? We don't know what the situation is or what the end result is going to be.

Mayor Gatsas stated I think that what you will find, Alderman Ouellette, is that no place else as you are coming down with the merger of two lanes to one, even when you look at Bridge Street where there are two lanes and they merge to one as you go further south, there are no bump outs anywhere along that, they just merge into a lane. This is the most drastic bump out of all of them. Even when you go from Granite Street and you are heading the other way from Granite Street to Merrimack Street, there are no bump outs; it changes to a lane. There is nothing there that is going to take someone who is trying to go down South Elm Street, like Alderman Long said, if you are number six, you are waiting a while to get into the other lane because everybody in that right lane is trying to cut across. I think that there is no question, but I think that the bump out...I shouldn't call it a bump out. I think that if you see anything, I think you are going to see a gradual tapering of an island to where the parking comes. It is not going to be as erratic as what you see at Auburn Street now. It would probably take 200 feet before you get to a single lane of traffic as you do when you come from Bridge Street.

Alderman Ouellette stated but then my follow up question was whether we knew if we were going to come back to doing this bump out in the future?

Mayor Gatsas replied I don't think you would see the bump out as you see it today. I think you would see a gradual increase of green space to the parking so

that there would be a gradual area where people would understand to merge as you see on Bridge Street. I see it every morning from Bridge Street as I am coming down that way. People go about 30 feet and then it goes into a single lane, but people are moving forward understanding that there is a single line that is coming.

Alderman Ouellette asked so if it did, we would probably just eliminate five to ten parking spaces?

Mayor Gatsas replied right. I think, again, DeMoulas is willing to put the bond up and put that \$10,000 back to whatever we need to do with that area.

Chairman Roy called for a vote on the motion to remove the bump out. There being none opposed, the motion carried.

7. Communication from Brandy Stanley, Parking Manager, requesting that public parking be allowed at the Canal Street parking lot since it is not being utilized for commuter parking to the extent anticipated.
(Note: Tabled 4/5/10)

This item remained on the table.

8. Communication from Jack Burke and Bruce Willey of the Kiwanis Club of Manchester requesting approval to repair, replace and add road signs.
(Note: Letters A and B of the communication were approved by the BMA on April 20, 2010. Letter C Add Locations, was tabled on 4/5/10, The Wayfinding Policy is attached.)

This item remained on the table.

There being no further business, on motion of Alderman Long, duly seconded by Alderman Ouellette, it was voted to adjourn.

A True Record. Attest.

Clerk of Committee