



Committee on Community Resources and the Northampton City Council

Committee Members:

Councilor Dennis P. Bidwell

Councilor Maureen T. Carney

Councilor Alisa F. Klein

Councilor Gina-Louise Sciarra

Meeting Agenda

Date: July 18, 2016

Time: 5:30 p.m.

**Location: City Council Chambers
212 Main St., Northampton, Massachusetts**

Meeting Called to Order and Roll Call: At 5:32 p.m. Councilor Sciarra called the meeting to order. Present were: Councilors Sciarra, Carney, Klein and Bidwell. No other City Councilors were present. Councilors introduced themselves. Councilor Sciarra explained what the council rules are regarding speaking during the public forum. The rules apply both to both the Public Comment and the Public forum. The Committee requests civility and respect from all participants; Committee members don't respond during public comment; the Committee will interact with speakers during a public forum. The public forum is a fact finding discussion and the Committee asks participants to provide information relative to their experience and to refrain from making negative or defamatory remarks about others, including businesses. Also, speakers should not refer to individuals or businesses by name or obvious identifiers. This is not a forum to speak against specific grievances and the Committee is not an enforcement body that can handle perceived violations. If the rules of expectations are not followed, the Chair reserves the right to rule a speaker out of order. Speakers are asked to give their name and address for the record; comments should be limited to five minutes. If a previous speaker has already mentioned the same sentiments, speakers can feel free to comment that they are in agreement with that person, and don't need to restate the same information.

1. Public Comment: None
2. Minutes of Previous Meeting
3. Councilor Klein moved to approve minutes of the June 27, 2016 meeting; Councilor Bidwell seconded the motion. The minutes were approved on a voice vote of 4 Yes, 0 No.

4. **Public Forum regarding Property Owners, Leasing, Arts, Tourism** Councilor Sciarra briefly explained the purpose of the forums. This is the fourth and final forum held by the Committee to get a better understanding about the concerns and pressures that are faced in downtown Florence and downtown Northampton. The forums are being held in response to a Committee Study Request issued by the Council President and Vice-President to study the local economy with a focus on businesses and workers in downtown Florence and Northampton. The Committee has been gathering data from city departments, outside agencies, and by holding forums. The Committee has received reports from the City's Economic Development Director, the Director of Planning and Sustainability, the Greater Northampton Chamber of Commerce, the Pioneer Valley Worker's Center, and the UMASS Amherst Labor Center. The first public forum was held on May 16, 2016 and was centered on business owners. The second was held on June 20 and was centered on downtown workers and residents. The third was held on June 27 and was centered on downtown workers. The forums are intended to solicit input from those directly involved in the downtown economy. The general question that is being asked is, "what are the pressures that you feel or experience, what things do you think are done well, and what are the things that you think can and should be supported by the City". Following the forums the Committee will compile the information into a report for the full City Council and consider any recommendations where the City Council could take action. After the forum today, the Committee will be discussing a draft of the report that has been prepared and that will be distributed to the City Council once completed and approved. The Committee will not be deliberating until the forums are closed out and the Committee has heard from everyone who wishes to testify. The Committee will not be meeting in August, but will re-convene on September 19th and will begin deliberating about what the Committee has heard and what they have learned during the study. Receipt of information does not automatically mean agreement by the Committee. The Committee has a webpage set up that is dedicated to information about the CSR. It includes links to Committee minutes, videos, handouts and more. It also contains information about how to solicit written testimony. The webpage is located on the City's website @ northamptonma.gov on the City Council's webpage under the subsection "Committee Study Requests". The page also describes how to submit written testimony to the Administrative Assistant @ ppowers@northamptonma.gov.

Suzanne Beck, Director of the Greater Northampton Chamber of Commerce and Director of the Hampshire County Regional Tourism Council

Ms. Beck came today to share information about tourism that she felt was pertinent to the Committee's considerations about downtown Northampton and Florence. Northampton is considered a big driver of visitors in the area; Northampton is an important gateway for visitors who want to spend time here. Northampton is also dependent on the tourism economy. Tourism generates thousands of dollars in taxes that end up being spent on important City services. Visitor spending also supports the vitality of downtown Northampton. The ability to attract visitors in the area can be the difference maker in whether a local independent shop, restaurant or hotel has enough of a market to be successful here. Ms. Beck provided the Committee with data from three sources: US Travel Administration (standard bearer for measuring tourism economy); the Massachusetts Office of Travel Tourism (MOTT); and the Greater Northampton Chamber of Commerce. For research purposes the standard definition of a visitor is someone who travels from more than 50 miles away.

Ms. Beck reports that visitors spend about \$125 million annually in and around Northampton. MOTT estimates that Northampton's share of that is \$54 million. There are 900 tourism jobs in the county; MOTT estimates that about 400 of those are in Northampton. The Northampton job base represents an annual payroll of just over \$11million. Ms. Beck notes that these are jobs that are direct tourism jobs. A hotelier is a good example. The State estimates that \$1.5 million in local taxes are generated by visitors to Northampton which includes hotel taxes, meals taxes, and sales taxes. The average that a visitor will spend while visiting is about \$350.

Ms. Beck explained that tourism has an important effect on not only the economy but the quality of life. So many more jobs are dependent on a fragment of tourism spending. The number of jobs that are to some degree dependent on tourism is over 4,000 jobs. More than 60% of these jobs are in the cultural sector. Jobs in the performing arts and museums are just two examples. Independent artists also depend on some level of tourism; Ms. Beck estimates that this number is about 40% of those in the cultural sector. There is still a lingering question about what the impact of the casinos will be. The Mayor's study suggested that there would be a loss of about \$8 million; this represents about a 15% decrease in overall tourist spending. There is also a lot more competition in general; New York spends five times the amount of money to promote tourism than Massachusetts does. Northampton is very dependent on tourism so maintaining and growing the tourism economy has more impact on just jobs and spending. It has a tremendous impact on our quality of life as an area. Thinking about the variety of independent shops, restaurants and galleries on Main Street, the extra margin of sales that visitors generate is what can make a business viable and can determine a business will survive or thrive here. Fifty thousand visitors attend the Academy of Music every year (travel more than 50 miles). This supports an important historic landmark as well as a significant cultural institution. The Three Count Fairgrounds is another important place; every year it has a full schedule of events that bring people into the area and spend money.

