



1. Cafe on Main Agreement By 2009

Council 6.2(c)

For Office Use Only		File # _____
Delegation <input type="checkbox"/>	<input type="checkbox"/>	Council <input checked="" type="checkbox"/>
Presentation <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Committee <input type="checkbox"/>

REQUEST TO APPEAR BEFORE COUNCIL/COMMITTEE - TOWN OF PELHAM

TOWN OF PELHAM
AUG - 8 2012
RECEIVED

(Please print clearly)

NAME: <u>SHIRLEY BEDARD</u>	
ADDRESS: <u>1568 PELHAM ST.</u>	
POSTAL CODE: <u>2051E3</u>	TELEPHONE #: <u>905-892-3620</u>
E-MAIL ADDRESS: <u>sbedard10@cojeco.ca</u>	

I have never spoken on this issue before. Key points of my deputation are as follows: (please attach full presentation)

- ① Cafe on the Main and Public Safety
- ② Disabled Parking

If an individual appears as a delegation before Council or Committee, a further deputation from the same individual concerning the same topic(s) will not be permitted unless there is *significant* new information to be brought forward, subject to approval by the Mayor and Clerk. Specific new information must be identified on this form and/or attached for approval.

I have spoken on this issue before. Specific new information I wish to submit is as follows: (please attach full presentation)

Please identify the desired action of Council/Committee that you are seeking on this issue:

- ① Remove or relocate Cafe on the Mains' patio and restore the public sidewalk and parking spot.
- ② Create additional disabled parking and have a visual aid painted in the disabled parking spots.

Requests to Appear before Council or Committee must be received by the Clerk before 4:30 p.m. on the Wednesday immediately preceding the scheduled Council or Committee meeting, complete with a copy of the presentation materials as detailed in the deputation protocol. Failure to provide the required information on time will result in a deferral or denial.

I wish to appear before Council on: 13 August 2012
(7:00 p.m. unless otherwise noted)

I wish to appear before General Committee on: _____
(immediately following Council, unless otherwise noted)

I have read and understand the deputation protocol on the back of this form; and, that the information contained on this form, including any attachments, will become public documents and listed on Town Meeting Agendas.

I also understand that presentation materials must be submitted with this deputation form. Electronic presentations must be e-mailed to NJBozzato@pelham.ca no later than 4:30 p.m. on the Wednesday immediately preceding the meeting.

Signature *Shirley Bedard*

Date 08 AUGUST 2012

CONFIDENTIAL

Dear Mayor Augustyn, and Councillors,

My name is Shirley Bedard and I would like to bring forth two issues that I believe require your immediate attention.

Firstly, the most important issue has to deal with public safety for all citizens of the Town of Pelham. There is a gross invasion of our right to the use of the sidewalk in front of Café on the Main. It seems that the proprietor has a history of violating town bylaws, for example, she has placed her sign on Town property, directly in front of a parking spot and then she placed her sign right on the sidewalk causing citizens to walk around her sign. Each time a complaint was brought forward to the bylaw office, the bylaw officer made her remove her sign from town property. This proprietor was told she could place her sign on her property which was only one foot from her building to town property.

I had a discussion with a Mr. Darren OTTAWAY on the phone. He proceeded to tell me that the Beautification Committee of Pelham, the Business Association and the Council supported Café on the Main having a patio and more importantly, a liquor licensed patio. I had explained my concern of public safety. This patio has virtually taken away the sidewalk by roping it off and occluding a parking spot with barrels. I explained to him that persons that are disabled and require the use of assistive devices are now being forced to walk around this so called patio, as are other able-bodied citizens. Anyone knows that when assistive devices are used to transverse this disgraceful patio, handicapped persons are forced to descend down the brickwork and onto the road to walk the distance of this patio and then must ascend back to the sidewalk. We, the disabled have to keep our devices in a straight line and we must be on flat surfaces otherwise we

and our devices become unstable and end up falling.

I had then talked to Mayor Augustyn on this issue. The way I had perceived this discussion was that Mayor Augustyn was in favour of this patio because the City of Halifax had a similar venue. Mayor Augustyn also informed me that this patio was an experiment which may last up until 05 Oct 2012. Mayor Augustyn also informed me that there is supposed to be 6 ft from the barrels to the roadway. He said that he would check the distance by measuring it with his foot paces.

