

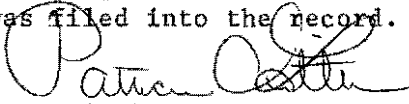
City of Keene  
New Hampshire

601

July 27, 2005

In City Council August 4, 2005  
The report was filed into the record.

TO: Mayor and Council

  
City Clerk

FROM: Planning, Licenses and Development Committee

SUBJECT: **DRAFT RESOLUTION: Free Parking Policy:**

On a vote of 5-0, the Planning, Licenses and Development Committee voted to recommend the adoption of Resolution R-2005-28.

  
Chairman/Designee

Background Notes:

The City Attorney recalled that Councilor Parsells had some comments regarding nonprofits at the last PLD meeting. Mr. Carney said this resolution incorporates language, which accomplishes the results requested by Councilor Parsells. Mr. Carney suggested that an appropriate motion would be to recommend adoption.

Chair Jones asked if a nonprofit entity would include individuals raising money for someone or something that has a need. Mr. Carney responded in the positive and said it could also be a partnership.

Councilor Parsells asked if any documentation is required that proves the status of nonprofits. Mr. Carney responded that there is a certificate. Councilor Farrar asked if unestablished individuals, seeking to hold an event to raise money for a certain cause, would be required to submit a written stipulation. Mr. Carney assumed that inquires would be made at the committee level and language could be incorporated into the motion granting approval.

Mayor Blastos asked if all money would need to go toward the charity to qualify. Mr. Carney responded that the money would need to go exclusively to the charity.

Councilor Paula-Ayn Phillips asked whether political rallies or events held by the League of Women Voters would qualify. Mr. Carney responded that these types of activities would have difficulty meeting the second criteria: "Must be a leisure activity that appeals to a cross section of the community and which contributes to the vitality of the downtown area of Keene."

Chair Jones stated that because this is a Resolution, as opposed to an ordinance, the Council could waive any part thereof. Mr. Carney concurred; stating further that the proper procedure would be to put the requested action on more time, recommend the Council amend the Resolution and then deal with the request.

Councilor Parsells said the Resolution meets his needs and moved for the adoption of Resolution R-2005-28. The motion was seconded by Councilor Redfern.

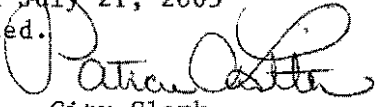
Councilor Farrar questioned whether something should be added to the Resolution regarding third parties. He asked if the City Clerk's office was being put in a judgmental position by having to determine that third parties applying for free parking meet the criteria of the Resolution. Mr. Carney responded that the City Clerk given any question would bring the request to the City Council to decide. He said if the Council wished to provide additional oversight it could be done, but more language would need to be added to the Resolution. Mayor Blastos pointed out that all requests come before City Council for the final determination, regardless.

City of Keene  
New Hampshire

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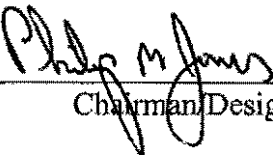
June 13, 2005

In City Council July 21, 2005  
More time granted.

  
City Clerk

TO: Mayor and Council  
FROM: Planning, Licenses and Development Committee  
SUBJECT: **MEMORANDUM: City Attorney – Free Parking Policy:**

On a vote of 5-0, the Planning, Licenses and Development Committee voted to place this matter on more time to be brought back in two weeks.

  
\_\_\_\_\_  
Chairman/Designee

Background Notes:

Gerald Carney, City Attorney, reported that he met with the Chief of Police and City Clerk to establish the criteria for granting free parking by the City Council. He reviewed that to the extent parking spaces are logistically necessary for an event, a waiver of applicable parking regulations may be granted by the City Council based upon a demonstration of compliance with the following criteria: (a) must be sponsored by a non-profit corporation or a governmental entity; (b) must be a leisure activity that appeals to a cross section of the community and which contributes to the vitality of the downtown area of Keene; and (c) must be reviewed by the City's public safety agencies to confirm compliance with City laws and public safety issues.