Ms. Beck gave the Committee a flyer that has statistics that shows who comes to the area and why they come. When asked about the average length of a visit, Ms. Beck noted that it depends on why they visit and can range from 1 – 3 to 3 - 7 nights. The number one market for this area is from within Massachusetts (about 1/3), followed by New York and metro New Jersey (1/4), and then Connecticut.

With increased activity of the tourism council, Councilor Bidwell wondered whether it was possible to tell the impact of upgraded promotional activity. Ms. Beck notes that the first full year of the Tourism Council was three years ago. The average grant is about \$200,000 which is spent on marketing in the area. Hotel occupancy has been fairly flat @ 55% for about one year. This is low compared to the rest of Massachusetts. The biggest challenge is getting people to know that this area exists and has something to offer. Slight inroads are seen in the area of the traveler who might stop here and then brag about it to a friend.

Councilor Klein asked who was responsible in the City for advertising. Ms. Beck explained that the Hampshire County Tourism Council is collaboration between the Chambers of Commerce in Northampton, Easthampton, and Amherst. There are not a lot of businesses that can afford to market outside the area. So the Tourism Council handles ongoing marketing of the area; they promote the entire region and they target on those things the people seem to be most interested in. Right now there seems to be interest in breweries and wineries. Destinations like downtown Northampton are some of the biggest assets to promote. Ms. Beck clarified that the Chamber of Commerce, the Office of Community and Economic Development, the Hampshire County Tourism Council and the newly formed Downtown Northampton Association all work to promote the area. The Chamber in Northampton also serves as the City's visitor's center. It operates seven days a week from May through October.

Pat Goggins operates a business at 79 King Street

Mr. Goggins attended the first forum and thought it would be beneficial to give an update about the condition of downtown property leasing since his first visit before the Committee in May. He feels it is important to be updated about this information given that the Committee will be working to craft recommendations to the full City Council. Providing as much specific information as possible is vital. Mr. Goggins noted that he was concerned late last fall about what he saw was a number of vacancies in the Main Street area that were resulting in store fronts that he was being

asked to help lease. Mr. Goggins was also involved in a number of conversations with people about properties that he knew would be becoming available after the first of the year. This seemed to be a number that was in excess of what he had seen over the years. He tried to weigh the impact the vacancies were going to have and how the community might absorb those vacancies and what the timelines might look like. Taking a look at downtown at any point in time can leave an impression and there have been a number of impressions that have been kicked around. From the late fall until now, Mr. Goggins reports that he has had nine properties to handle and as of last week the final one was leased. Mr. Goggins thought it might be important to characterize who the people are in a general way. In $\frac{3}{4}$ of the cases people are moving from the outside into the community with new and different ideas about what might be well accepted in this community as far as products are concerned. Generally people have a lot of enthusiasm due to the wonderful reputation this community has and how vibrant the area is. The people who are coming have unusual and eclectic products that they are going to try to sell. That kind of change and new opportunities is good for the community. In addition, there have been businesses that have made a lateral move; Harvest Valley took a new location on Main Street, for example. Bird House Music is another example of an established business that relocated to another location. These types of changes have been typical over the years. Some have to do with Thornes Marketplace that is viewed as an incubator for many businesses. This suggests a certain amount of vibrancy. Terry Masterson submitted updated information about the economic data that he has been collecting about downtown. Mr. Masterson reported nine vacancies in the downtown area; and that one of the contributing factors to the number of vacancies was that the properties were controlled by one party. While this might be confusing, it is not unusual and is not leading to consternation as might be expected. That same property owner has invested a lot in the downtown and this cannot be ignored.

Councilor Bidwell noted that Thornes was referred to as “incubator space”. He wondered if there were any other properties in Northampton with a lesser rental point for start-ups. Mr. Goggins said that there was. He has information in his files that shows that some properties have rents the same as they were ten years ago. He thinks that Northampton was ahead of the curve ten years ago and this was fueled by things that were wrong with the world that ended up being part of the economic downturn that everyone experienced. It took a while to figure this out, but when asked for his opinion about what a property owner should charge for rent, Mr. Goggins states that he has been comfortable suggesting that the rent that existed ten years ago is something that is still appropriate today. It is a reflection of how businesses need to approach their business plans today. He notes that calculating rent-to-income ratios is no different than determining home ownership mortgage-to-income ratios. Today, business owners cannot afford to spend more than 30% of revenue on rent. Many places downtown that Mr. Goggins is familiar with spend 30-40-50% of their revenue on rents. This, he feels, is a recipe for disaster.

Councilor Sciarra asked what the concerns are when looking to lease properties. Mr. Goggins noted that he is asked which side of the street has the greatest traffic; what are the traffic patterns; they also ask how the community has been doing. There is a lot of people who come here well informed after Googling, Northampton, MA. They see some of the concerns that have been raised and some of the differences of opinion that have been bantered about in the recent years. They will ask what this is all about. He notes that the DNA is a step in the right direction and he feels it is important to note that there is a specific approach to maintaining the downtown businesses. They often ask about the busiest times of the year. There is a sharp distinction between those capable tenants with a business plan in mind and perhaps a banking relationship already established and is in a position to capitalize their businesses properly and those who see the streets paved with gold and can't pull it together. This is nothing new; sometimes it is difficult to match up one's vision with reality.