I had explained once again that persons with assistive devices must descend straight then we must go out onto the road so that our equipment (assistive devices), must be on a flat surface and not on an angle. If our assistive devices are on an angle it will cause instability and increases our danger, because we may fall directly into oncoming traffic.

Mayor Augustyn was kind enough to tell me that the patio was going to be a licensed (liquor) patio and that the patio license was extending up until 05 Oct 2012.

I also raised my previous safety concerns with the Mayor and I suggested that Café on the Main could move their patio to the rear of that business where it would not affect anyone.

Mayor Augustyn stated that that proprietor had staffing problems and she would have a difficult time serving patrons in her building and downstairs to the patio. I had stated to

Mayor Augustyn that her staffing problems are not my concern.

As a taxpayer, I am against the sale of alcohol on Town property, the occlusion of the public sidewalk, and the occlusion of a parking spot.

So if Café on the Main's patio should still remain this summer to October, I feel that the owner of Café on the Main should, at her own expense, and not from the taxpayers' money, purchase some type of barrier like the Ohio cement vehicle barriers used on the

406 extension, that are able to deflect traffic and secure our public safety.

.The thing that scares me the most is that children have to go around this patio. Where is the public safety for them? I witnessed three children 8yrs and younger. They were oblivious to the traffic, in fact, the youngest child was on the road and not paying attention to the traffic, this child could have been hit by a passing vehicle and may have been seriously injured or killed.

This was just a scenario, which could play out very easily. My god, I hope it doesn't happen, but it is a possibility for any pedestrian being forced to transverse Café on the Mains' patio. Remember, school starts in a few weeks - do we want our children to be forced off the sidewalk and into traffic to accommodate a liquor licensed patio.

I would respectfully request that the sidewalk patio be removed or moved to the back parking lot, as it impedes public safety. I would also like to know, being a taxpayer, why the sidewalk bylaw was overlooked and a patio allowed to occupy a sidewalk space as well as a much needed parking spot. I do not remember reading in any paper where I had a choice to vote for or against this licensed patio. It is quite obvious I am definitely opposed to this patio and its liquor license.

Secondly, I have noticed that the only disabled parking spot on Pelham St. does not have the visible disabled diagram painted in that parking spot. Most drivers look for the painted diagram. The posted sign at the disabled spot is not identifiable because the posted sign is facing west, Pelham St runs north and south and that sign is not visible. Most people do not see that sign and mostly able-bodied persons park in that location. Also, for your information, there are too many posts within the disabled parking spot which may hinder persons who are wheelchair-bound and are drivers or passengers, and must exit their vehicle by either the side-door or from the rear of the van depending on the location of their elevating/dismounting systems.

Also, during the winter months, snow is ploughed into the disabled parking spot making it impossible to park in.

During a phone conversation with Mr. Al Mannell in January of this year, I had asked why there was only one disabled parking on Pelham St. rather than two spots since the downtown was revamped. Mr. Al Mannell stated that there was never a second spot.

I believe he is mistaken in this regard. The second disabled spot was located between the cleaners and the pizza place. I parked in that spot many, many times.

Mr. Al Mannell explained that there are two more disabled parking down by the Town office. Mr. Al Mannell proceeded to tell me that disabled people could park down by the Town office and walk up the grade to Pelham St. and then they could go anywhere they please. I explained to him that persons with a disabled permit mean that they have difficulty walking, hence assistive devices.

Mr. Al Mannell did not want to change the disabled spot on Pelham St. nor did he want to add another spot on Pelham St. I also asked why the only disabled spot on Pelham St.

was not painted which is a more recognizable visual aid. His response was that he did not want to paint the new bricks because it would take away the beautification of the downtown core - a poor excuse - if you ask me.

Please help Pelham's disabled citizens. Please replace the second disabled parking spot and consider adding a third handicapped parking spot on Pelham St.

The disabled citizens would thank you for adding those parking spots on Pelham St., so that they could more easily frequent the local businesses.