The City Clerk added that not all community events require free use of parking spaces, such as the Tree Lighting Ceremony and the Fourth of July Fireworks; and not all requests for free parking are for community events, such as the Colonial Theatre, Christmas Around the Square, the Heart of New England Cycling, and the Monadnock Earth Festival. Ms. Little said if this policy is adopted two events that currently receive free parking will not qualify because they do not meet the criteria that the need for parking be logistically necessary. The events are Christmas Around the Square and the Keene Music Festival. However, Ms. Little noted that the Chamber of Commerce, Ice Festival would now qualify for free parking whereas in the past they have paid for parking spaces to erect the ice sculptures..

Chair Jones noticed that Mr. Carney's recommendation does not mention community events. Ms. Little responded that Mr. Carney uses the same language that is in community events, and what is added are the phrases "logistically necessary for event" or "contributes to vitality of downtown area".

Councilor Parsells remarked that there is no evidence that free parking actually draws people to the event. He said certain events sponsored by the Colonial Theatre and Chamber of Commerce clearly needs the use of free parking spaces in order to facilitate the event.

Councilor Parsells referred to the criteria "Must be sponsored by a non-profit or a governmental entity" and asked if "... or must be for the exclusive financial benefit of a nonprofit corporation" could be added. Councilor Parsells said this would cover any events sponsored by for-profit corporations but the monies go to a specific nonprofit. Mr. Carney responded that adding Councilor Parsells' suggested language would be fine.

Chair Jones said it could also be an event that is for the benefit of the community, at no charge, that is sponsored by a for profit group. Mr. Carney responded that the community events standards stipulate that the event be open to the public free of charge.

Chair Jones said he did not understand why reference was continually being made to the community event standards. Mr. Carney responded it was due to the relationship between the two policies.

Councilor Parsells asked how this would go forward. Ms. Little responded that it would go forward as a vote of the City Council and would not be indexed by a resolution, unless that desire is indicated. Ms. Little said votes of the City Council that are not in the form of an ordinance, or resolution, are difficult to track.

Councilor Stout asked if the City has a policy that states any policy should be in the form of a resolution. Ms. Little responded in the negative. Councilor Stout recommended that the City codify all policies.

Councilor Parsells recommended that because this is a significant change to the way the City has done business historically it ought to be a resolution so it will be more easily found in the future. Councilor Pregent supported that recommendation.

Councilor Stout asked the City Attorney for his opinion on whether a policy is less flexible and, secondly, whether the City would be losing or gaining anything by making sure all policies are by Resolution. Ms. Little responded that the City would gain the benefit of being able to index this action. Mr. Carney concurred with Ms. Little. Mr. Carney also responded that that there is less flexibility with policies, however, policies can be amended by first amending the policy and then considering the specific request, as opposed to granting the request and deeming it to be an exception to the policy.

Referring to the three criteria, Councilor Farrar asked if it would be safe to say, to the extent that parking is logistically necessary for the community event, this could be a parking clause that directly relates to community events. Ms. Little responded that it could be, except that there are organizations that ask for free parking that are not community events. Councilor Stout also remarked that there is also the situation with construction and the free parking that is allowed as a result of that, which is not event oriented at all.

Chair Jones stated that he has been opposed to a policy, and would prefer to address requests individually with a questionnaire that asks specific questions about the event. Councilor Farrar said he could understand the opposition, but at the same time it is important to have some strongly stated guidelines because there are times when the City may want to say no.

Councilor Parsells agreed with Councilor Farrar, but also understands Chair Jones' point. He said the City needs language to fall back on.

Councilor Parsells asked if the PLD would agree to amend the first criteria to read: "Must be sponsored by a non-profit corporation, or must be for the exclusive financial benefit of a non-profit corporation or corporations, or a governmental entity."

Councilor Farrar asked if they were all corporations. Councilor Parsells suggested non-profit entity. Mr. Carney responded that they were all corporations. Ms. Little suggested that it might be helpful to put this on more time and allow staff to wordsmith. In response to Councilor Farrar's concerns, Councilor Parsells asked if entity was generic enough. Mr. Carney responded in the affirmative.