Councilor Sciarra asked about the fees imposed by the City. Mr. Goggins stated that he could not remember, with the possible exception of restaurant owners, anyone bringing up the issue of

fees charged by the City. Those types of questions have not been asked by people who are looking to come to town to establish a business.

Councilor Bidwell asked Mr. Goggins what trends he was seeing with regard to the availability of financing. Mr. Goggins notes that over the span of time, what has helped the entrepreneurial spirit was the support of lenders, and primarily local lenders. There are fewer local lenders than there have been in the past. The underwriting for such lending is done outside the immediate area and this impacts people who are in need of help. This is very different than how it was in the 1970s and 1980s.

Councilor Klein asked about downtown Florence. She notes that 100 Main Street seems to still be empty. Mr. Goggins noted that the top half of the building is now rented and the building owner would like to find the right business owner who will fit in with the community. His preferred business choice would be a restaurant. The owner has been approached by a pizza restaurant chain; however, the owner does not feel another pizza eatery is in the best interest of the community. Florence is the type of community that serves people's needs. People go into a store, get what they want and then go home. They don't hang or wander around; and the rents are reflective of that.

Tess Perrone Poe lives at 32 Masonic Street

Ms. Perrone Poe owns a business on Pleasant Street called Bee Hive Sewing. In addition to working in downtown, Ms. Perrone Poe is a property owner; she and her husband own two condos on Masonic Street. She has lived in one condo since 2010 and is currently expanding her residence to combine the two condo units. In 2010 she was turned down by 11 banks until Northampton Cooperative Bank offered to give her a loan. At the time she was moving back to the area from Cambridge. Ms. Perrone Poe states that the reason she was turned down so much was 1) buying a residential condo in a mixed use building which is a risky consideration for a lot of lenders; and 2) the low owner occupancy units in the building. She was prepared to be the only owner occupant. As an owner occupant, she and her husband invest about \$5,000 per year in property taxes and an additional \$4,500 in condo fees. She notes that this is a sizable investment. When the downtown economy is talked about, she doesn't often hear that folks value the contribution that residential and commercial owner-occupants in downtown are making to the City. This is a really important aspect concerning how revenue is generated for the City. This is different than absentee landlords. There are lots of absentee landlords in her building and they approach their units as investments. They are not spending disposable income in downtown. They may live elsewhere and therefore their contribution to the local economy is different. Ms. Perrone Poe offers that there is another strategy that will make Northampton more attractive. It has to do with code enforcement – including building code, zoning codes, health codes, fire code, etc. She knows that the City is spread thin, but these are things where a case can be made that Northampton is worth the investment. Ms. Perrone Poe suggests that there may be opportunities to look at other cities that are similar to Northampton. She suggests looking at Ithaca or Princeton to see how their capacity for code enforcement might be the same or different than Northampton's. If there is a gap, perhaps the City could look to fill it, specifically in the Central Business District. There is something valuable both economically and socially about having people committed to building their lives in the center of town.

Councilor Sciarra asked if Ms. Perrone Poe thought the codes were solid, but needed only to be enforced; Ms. Perrone Pose suggested for the most part they are good and for the most part the issue does have to do with enforcement. She does not think there is a lack of interest in enforcing the laws, but she thinks that staff is stretched. She also believes there is a balance between folks who are willing to make an investment and buy a building and maintain it the way that it should be. The owner of the building where her business is located is one model of property ownership. The individual condominium owner is another model. Making sure that

individual owners are following code is more problematic. When the codes are not being followed, there should be disincentive. She is committed, but there are times when she asks herself, "What are we doing?" This is typically when fire codes or building codes are not being followed in her building.

Councilor Klein asked about types of things might incentivize ownership. Ms. Perrone Poe noted that there are always going to be amenities that make the downtown great, but the day-to-day code enforcement goes a long way. Few buildings that people live in have beautiful entrances. When you walk around and catalog what it looks like for people who live downtown, there are lots of sad looking doorways that lead to homes that are probably very nice. Ms. Perrone Poe believes that the City is right on track with amenities that will increase the quality of life.

Councilor Carney stated that Ms. Perrone Poe raises a good point about enforcement. The City has a system that is complaint based. Ms. Perrone Poe, when asked, said that she has raised complaints but the issue has not been resolved. It's not because of the municipal department; you can file a complaint but it is up to the property owner who is creating a violation to fix the issue. She compared the Parking Enforcement to Zoning Code Enforcement. One is proactively seeking to get people to comply; the other is reacting to complaints.

Councilor Bidwell thanked Ms. Perrone Poe for her role as owner occupant and for highlighting this particular issue.

Dorothy Nemetz of 44 Munroe Street

Ms. Nemetz is here as a member of the Board of the Community Arts Trust and notes that Richard Wagner (President) and Peter Whalen (Treasurer) have joined in the audience today. Peter Ives (Capital Campaign Member) was present earlier.

Ms. Nemetz explained that the Community Arts Trust was conceived to address the loss of affordable art space in Northampton. Northampton was revitalized on the backs of artists and other creative types. Formerly, the Center for the Arts had the top floor of Thornes Market Place. When first created, the Northampton Community Arts Trust was modeled after land trusts: to acquire and protect in perpetuity affordable space for the arts. The Trust acquired property at the former Universal Gym location. Work is currently being done to renovate the space into a multi-use arts facility. The Trust is not a program organization; they exist to acquire and hold property. Ms. Nemetz is also the Chair of the Northampton Center for the Arts; they will be a primary tenant in the building. The building will be a place where lots of different things will be happening: performance, classroom learning; exhibitions; etc. This will be unlike anything the City has ever had. The City has been supportive when the Trust has applied for grants. When asked letters have been provided from the Mayor, Director of Planning & Sustainability, Director of Economic and Community Development in support of projects, however, little other support has been given by the City. Ms. Nemetz noted that the City has been underrepresented at events that were important for the Trust, even when invitations had been extended.

