

**Policy Committee Meeting
June 25, 2020**

*NOTE: Due to COVID-19, this meeting was held virtually (via ZOOM),
and was live streamed on the City's website*

Committee Chair, Councilor John McCurry, Jr. called the meeting to order at 10:00 a.m.

Roll Call: Councilors John McCurry, Jr., Norman Belanger and Doris Ortiz; Committee Members Renee O'Neil and Nathan Bean

Staff Members present: Carmen Morris, City Clerk, Roger Beaupre, Police Chief, Chief Operating Office, Brian Phinney, Code Enforcement Officer, Roby Fecteau and Planning & Development Director, Mathew Eddy

There were no adjustments to the agenda.

Acceptance of Minutes: **May 21, 2020**

Motion by Councilor Belanger, seconded by Member Bean to accept the minutes as printed.

Vote: Unanimous.

Discussion/Approval: Temporary Outdoor Restaurant and Retail Operation

The Committee discussed the Emergency Ordinance put into place by the City Council on June 2, 2020: ***Curbside Biddeford Temporary Outdoor Restaurant and Retail Operation***. Councilor McCurry explained that there are a couple of issues that have prompted this Policy Committee meeting. One is to consider and make a recommendation on the process of prompting Temporary Outdoor Restaurant and Retail Operation Permit Application to be reviewed by the Policy Committee; and the other is the proposal submitted by Magnus on Water.

Magnus on Water Temporary Outdoor Restaurant and Retail Operation Permit Application:

Motion by Councilor Belanger, seconded by Councilor Ortiz to accept the original plan as proposed by Magnus on Water, which proposes to locate an Airstream in Mechanics Park.

Discussion included concerns about parking the Airstream in Mechanics Park versus parking it on the street. Allowing use of Mechanics Park poses the problem that this space is widely used by the public, and anybody should be allowed to use the park if they want to purchase food and eat there, whether from Magnus on Water or another restaurant. Allowing the Airstream to park on the street not only violates City Ordinances (Sec. 42-57), it also takes up what is already very limited parking in that area.

Motion by Councilor Belanger, seconded by Councilor Ortiz to amend their original motion that the revised proposal submitted by Magnus on Water be accepted, which proposes to locate an Airstream on the street adjacent to the restaurant and cordon off part of Mechanics Park for patrons.

By way of a possible solution, Police Chief Roger Beaupre suggested allowing Magnus on Water to located their Airstream in the slip lane that runs from Water Street to Main Street, or in some vicinity

thereof. Code Enforcement Officer, Roby Fecteau confirmed that the proposal is to leave the Airstream parked rather than move it each day. Also, the owners of Magnus on Water would like to begin with a Thursday through Sunday schedule, with the option to offer additional days as business picks up. Chief Beaupre noted that Magnus on Water will need to file an amendment with the State Bureau of Alcoholic Beverages and Lottery Operations to allow consumption of alcohol in a noncontiguous area.

Councilors Belanger and Ortiz withdrew their motion.

Motion by Councilor Belanger, seconded by Member O'Neil to recommend that City Staff work with Magnus on Water on the best location for the Airstream and the best part of Mechanics Park to cordon off for patrons.

Vote: Unanimous.

Permission to Utilize Public Space for Outdoor Restaurant and Retail Activity:

Motion by Councilor Belanger, seconded by Councilor Ortiz to amend the Emergency Ordinance approved by the City Council on June 2, 2020 that at least three(3) Councilors be in opposition to a *Curbside Biddeford Temporary Outdoor Restaurant and Retail Operation Permit Application* to prompt a Policy Committee review.

Vote: 4/1; Councilor McCurry opposed.

Councilors Belanger and Ortiz, and Members O'Neil and Bean in favor.

Motion carries.

Councilor McCurry noted that there is a Special Council Meeting scheduled for this evening, and his intention is to include the two items voted on during this meeting be included on tonight's council agenda.

Motion by Councilor Belanger, seconded by Member Bean to adjourn.

Vote: Unanimous.

Time: 10:54 a.m.