I would like to thank you Mayor Augustyn and councillors for your time and listening to my issues. I hope these issues will be rectified immediately. Public Safety should never be sacrificed because of a patio. Please return the public sidewalk and parking spot to the citizens of Pelham and please place a painted visual aid onto the disabled parking spot(s).

Thank you kindly,

A handwritten signature in cursive script, appearing to read "Shirley Bedard".

Shirley Bedard

Delegation) (CC to Café
TOWN OF PELHAM on Main
AUG 10 2012 agreement)
RECEIVED 2269 ✓

Dear Mayor Augustyn, and Councillors,

My name is Shirley Bedard and I would like to bring forth two issues that I believe require your immediate attention.

Firstly, the most important issue has to deal with public safety for all citizens of the Town of Pelham. In my opinion, there is a gross invasion of our right to the use of the sidewalk and a parking spot in front of a restaurant on Pelham St.. I am aware that there had been previous complaints filed against this restaurants' sign impeding pedestrian traffic on the sidewalk and occluding a safe exit from a parking spot on Pelham St.. Each time a complaint was brought forward to the bylaw office, the bylaw officer made the proprietor remove the sign from town property. I am aware that this proprietor had been informed that the sign could place on their property which was only one foot from their building to Town property.

I recently had a discussion with a staff member on the phone. This member proceeded to tell me that the Beautification Committee of Pelham, the Business Association and the Council supported this restaurant having a patio and more importantly, a liquor licensed patio. I had explained my concern of public safety. This patio has virtually taken away the sidewalk by roping it off and occluding a parking spot with barrels. I explained to the staff member that persons who are disabled and require the use of assistive devices are now being forced to walk around this so called patio, as are other able-bodied citizens. Anyone knows that when assistive devices are used to transverse this ~~disgraceful~~ patio, handicapped persons are forced to descend down the brickwork and onto the road to walk the distance of this patio and then must ascend back to the sidewalk. We, the disabled

Secondly, I have noticed that the only disabled parking spot on Pelham St. does not have the visible disabled diagram painted in that parking spot. Most drivers look for the painted diagram. The posted sign at the disabled spot is not identifiable because the posted sign is facing west, Pelham St runs north and south and that sign is not visible. Most people do not see that sign and mostly able-bodied persons park in that location. Also, for your information, there are too many posts within the disabled parking spot which may hinder persons who are wheelchair-bound and are drivers or passengers, and must exit their vehicle by either the side-door or from the rear of the van depending on the location of their elevating/dismounting systems.

Also, during the winter months, snow is ploughed into the disabled parking spot making it impossible to park in.

During a phone conversation with a staff member in January of this year, I had asked why there was only one disabled parking on Pelham St. rather than two spots since the downtown was revamped. This staff member stated that there was never a second spot. I believe this member is mistaken in this regard. The second disabled spot was located between the cleaners and the pizza place on Pelham St. I parked in that spot many, many times.

This staff member explained that there are two more disabled parking down by the Town office. This staff member proceeded to tell me that disabled people could park down by the Town office and walk up the grade to Pelham St. and then they could go any where they please. I explained to this staff member that persons with a disabled permit mean that they have difficulty walking, hence assistive devices.

This staff member did not want to change the disabled spot on Pelham St. nor did they

want to add another spot on Pelham St. I also asked why the only disabled spot on Pelham St. was not painted which is a more recognizable visual aid for all drivers. This staff member's response was that they did not want to paint the new bricks because it would take away the beautification of the downtown core - a poor excuse - if you ask me. Please help Pelham's disabled citizens. Please replace the second disabled parking spot and consider adding a third handicapped parking spot on Pelham St.

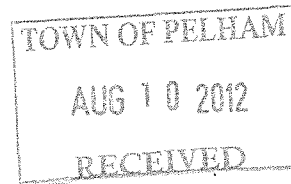
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BL 3269

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I also raised my previous safety concerns with this staff member and I suggested that this restaurant could move their patio to the rear of their business where it would not affect anyone. This staff member stated that that proprietor of this restaurant had staffing problems and they would have a difficult time serving patrons in their building and downstairs to the patio. I had stated to this staff member that their staffing problems are not my concern.

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