Councilor Bidwell asked what phase the "Black Box" would be. Ms. Nemetz indicated that the Black Box will fit in with the fundraising schedule outlined for Phase 3. It will be a 3,800 sq. ft. space. Early on the Board met with the theater community who felt that the space should be kept as raw space to start so that they could decide in a collaborative process what should go in that space (lighting, catwalk, seating, etc).

There will be a few events outside the building as well. On Aug. 10th there will be a poetry event; on August 17th a movie night will be held as part of the NCTV summer series.

Ms. Nemetz explained that Community Preservation Act does not cover the type of project that the Trust has undertaken. The project is not a historic landmark, affordable housing or recreation. The Trust is non-profit and a completely volunteer organization. This is a huge gift for the City and Ms. Nemetz hopes that the City will support the project in conjunction with the support that has been received by the State.

Councilor Sciarra noted that if the Trust is looking for involvement from representatives of the City, the City Council would be willing to participate in events and do what it can to support the Trust.

Ms. Nemetz came up to speak a second time after Mr. Stover (see below). She commented that regarding panhandling she saw a video (she is not sure where it was from) from a municipality that has a truck that goes around that asks people to work. The people would be hired to pick up trash or some other kind of job. She has often thought that something like that might help to get people off the streets. A lot of people out there panhandling look able-bodied. She describes herself a democrat and "good liberal", but doesn't like to be panhandled every day that she walks through the City. She agrees that the issue is awful, but part of it is that we need to not make this a place that people make a living by putting their hand out.

Councilor Sciarra thanked Ms. Nemetz for the suggestion, but cautioned that the City must have a process for hiring people

Richard Wagner lives at 48 Lyman Road; he is President of the Community Arts Trust

Mr. Wagner explained that part of the Arts Trust mission is to start a discussion about how art interacts with the community; for example, how do you build a community with art? He supposes that creativity within a community leads to lots of clever people. So the question is how you support the notion of a creative economy? In Massachusetts the State believes in the creative economy notion. This City has the Paradise City Cultural District. To support it fully takes money. Looking at the CPA, the CPA is something that allows a community to in part define itself by putting money into things that it values. For CPA, this is in four specific areas; there is growing interest in opening up CPA to include cultural infrastructure. Right now a building with a leaky roof, say a library, built in 1975, would not be able to access CPA funds under the current guidelines. He notes, however, that a library is an important piece of community culture. There is growing interest in going to CPA communities and proposing more choices to fund things that cannot be funded now. Mr. Wagner had a short presentation that he did to Northampton's CPA Committee. Mr. Wagner wanted the Committee to be aware that this was something that was being worked on. He noted that Northampton is a great example of the creative economy at work and he believes it would be great for Northampton to be seen as a leader of a new approach for a funding infrastructure. He has had conversations with Rep. Kocot, members of the Mass Cultural Association, members of Mass Creative. He notes that an interesting metric is the number of CPA communities with local cultural councils is about 85%. Mr. Wagner is developing talking points for cultural councils in order for those members to talk with CPA members. At some point Mr. Wagner plans to discuss the concept with the CPA coalition. As the group consists of volunteers, they try to do things when they can.

Councilor Sciarra asked if there was something that the Committee could do. Mr. Wagner noted that the organization is trying to figure out how to get this to the State House and how to push legislation to make this happen. He is interested right now in hearing what people think of the idea. He recognizes that right now the CPA funds are split four ways. Adding cultural infrastructure will split CPA funds five ways. Someone may feel threatened by that.

Rich Madowitz has ownership interest in Thornes Market Place, Cedar Chest, and Hampshire Property Management Group, and Emerson Way subdivision in Northampton.

Mr. Madowitz would like to commend Pat Goggins and Jamie Fallon on leasing all of the available store fronts in Northampton. There are several properties that have recently been turned over: one on Crafts Avenue, one on Strong Avenue, and one on King Street. The demise of Northampton store fronts has been well publicized; Mr. Madowitz believes that this has been greatly exaggerated. The real truth, he believes, is that there is a lot of leasing activity at the moment. Part of reason there is turnover is that some of the retailers do fail. He notes that the Amazon effect is no mystery. Mr. Madowitz also congratulated the Arts Trust on the amazing project that has been developed for Northampton and he believes that this will have a positive effect for the City.

As a business in downtown Northampton one of the challenges business owners face is the gauntlet of solicitors on the streets. This is one of the main objections that potential leasing clients raise. And while it may not be apparent to people in the room, Mr. Madowitz believes that soliciting has a devastating effect on leasing properties.

Mr. Madowitz noted that he spoke at a previous forum. Then, he talked about “death by a thousand cuts”; this continues today. In the recent weeks he has received a letter from the City regarding a display case on the side of his building. The display case contains an advertisement for a business that is not in the building and the letter quoted regulatory language that it was illegal to post such advertisements. The use of the display case for this purpose has been in place for two decades. Now it appears as though the regulations are being enforced. Mr. Madowitz did not wish to comment about whether the regulation was a good or bad regulation, he only wished to note that the display case produced income for a local business.

Mr. Madowitz also talked about a couple of vagrants that were on the roof of one of the properties that he owned. The building had a skylight on the top of the building. The resident of the space where the skylight was located spotted the vagrants outside the building when looking out of her skylight. The Police Department responded to the call in prompt fashion; however they explained that they could not take any action until the owner put a “No Trespass” sign on the top of the roof. These are just two examples where Mr. Madowitz explained that the City seems anti-business.

