David Torgler, Administrator/Clerk

COMMUNICATION FORM

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FROM: David Torgler, Town Administrator/Clerk
DATE: March 9, 2023
ITEM: Consideration of proposal to renew a Revocable Permit Agreement between the Town of Oak Creek and Claire Scanlon, DBA Mica Gardenscapes for seasonal use of a portion of the Main Street Park.
ATTACHED: Revocable Permit Agreement draft; site plan (Attachment A); Proposal: Use of Town Park Space for a Retail Garden Center (Attachment B); Compensation proposal; and a Sign plan

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BOARD ACTION: __X__ ACTION ITEMS
_____ DIRECTION REQUESTED
_____ INFORMATION

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REQUEST OR ISSUE: Consideration to approve a Revocable Permit allowing for Claire Scanlon, DBA Mica Greenscapes, to use a portion of Main Street Park for seasonal retail garden sales.

RECOMMENDED ACTION: That the Board considers and approves or amends the draft Revocable Permit Agreement proposal for the use of a portion of Main Street Park.

BACKGROUND INFORMATION: In 2022 the Town Board allowed the private use of a portion of the Main Street Park for the seasonal sale of garden plants, pumpkins, Christmas trees and similar items. Of concern is the use of the park for snow storage; this Revocable Permit Agreement identifies that snow storage is the primary use for the park and the proposed Agreement retains this primary use for the Town. A second concern is the use of the park by the public; the proposal provides public open space and the permittee will maintain the park by removing litter and planting/maintaining seven various sized planting boxes in the park. Final consideration is compensation for the use of the public space. The permittee proposes to compensate the Town by providing the aforementioned seven planting boxes, maintaining these planting boxes, providing daily clean-up of the park when the garden center is open for business, and controlling any noxious wee3ks growing in the entire park.

FISCAL IMPACTS: The proposed business arrangement provides minimal financial gain for the Town; however the park will be maintained during most of the season when the public uses the park, and the addition of garden plantings and seasonal products will enhance this downtown Oak Creek park for use by the public. Some sales taxes will be generated.

LEGAL ISSUES: None known

CONFLICTS OR ISSUES: Snow storage is the primary use of this public space, the Special Use Permit shall state this priority use.

SUMMARY AND ALTERNATIVES: As stated above.