Councilor Farrar asked if the parking regulations were only applicable downtown; if so, that should it be clearly stated. Police Chief Arthur Walker responded in the affirmative and said in his opinion it was implicit. Further discussion ensued regarding violations of regulations.

CITY OF KEENE  
NEW HAMPSHIRE

TO: PHIL JONES, CHAIR, PLD COMMITTEE  
CC: CHUCK REDFERN, BOB FARRAR, FRED PARSELLS, AND  
DALE PREGENT  
FROM: GERALD J. CARNEY, CITY ATTORNEY  
RE: CRITERIA FOR GRANTING FREE PARKING  
DATE: JUNE 6, 2005

\*\*\*\*\*  
I've met with Chief Walker and Patty Little relative to establishing criteria for granting free parking by the City Council. Attached to this memo please find proposed criteria for the granting of these requests.

To the extent that parking space is logistically necessary for an event, a waiver of applicable parking regulations may be granted by the Keene City Council based upon a demonstration of compliance with the following criteria:

1. Must be sponsored by a non-profit corporation or a governmental entity.
2. Must be a leisure activity that appeals to a cross section of the community and which contributes to the vitality of the downtown area of Keene.
3. Must be reviewed by the City's public safety agencies to confirm compliance with City laws and public safety issues.

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City of Keene  
New Hampshire

June 8, 2005

In City Council June 16, 2005.  
More time granted.

TO: Mayor and Council

  
Deputy City Clerk

FROM: Planning, Licenses and Development Committee

SUBJECT: **CONTINUED DISCUSSION: City Attorney – Free Parking Policy:**

On a vote of 4-0, the Planning, Licenses and Development Committee voted to place this item on More Time.

  
Chairman/Designee 

Background Notes:

City Attorney, Gerald Carney noted that the draft policy had been placed in the Committee's mailboxes.

Chair Philip Jones noted Item 5., an item that did not make it on the Agenda. He asked for a motion to suspend the rules to address a request from the YMCA to review options for a location for a new "Y."

A roll call vote was taken and the motion to approve the suspension of the rules was approved unanimously.

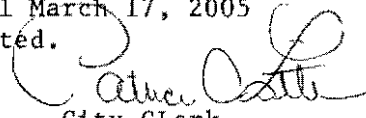


City of Keene  
New Hampshire

301

March 9, 2005

In City Council March 17, 2005  
More time granted.



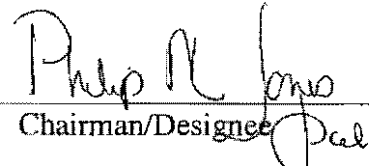
Catherine O'Leary  
City Clerk

TO: Mayor and Council

FROM: Planning Licenses and Development Committee

SUBJECT: **MEMORANDUM: Police Chief – Free Parking Policy**

On a vote of 4-0, the Planning, Licenses and Development Committee voted to place this matter on More Time.



Philip R. Jones  
Chairman/Designee

Background Notes:

Chair Jones reviewed that this had been on the agenda and was sent to the Parking Commission for advice. Chair Jones said both he and Councilor Parsells attended the Parking Commission meeting when this was discussed. Councilor Nathaniel Stout reported that the Parking Commission was in agreement with Chief Walker's recommendation. Beyond that, he said the Commission was also in agreement that the appropriate method for allowing complete free parking downtown would be through an Ordinance.

Chair Jones said he was not comfortable with the phrase "community event" in Chief Walker's recommendation, and asked if it could be changed to "events that could be beneficial to the community"; explaining that not all interpretations of "community event" are the same. Chief Walker suggested "... to assure public safety during events authorized by the City Council."

Councilor Stout stated that the process of defining a community event is an issue ongoing with the PLD. Chair Jones said Chief Walker's suggestion would remove any question. In that case, Councilor Stout asked whether it was still necessary to define a city sponsored "community

event”. Mr. MacLean responded that with Chief Walker’s suggested change, a determination would be made on a case-by-case basis.