In his travels, Mr. Madowitz believes that Northampton has the most inhospitable streetscapes. The main issue is the solicitors on the streets. Those tourists with high income levels have a lot of choices; after they visit the streetscape of Northampton, Mr. Madowitz suggested if surveyed, these folks might tell you that they feel uncomfortable due to the panhandling that goes on. He feels that the people in the room have watered-down the effect of panhandling in Northampton. When he considers the investment he made to his property @ Cedar Chest he wonders if it was a wise investment when he considers people outside his business asking for a 25 cent handout. He thinks that he is more public about it, but he knows this sentiment is widely conveyed by many retailers, many of which don't want to speak out at a public forum.

Mr. Madowitz notes that the people coming into town are young entrepreneurs who are very energetic and he wishes them success.

Councilor Sciarra asked what, if any, suggestions Mr. Madowitz had to curb panhandling. Mr. Madowitz suggested that in New England, Northampton might be the single worst town for panhandlers. Whatever is being done to curb panhandling is not working. The Police Dept. seems to have a friendly and permissive attitude; Mr. Madowitz suggested that he doesn't believe that other communities share that approach. They view their businesses as a more important component to the economic viability of the community. He understands the freedom of speech argument, but he also understands that a lot of people on Main Street employ a lot of people and

so it affects those businesses. There are businesses with panhandlers camped right out in front of their locations. Mr. Madowitz does believe that this harms their business in a material way.

Councilor Sciarra asked if Mr. Madowitz thought that other communities weren't respecting first amendment rights. Mr. Madowitz stated that whatever they are doing, they are doing a better job than the City of Northampton.

Joe Blumenthal is the owner of Downtown Sounds Music Store on Pleasant Street.

Mr. Blumenthal has been in business for 40 years. He notes that the issue of panhandling has been a problem for the entire time. He recalls that the City came close one time (just before the B.I.D. was organized) with an ordinance that was intended to regulate panhandling on Main Street. There was a lot of negative publicity associated with it. The whole thing was dropped so that the City could move forward with the Business Improvement District. Mr. Blumenthal notes that it has been quite a few years since then and perhaps it might be time for the City Council to revisit this issue. His specific suggestion is that while panhandling is free speech, it needs to be regulated in a way that makes it the least disruptive possible to commerce downtown. There has to be regulations regarding panhandling like: so many feet way from an entrance to a business; so many feet away from an ATM; away from the building (on curbside); etc. Mr. Blumenthal suggested that the City Council reach out to Bill Newman who will likely be the most vocal opponent to whatever measures are taken. The Council should note that this is a perennial problem and that it's time to have a conversation about this issue again. Perhaps there is some way that the Committee and Mr. Newman can agree that panhandling could be regulated.

Mr. Blumenthal commends the City Council for maintaining the single tax rate. It is important to downtown property owners and ensures that they can continue to business in Northampton and charge rents that merchants and tenants can afford to pay. With a dual tax rate, property owners would have to raise rents tremendously and this would be destructive to downtown business owners. It is important that City Council recognizes how important it is to the survival of landlords and business owners.

Mr. Blumenthal has been disappointed about how the renovation of Pulaski Park has gone. The main reason is that he believes that Northampton can be a much more vibrant commercial center than it is today with the presence of live music in downtown Northampton. Putting music in Pulaski Park is problematic because of the Academy of Music. Perhaps during the second stage of the renovation of Pulaski Park there is the opportunity to create a feature at the bottom of the parking lot that can be used as a band shell. This might require making it possible for people to sit on the hill to listen to the music. There is a sort of natural amphitheater in that location with a real possibility for live music. If the source of the music would be in the lower parking lot, it would be unlikely that it would affect the Academy of Music.

Councilor Sciarra thanked Mr. Blumenthal for mentioning the tax rate. There is always the misconception that since the City Council has to address and discuss the tax rate every year that it is looking to change it. The Council, and in particular Councilor Sciarra, recognizes the difficulty that businesses in other communities have when there is the split tax rate.

Councilor Bidwell noted that the City Council has been doing what it can to keep a single tax rate. Mr. Blumenthal recognizes that but wanted the Committee to know how important it was to businesses to maintain a single tax rate.

Councilor Bidwell suggested that a solution to the issue of solicitation comes down to enforcement. He has heard from a number of downtown property owners that the dedicated downtown police officers are pretty responsive and that they in an informal way encouraging people to be located on the sidewalks in the locations described by Mr. Blumenthal. If the ordinance that Mr. Blumenthal has in mind were to pass constitutional muster and were to

become law, it would still require enforcement. It requires someone calling to let the enforcing body know that there is an issue. Mr. Blumenthal stated that part of the reason there was work toward an ordinance in the past was that the former Police Chief Sienkewicz was reluctant to enforce something when he didn't have something to go by, like an ordinance. The former Chief also felt that enforcement was going to take too much time. The current Chief, Chief Kasper, has the issue on her radar. Mr. Blumenthal thinks that it should not be necessary for the police to be called in order for an ordinance to be enforced. Recalling the issue of a trespasser on Mr. Madowitz's roof, Mr. Blumenthal commented that it is absurd that the police wouldn't do anything because there is not a "No Trespass" sign on the top of the roof.

Mr. Blumenthal recalled that one of the local panhandlers brought down all of their earthly possessions and placed them on the sidewalk. The police should look at that and say that this is anti-social behavior. In another example, a local beggar decided to sleep in an alcove where the Guild Art Center is located. Again, the police should look at that and advise the person that it is a public passageway and you are not allowed to sleep in that location. When Mr. Blumenthal called to complain, he was told that the owner of the property needed to complain about the issue. This displays an attitude that the police don't care. The incidents that Mr. Blumenthal described happened when the former Chief was here; Mr. Blumenthal believes that the situation has gotten better now that Chief Kasper is here. If the police department had an ordinance that was simple and specific, it would help them to enforce good orderly behavior downtown.

