

**Church Street Marketplace District Commission**  
**Meeting Minutes, April 15, 2015**

Commissioners present: Lorre Tucker, Phil Merrick, Eli Lesser-Goldsmith, Buddy Singh, Jed Davis, Lara Allen, Jeff Nick

CSM Staff present: Ron Redmond, Becky Cassidy, Jenny Morse, Eric Stadlin

Visitors: David Melincoff (Sweetwaters), Mark Kalloz (The North Face), Robin Sutphen (New Moon)

I. COME TO ORDER

II. AGENDA

III. MINUTES

a. Tabled until next meeting.

IV. PUBLIC FORUM

a. Request from David Melincoff at Sweetwaters re: installation of metal decorative roofing on temporary enclosed outdoor café. David provided an example of the roofing material – copper colored. Planning & Zoning indicated because the semi-permanent enclosed patio structures are in the public right of way, they do not fall w/in P&Z jurisdiction –therefore this is a Marketplace Commission decision. Commission discussed genesis of the semi-permanent enclosed patios at Sweetwaters and Leunigs in the 1980s. Commission discussed on policy on what happens when other restaurants approach the commission with this request. Motion to approve installation of metal decorative roofing presented: Phil Merrick; Seconded: Lorre Tucker. Passed unanimously

b. Request from Daniel Caudle of Church and Main Restaurant re:

1) sidewalk café on Main Street sidewalk against building.

- DPW has indicated it does not want to administer outdoor cafés located on the side streets within the Marketplace District. Staff is proposing a 3 feet wide by 60 feet long café space. Commission discussed the amount of right of way to provide for safety and ease of passage for pedestrians. CSM Commission said it wants to see photos, sketches and walk the space at May meeting.

2)request for semi permanent platform in the Church and patio platform.

- semi permanent metal and wood platform that will measure 15 feet by 20 feet; no more than 2 inches thick and will have ramp access along each side; partitions surrounding the area; install May 1 and remove the platform October 1st 2015.
  - Commission’s reaction: Hesitation and not ready to approve this concept; it open up the door to lots of restaurants wanting permanent platforms. Opposed at this time but willing to continue dialogue with Church & Main and other food & beverage businesses wanting to advance this idea.
- c. Approval of signage for Keep Vermont Weird at 29 Church Street

- Motion: Phil Merrick; Second: Buddy Singh. Sign approved

V. Chair’s Reports

a. Review of FY 16 DRAFT operating budget:

|   |                    |
|---|--------------------|
| Negative Fund Balance for FY 14 budget    | -\$204,000         |
| <u>PLUS FY 13 deficit after “true up”</u> | <u>-\$ 32,000</u>  |
| Current Negative Fund Balance             | -\$236,000         |
| <b>FY 14 Surplus</b>                      | <b>+ \$88,000</b>  |
| FY 15 Projected Fund Balance              | - \$148,000        |
| <b>FY 15 Projected Surplus</b>            | <b>+ \$75,000</b>  |
| Projected balance, end of FY 15           | - \$73,000         |
| <b>FY 16 Projected Surplus</b>            | <b>+ \$110,000</b> |
| <b>Balance</b>                            | <b>\$37,000</b>    |

FY 16 reflects merging of Marketplace Assistant and Marketing Assistant. Plus, elimination of permanent part-time maintenance position. Discussion about spending portion of remaining \$37,000 for VPR and direct mail campaign in FY 16. At May meeting Commission will approve the final FY16 budget. Questions:

- Will the city require the Marketplace to build its capital reserve ASAP? Ron to discuss with Bob Rusten.
- What about the Anchor Exception? Burlington Town Center and Outdoor Gear Exchange are considered “anchor stores” and pay 90% of the common area fee. Discussion about the elimination of the anchor exception: these businesses would pay full common area fee.
  - Motion to approve removal anchor exemption for FY16: Phil Merrick. Second: Buddy Singh. YES: Eli ,Phil, Buddy, Lara: Yes. NO: Lorre Tucker, Jed Davis, Jeff Nick. Motion fails.
  - Motion to eliminate anchor exception in two years (95% in FY 16, then 100% in FY 17): Lorre; Second: Phil. Passed unanimously

VI. Executive Director’s Report

- a. New Brochure Design: Eric Stadlin, Marketing Intern, presented draft of joint BTC/CSM brochure. Comments: Food and beer shot, include a small store feel
- b. Requests from CSM Licensing Committee
- Approve licenses for two new food cart vendors on top block
    1. Gabrielle Kammerer, TOMGIRL Juice Company
    2. Erik Andrus, Good Companion Bakery
  - Approve transfer of cart vendor licenses:
    1. Food cart license, City Hall Block (South End Sliders) from Cormac Walsh to Sam Handy
    2. Food cart license, Mall Block (Hawaiian shaved ice) from Chris and Susan Garcia to Kathleen Ploof

3. Food cart, Mall Block, (Mr. Cool's) from Cormac Walsh to Charles Sizemore and Shane Corbett, now operating Taco Gordo
  4. Retail Cart, City Hall Block (Atlas Joint) from Derek Smith to Mathew Mantone and Gretchen Newman
    - Discussion on if this system is still working for the street
      1. Can restaurants on Church Street own carts on the street too? Motion to approve license transfers: Phil Second: Lorre. Transfers approved unanimously.
  - c. Update on recommendations for Street Performer Rules and Regulations. Redmond, Morse.
    - Ron discussed US case law that relates to street performers i.e. laws regulating or banning busking must be applied evenly to all forms of free speech according to the first and fourteenth constitutional amendments and judicial decisions; In the US, any form of regulation on artistic free speech must not be judgmental, and permits must not be so restrictive, complex, difficult or expensive to obtain that they inhibit free speech. Staff is working closely with City Attorney's office.
      - Commission suggested cost be higher than \$45 to cover staff time with performers, which can be high. Circle Acts should be charged a higher fee. Staff will present final recommended rules and regulations at May meeting.
  - d. Bluebird Coffee stop update
    - Will stop selling coffee, start selling sandwiches
- VII. Capital Improvements/Maintenance
  - CSM Wifi System Update. Launch date: May 15
- VIII. ADJOURN.