Mayor Blastos stated that he was under the impression City Council did not want to become involved on a case by case basis and that it would make more sense to deny any and all free parking, except those that the City Council writes into the Ordinance.

Councilor Parsells said that annually, with the exception of funeral home situations and weddings, City Council approves the various events listed by Chief Walker. Councilor Parsells said he was under the impression that the issue was with those requesting free parking as part of their approval process; in which case, the PLD had suggested eliminating free parking and would consider requests on a case-by-case basis. Mayor Blastos stated that funeral directors pay a fee to bag certain meters and questioned whether it was fair to ask the community to underwrite non-community events, such as Earth Day. Councilor Parsells responded that a funeral home is a business, while events such as Earth Day do benefit the City of Keene and its community.

Mr. Carney agreed that the Police Chief’s suggestion would add simplicity; however, expressed caution because if left up to the City council on an *ad hoc* basis there would be no standards to rely on when deciding to grant or deny. He said this could put the City Council in a difficult position, particularly if a “for profit” individual or organization made a request and asked what the standards were.

Councilor Stout asked if the City Attorney could make a suggestion in terms of combining the Councils’ prerogative to determine an event as being a community event, within the policy itself. Mr. Carney responded that he could develop a specific set of standards. In the past, Mr. Carney said Council has made decisions to grant or deny based on whether an event benefits the community in some specific way.

Chair Jones suggested this be placed on More Time, until the City Attorney can develop more specific language.


Councilor Parsells referred to Chief Walker’s recommendation: “The event for which free parking is requested should be open to the public free of charge.” He said his impression was that free parking would eventually be eliminated, and that the discussion would turn to waiving the parking meter rental fee, for those events that need a certain amount of spaces for logistical purposes. Chief Walker agreed, clarifying that this recommendation attempts to say free use of parking spaces only to the extent that such parking spaces are necessary to provide logistical support.

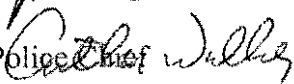
Councilor Parsells said when he attended the Parking Commission meeting there was discussion with regard to events sponsored by not for profit groups, and should be taken into consideration when drafting new language.

**KEENE POLICE DEPARTMENT**  
**11 Washington St.**  
**Keene, NH 03431-3188**

**DATE:** March 8, 2005

**MEMO TO:** Planning, Licenses and Development Committee

**THROUGH:** John MacLean, City Manager 

**FROM:** Arthur Walker, Police Chief 

**SUBJECT:** Free Parking Policy

***Recommendation:***

That the City Council adopt a policy that would provide free use of parking spaces only to the extent that such parking spaces are necessary to provide logistical support or to assure public safety during community events.

***Background:***

Various groups regularly petition the City Council to waive parking meter fees for the duration of some downtown event. In order to be fair to all petitioners the City Council has expressed a desire to develop a policy for assuring consistency and equity in managing the approval of these requests.

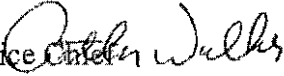
The proposed recommendation limits requests to parking spaces specifically identified as necessary to successfully conduct the community event.

**KEENE POLICE DEPARTMENT**  
**11 Washington St.**  
**Keene, NH 03431-3188**

**DATE:** March 8, 2005

**MEMO TO:** Planning, Licenses and Development Committee

**THROUGH:** John MacLean, City Manager

**FROM:** Arthur Walker, Police Chief 

**SUBJECT:** Free Parking Policy

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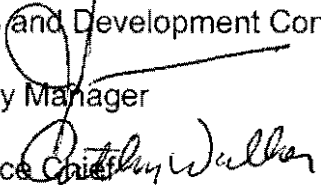
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The proposed recommendation limits requests to parking spaces specifically identified as necessary to successfully conduct the community event.

City of Keene  
New Hampshire

December 3, 2004

TO: Planning, Licenses and Development Committee  
THROUGH: John MacLean, City Manager  
FROM: Arthur Walker, Police Chief   
SUBJECT: Free Parking Policy

**Recommendation:**

Informational Only.