Councilor Sciarra noted that as one of the City Councilors representing downtown, this is the number one thing that people talk to her about. She remembers the previous movement toward an ordinance that Mr. Blumenthal is talking about and also recalls that there were concerns about the legal issues that such an ordinance would raise. Since that time other municipalities have tried to bring a panhandling ordinance forward, like Worcester, but have had massive lawsuits brought against them in court. They have lost every suit. There is now legal precedence against these types of ordinances. Mr. Blumenthal commented that he is only suggesting that the Council see if Bill Newman would be willing to sit down and have a conversation about this issue. Councilor Sciarra said that she is not sure that Bill Newman would be the only person to challenge an unconstitutional ordinance. Mr. Blumenthal thinks that Mr. Newman would be one of the first to challenge the issue, but he guesses that if he were interested in sitting down to find a way to regulate this behavior so that it passes constitutional muster and that it didn't interfere with downtown commerce that the Council would be more likely to come up with something that would pass muster. Councilor Sciarra noted that if anyone has creative ideas, she would love to hear them. She notes that the Council does have to stay within the bounds of the Constitution and law.

Peter Whalen is a business owner downtown and he also owns a number of buildings downtown.

Mr. Whalen said that the whole conversation (referring to soliciting) is "icky". No one feels comfortable with it. He knows the people who have been talking about this issue; they are kind and generous. He feels as though they always vote "democratic". When you make comments like this you always feel like the big bad business man. He has a number of women in his insurance agency and if he were to ask any one of them to walk to City Hall from his business, not a single person would be willing to do that. In a recent conversation with two local attorneys, they think that the issue is "terrible". Mr. Whalen suggested that someone should check with West Hartford to see why it isn't happening there. It doesn't happen in some communities because they are not going to get the money. In affluent areas where there is no panhandling, there must be something that they are doing. He suggests that the issue can continue to be kicked down the road, it is uncomfortable and awkward, but it does need to be addressed. It is all that people talk about.

Garrett Stover owns a commercial condo on the second floor in the Old School Commons

Mr. Stover stated that some of the remarks about owner/renter residence are germane. He notes that there is a huge part of the economy that he has not heard talked about at all, which are businesses that aren't retail or restaurants. On the third floor where the Center for the Arts used to be located, there is a flourishing company that arranges semesters abroad for studying purposes. They are problematic in that they have too many employees and use too many parking spaces. He doesn't know much about other businesses in Northampton that are not retail or culinary, and he is not sure if there are more problems like this elsewhere. Regarding panhandling, he wonders whether homelessness has brought forth a number of new approaches for comprehensive services. This is a group of people who have problems and he wonders if there is a cooperative effort to hire outreach coordinators to work with services in town to get help for these individuals. Mr. Stover suggested talking to the businesses in town to find out who is an issue and when they are around. He suspects there are several populations who are contributing to this. Some are kids who have decided that they want to live on the street. Some are people from out of town who are hard on their luck and they heard it is the place to panhandle. There are people who are long term residents in the City shelters. There has to be a different way to look at this issue. Enforcement and the issuing of violations is such a problematic approach.

Councilor Sciarra thanked Mr. Stover for commenting about second story businesses. She regrets that the Committee has not heard from more people who fall into in this category.

Mr. Stover explained that there are 150 residents in his building; people are constantly complaining about people parking in their parking lot, a situation that he has never observed. Now the parking lot is gated.

An unidentified audience member commented that there is a person named "Brendon" who regularly meets with homeless people downtown. He uses Brueggers as his "office"; a lot of people know about him and are given the chance to meet with him. He suggested that some of these people (panhandlers) are not homeless; most of the people are not interested in help. There are services that any one of them could go to, but they are not interested in restricting themselves that way. They just want to go out on the street and ask for money.

Mr. Stover stated that he has a long history with the community preservation act. He also does land conservation work and he was involved in the effort to pass the CPA. As a land conservationist, he notes that there is a fair amount of angst about using CPA monies for recreational purposes. The people who fought to get that legislation passed may take umbrage that people are trying to jump into the pool that was created for a specific purpose.

Jim Levey of Forbes Avenue

Mr. Levey commented that Dorothy Nemetz, when describing the community that offers work to people on the streets, is referring to the city of Albuquerque. The City allocates \$50,000 to the program. There is both written material and a video about the program.

At the end of the forum, Councilor Sciarra thanked the audience for their participation. She noted that if anyone had further testimony that they wanted to provide, they should do so by submitting something to the Administrative Assistant to the City Council, Pamela Powers @ ppowers@northamptonma.gov.

5. Review of Draft Report prepared by Councilor Sciarra

Councilor Sciarra made a draft version of the Committee's report available prior to the meeting today. She was interested in hearing from Committee members about their thoughts and suggestions.

Councilor Carney commented that the report is very clear and she appreciates the detail that the report contains about the forums. She believes it meets the requirements of the Committee Study Request.

Councilor Bidwell thanked Councilor Sciarra for pulling the summary together. He notes that it is pretty straight forward. In the second paragraph there is a reference to the draft work plan that he prepared and was discussed by the Committee. He would like the report to be amended to reflect that the Committee discussed the work plan, but key parts of it were not accepted by the Committee. There were a number of his recommendations that were not adopted. He doesn't want the report to suggest that the work plan that he put together was adopted as it was first written. He suggested revising the language to reflect that some elements of the work plan were adopted, some not.

Councilor Bidwell stated that a second area had to do with the Chair's announcement at the last meeting that there was sort of a parallel track for preparation of a wage theft ordinance. This was separate from the Committee's work, and while the ordinance would be on a parallel track, the ordinance would not be coming before this Committee. Since that was kind of a big deal, he thought that should be reflected in the report.

Councilor Sciarra views the report as more of an outline of the steps that the Committee followed and how the Committee gathered data. She views the wage theft issue as more of a discussion reflected in the minutes. In Councilor Bidwell's mind this was an important development and a big decision that should be reflected in the report.

Councilor Carney suggested that even though the Committee did talk about the fact that there were other conversations about a wage theft ordinance, those conversations preceded the CSR by months and has continued during the CSR. Her understanding is that the Committee would still take up the issue of wage theft. She expects that the Committee will continue to move forward with the wage theft ordinance, especially after the number of hearings that were held where the matter was discussed. She recognizes that it was a probable mistake on her part to continue discussions about the issue outside of committee, but fully expects to discuss it at an upcoming meeting. At the same time, the community group that had been meeting would still carry on and continue its mobilization efforts for a city ordinance. She would like to see the Committee look at all four forums and prioritize what the Committee said it would do.

Councilor Sciarra said that she is happy to discuss it when the Committee meets again in September, but she is not sure she would want to put the matter forward as a recommendation from this study since it is already in the works. It is her understanding that by the time September rolls around, the issue will already be on the docket elsewhere. Councilor Carney stated that there may be confusion about the timeframe. There have been a lot of people involved for many months, but there isn't a draft produced. She is not sure to what extent the ordinance would coincide with the Committee's schedule. There may be a draft by then since folks are continuing to work on this. The scope of people who have been involved in working on an ordinance goes beyond those that are in the room today. She expects that there may be something to look at and digest in addition to the information as a result of the forums.

Councilor Sciarra is still uncomfortable with something that has been discussed and deliberated during the forums and then being part of the Committee's recommendations. Regarding timing, she believes that the Committee will need time to go through all of the information that it has. Based on the timing in which it was proposed that the wage theft ordinance move forward, it seems faster than what the Committee will do with its final recommendations. Councilor Carney wondered whether the Committee should see what happens on September 19th regarding where things stand. Councilor Sciarra said sure.

She is not yet certain what the process will be regarding how to determine what the Committee's recommendations will be. The Committee can have that discussion in the future.

Councilor Klein noted that the report is great and provides a framework about what the Committee was considering and what it did. The more substantive work still needs to happen in the deliberations that will be done over the coming months. To her, that is where the real report is going to be. The Committee will analyze the comments that were collected. One thing that she was thinking about for this report is whether the report included any of the work done by Jonathan Goldman. Councilor Sciarra points out that his work is referenced, but that she did not go into great detail. Councilor Klein feels that what is most important to her is the analysis of the data that was collected. She does think that there is a parallel track piece happening with the wage theft ordinance that will also fit into the analysis. She is curious about how the analysis will be done and what the next steps are. She wondered if perhaps the number of people who talked about an issue were to be counted (example of the number of people who talked about panhandling was given). Will the Committee aggregate the comments or analyze them in a particular way; will the Committee do data analysis in some way? These are issues that are outstanding for Councilor Klein. Also, in terms of how the Committee is proceeding, it is important to say what the steps will be.

Councilor Sciarra envisions that she will read through all of the information and take a tally about the number of people who spoke about an issue. She didn't know if each committee member wanted to take this approach to see if the members came up with similar numbers. Councilor Klein suggested that this is where someone like Jonathan could be helpful. For all four of the members to duplicate efforts doesn't make sense. If the Committee can't do it in a meeting, it makes sense to Councilor Klein that someone from the outside complete the processing of the data. The Committee could then put a critical eye to the information. She is concerned about the amount of time that can go into processing the information. Also, regarding the interpretation of the data, the information can be taken in a number of different directions; this she suggests, is the deliberation piece. The question is, how do you do the prep in order to get to that point?

Councilor Sciarra stated that Jonathan is currently out of the country. He has repeatedly said that he would work on things for the Committee. She believes the Committee should ask if he could review all of the minutes. Jonathan will be back in school in September when the Committee reconvenes, so the work he does will need to be completed before then.

Councilor Bidwell stated that if Jonathan were willing to go through the minutes, compile a list of topics and provide some indication regarding the frequency with which the topics came up and made some attempt of grouping the subjects (themes), this would be helpful. This should be done without any attempt to preference anything. The approach should be to document the issue areas and brainstorm ideas that have come up to address the topic. This would be a starting point. Once the Committee had this information, then the Committee could discuss how to sort the topics into groupings the City Council could act on or encourage others to take action (the Mayor, a social services organization, State Legislators, etc.). The starting point would be to break the information down into issue areas. Councilor Bidwell stated that he would be glad to work with the Chair and Jonathan to articulate what he just suggested. Councilor Sciarra will check to see if Jonathan is available.

Councilor Klein noted that the Committee does have a tremendous amount of data at this point. Councilor Bidwell noted that this is a big assignment.

Councilor Klein suggested that in terms of the structure of the report that was presented today, it might be useful to bullet-point all of the presentations that were made to the Committee. They are all described in the report, but perhaps a chart or table might be useful. The information could include which ones were oral presentations and which ones the Committee was given. She suggested that she would be willing to prepare this as a sort of executive summary; Councilor Sciarra stated that she is willing to have Councilor Klein take on this task. She wondered how this could be done without having another meeting. Councilor Bidwell commented that he would be comfortable approving the report subject to adding the summary

information described above. Councilor Klein will submit the summary to Pam who will distribute the document to the rest of the Committee. She asked Councilor Sciarra to hold off on sending the report to the City Council President & Vice-President so that she could complete this summary.

Councilor Bidwell proposed to approve the report prepared by Councilor Sciarra and with the additions proposed by Councilor Klein. Once this is completed, the Committee would have fulfilled its obligation. Councilor Sciarra noted that the spacing in the report changed when the document was converted to a pdf. This can be fixed prior to submission. Also, the information about speakers on July 18 can be added as well.