**Background**

As a result of discussion relevant to the development of a free parking policy, the PLD Committee asked for more information on who requests free parking and for what purpose. This memorandum also includes special requests that are not provided for free. The following information was developed in cooperation with the City Clerks Office.

Legend: L = Parking for logistical support; A = Parking for attendees.

**Colonial Theater - L**

Requests free parking in spaces adjacent to Colonial Theater for logistical support of programs sponsored at that location. Free parking not provided for attendees.

**Christmas Around the Square - A**

A group of churches sponsor concurrent craft fairs and ask for free parking downtown to promote the event.

**Christmas Week - A**

The City Ordinances provide free downtown parking for the week leading up to Christmas.

Fire Prevention Parade - L

Keene Fire Department is provided with parking spaces in front of 64 Main Street for grandstand. Free parking is not provided for attendees.

First Night - L

Uses Railroad Square. Requests use of parking spaces on Main Street directly in front of Railroad Street and parking spaces on Railroad Street side. May close Railroad Street. Spaces are used for logistics and safety not for attendees. First night always falls late in the evening, well past peak parking demand and does not include parking for attendees.

Funeral Home – L/A

Foley's Funeral Home on Court Street pays an administrative fee of \$200 per year to the City and Bags meters as required for various wakes and services.

Heart of New England Bicycle Club Criterium - L

Parking restricted for logistics and safety of bicycle race. Free parking not provided for spectators

Ice and Snow Festival - L

The sponsors of this event request specific parking spots within which they place sculptors and/or sculptures. The sponsor pays for the spaces on a per meter/per hour basis.

Keene Music Festival - A

Requests free parking in parking lots for attendees.

MANY Youth Festival - L

Does not request free parking for attendees. Protocol group does provide for parking on Railroad Street (or closes the street) and on Main Street directly in front of Railroad Square for logistical support and safety reasons.

Monadnock Earth Day Festival - L

Does not request free parking for attendees. Protocol group does provide for parking on Railroad Street (or closes the street) and on Main Street directly in front of Railroad Square for logistical support and safety reasons.

Pumpkin Festival - L

Streets and Lots turned over to Center Stage for logistical support of their operation. Free parking is not provided to attendees.

Tree Lighting Ceremony

No planned impact on parking.

Weddings -A

Meters are bagged when requested by wedding parties. The parties are assessed fees consistent with the cost per meter, per hour.

**\*\*Miscellaneous Events**

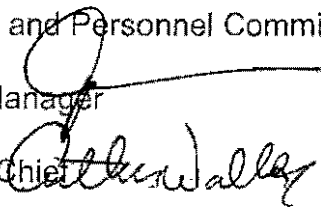
Clydesdales

Keene 250<sup>th</sup> Birthday

The American Candidate

City of Keene  
New Hampshire

October 26, 2004

TO: Finance, Organization and Personnel Committee  
THROUGH: John MacLean, City Manager  
FROM: Arthur Walker, Police Chief   
SUBJECT: Free Parking Policy

**Recommendation:**

Consistent with the general City policy of maintaining a vibrant downtown it is recommended that the City Council adopt a policy regarding free parking that contains the following essential elements.

1. The event for which free parking is requested should be open to the public free of charge.
2. The event should be of general interest to the public and of demonstrable benefit to the community.
3. The event should be sponsored by a not-for-profit group or a coalition of downtown merchants.
4. The request should be proportional to the anticipated draw of the event.

Additionally the Council may elect to consider the following elements of a free parking policy.

1. The number of day's free parking should be limited to a specific number and awarded on a first come-first served basis.
2. Free parking may be limited to parking lots only or "walk-shed" districts in the immediate area of the event.

**Background:**

Frequently, various groups petition the City Council to waive parking meter fees for the duration of some downtown event. The intent of waiving the parking meter fees is to make the event more attractive. Petitioners also point out that downtown merchant's benefit from additional foot traffic during the event. In order to be fair to all petitioners



the City Council has expressed a desire to develop a policy for assuring consistency and equity in managing the approval of these requests.