Since the report was submitted electronically, it contains links to various reports and other information. Councilor Sciarra asked if the report prepared by Jonathan Goldman should be linked. She noted that everything that has been submitted to the Committee is available on the website. Councilor Carney suggested that if the links were available on the website, they didn't need to be in the report. Councilor Klein asked who provided translation services for the flyer. The company is Transfluenci; they are used by the school department.

Motion to approve the report with changes discussed today and forward it to City Council President and Vice-President made by Councilor Bidwell and seconded by Councilor Klein. The motion was approved on a voice vote of 4 Yes 0 No.

6. Update on Chamber Survey

Since the Committee's last meeting Councilor Bidwell spoke to Suzanne Beck, Executive Director of the Greater Northampton Chamber of Commerce. At the last meeting the Committee decided that they wanted to look over the survey instrument that was used by the Chamber. The Committee would make additions or revisions to the questions based on the types of information they wanted to collect. Councilor Bidwell felt that Ms. Beck was not thrilled with the prospect of the survey becoming a re-written survey by committee. She also began to think that it was going to be confusing about whose survey it was (City Council or Chamber). Ms. Beck withdrew her offer and was going to talk to the committee Chair. If the Chamber were to proceed with a re-do of the survey that was done a few years ago, then it will clearly be a Chamber survey, the results of which they might be willing to share with the Committee. Councilor Bidwell is not sure what the timeline would be. He thinks that it can be done fairly quickly given that the whole process will be done using Survey Monkey. He noted out that if the Chamber going to do the survey, the Committee could let them know it would be great to have the information by September.

Councilor Sciarra revealed that she did have a conversation with Ms. Beck and she indicated the same as Councilor Bidwell described. Councilor Sciarra asked if the Committee wanted to create a survey on its own, or perhaps ask Jonathan Goldman to create something. Councilor Carney thinks that the Committee has a lot of material. Councilor Klein points out that the Committee has a big process ahead. The Committee could re-visit the idea in a few months after they have a chance to digest the information that they already have. Councilor Bidwell suggested learning the timeline for the Chamber survey and then what their inclination is to share the data with the Committee. If they are willing to share the information, the Committee could take a look at the data and then decide if there is enough information. Councilor Klein asked what information the Committee was expecting to get out of the Chamber survey. Councilor Bidwell recounted that there are two distinct projects. The first was a Chamber survey, an update of the previous survey that was done two years ago (that was the data first shared by Suzanne Beck). The second was to get more stories about why people chose to invest in Northampton or move their business here. Conversely, why did people close up their business? The real data would have been useful. The Committee would learn if someone closed because of retirement or because of City fees like water/sewer rates. The Chamber may decide to collect that information. If they did, perhaps

they would share pertinent information without revealing any confidential details. This is the type of information that may be of value to the Committee.

Councilor Sciarra mentioned that if businesses were willing to share what the percentages of their costs were, the Committee would be able to see where the pressures are for a business. She doesn't know whether the Chamber survey tries to capture that information or not. There was a desire to see if the Committee could get that information. Councilor Bidwell saw the survey a long time ago but does not recall how specific it was regarding occupancy costs as a percentage of total revenue. It would be nice to get a break down about what percent are they paying for sick time, rent, staff, etc. The data might reveal that there are variations based on business type.

Councilor Klein suggested that one way to look at this is which of the issues can the Council actually impact? Knowing what the pressure points are is important, however, the question is how much can the Council address these pressure points? Maybe further along down the line the Committee can better understand the types of things that the Council can do.

Councilor Sciarra noted that one of the recommendations could be to have another committee take a look at a specific area identified by this committee's research. Councilor Bidwell agrees. Councilor Klein noted that the Committee could report that there is a lot of data that has been collected, the councilors have a lot "on their plate", the Committee will do the analysis of what they have now, and somewhere down the line the Committee could delve deeper. Councilor Bidwell notes that he saw one of this committee's roles was to debunk misinformation. Now that the Committee has heard so much information, and might continue to hear more, maybe the Committee might be able to share that the combined cost of doing business in Northampton is not even in the top 5 reasons for closing a business. If the group feels that they have enough data to support that, then he feels that this should be stated. Councilor Sciarra feels that this is where a survey might be helpful. The people who come to speak before the Committee might not be a representative sample of all of the businesses. Councilor Klein feels that they are talking about qualitative versus quantitative data and even the qualitative piece is not scientifically gathered. That makes her feel more inclined to get some sort of quantitative piece to accompany the qualitative piece. She feels it is imperative to have both of those pieces. Councilor Sciarra noted that they should be careful about drawing conclusions based on limited data and that this should be made clear when proposing any recommendations.

The Committee will take up a survey idea after they have reviewed all of the data in September. Councilor Klein asked whether there was a back-up plan if Jonathan was not available, perhaps a statistics professor at Smith would want to work on this as a research project with a student. Councilor Sciarra wondered if this were the type of project that a professor might want to take on; perhaps a graduate student might be more willing. Either way the Committee will want to be careful about being as scientific as possible with the data that was collected. Councilor Bidwell thought that it might be difficult to find someone at this point. Councilor Sciarra stated that if Jonathan can't do it, the Committee will muddle through as best it can.

7. **Next Steps** : Councilor Sciarra feels that the Committee has been discussing "next steps" already (see notes above). She noted that the Committee should be proud to have gone through this process and feels that the Committee has done a really good job. Members should enjoy their time off in August. Members thanked the Chair for the difficult task; Councilor Bidwell noted that various people who have participated in the forums have thanked the Committee for conducting them. There were a lot of thoughtful comments; he appreciates that people were willing to talk about awkward and messy issues. Councilor Klein thought that there was good turnout at each forum.
8. **New Business**: None

9. **Adjourn:** At 7:58 pm Councilor Bidwell moved to adjourn the meeting; Councilor Klein seconded the motion. The motion was approved on a voice vote of 4 Yes, 0 No.

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