Generally, parking meters are in effect six days a week, fifty-two weeks a year, or 312 days. The ordinance waives parking meter fees for the six days leading up to Christmas, allowing for that and several other events we round off the number of days meters are in effect to 300. Adding coinage collected last year ((\$370,000) and fines collected (\$238,000) gives a total revenue of \$608,000. Dividing that by 300 meter days gives us an average of \$2,026 per day. While not precise, this should serve as a basic rule of thumb as to the lost revenue per day of free parking.

While waiving all meter fees during an event is the simplest way in terms of both public education and enforcement it may not be warranted depending on the anticipated draw of the event. Specifics discussed by City staff included the geographic disbursement of the event – how wide spread are the venues of the event? A wide spread event may more easily justify a general waiver of parking fees. Though even a geographically small event likely to attract a large number of participants may justify a general waiver.

Where a general waiver may not be warranted the Council may elect to provide free parking in lots only. It also may elect to provide free parking in lots only as a means of maintaining turn over in high-demand Main Street parking spaces.

Another alternative for limited free parking is to authorize free parking within the walk-sheds adjacent to the event. A downside of this is that most people are not familiar with the concept or boundaries of the walk-sheds and it may appear confusing or arbitrary to them.

City of Keene  
New Hampshire

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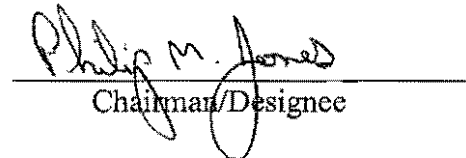
November 10, 2004

In City Council November 18, 2004  
More time granted.

  
City Clerk

TO: Mayor and Council  
FROM: Planning, Licenses and Development Committee  
SUBJECT: **REPORT: Free Parking Policy Application**

On a vote of 5-0, the Planning, Licenses and Development Committee voted to put this matter on more time, allowing Chief Walker to research past requests and report back to the PLD.

  
Chairman/Designee

Background Notes:

Police Chief, Arthur Walker, said he was unclear on how to proceed. He recalled that at a joint meeting of the Finance, Organization and Personnel Committee and the Planning, Licenses and Development Committee it was agreed that a Free Parking Policy Application would be useful; however, criteria for either granting or denying a request for free parking was not established.

Councilor Dale Pregent said this issue had been turned over to the PLD Committee and that the FOP Committee had four to six items they thought might be considered in the plan, including the option of no free parking. He said the PLD Committee's task was to work with Chief Walker in order to establish the criteria. Councilor Robert Farrar concurred with Councilor Pregent. He added that the FOP Committee would evaluate and comment on the financial impact.

Councilor Frederick Parsells asked Chief Walker if placing this matter on more time would be beneficial to him. Chief Walker responded that there were specific items to address; such as: the event for which free parking is requested should be open to the public free of charge.

Councilor Pregent said he would like to see this incorporated into the rules.

Councilor Farrar pointed out that the City gives free parking alongside the Colonial Theatre for trailer trucks during large-scale stage performances. He said this concession is made because the Colonial would virtually be unable to make such presentations. If this concession of parking is construed as free parking, Councilor Farrar said the definition would need to be modified. He explained that the City cannot give free parking only to people who give it, or the City would automatically eliminate these fairly significant stage presentations to the community. He asked Chief Walker if a correct secondary interpretation would be that the Colonial would have to buy the parking spaces. Chief Walker said it could be, although it was not the intent. He explained that the Colonial Theatre requests free parking for the Theatre itself, as do people having a wedding or funeral; however, this issue addresses free parking for everybody.

Chief Walker recalled that at one point developing criteria for what qualifies as a community event, and when the City would financially support a community event, had been discussed. He said because these issues are so closely related, addressing one without the other may cause problems in the future.

Councilor Farrar described a different scenario, such as when the City does not charge the Rotary Club for fire or booths on the 4<sup>th</sup> of July, but insists that the parking be severely restricted for safety purposes. Councilor Parsells reiterated that this is clearly a safety issue. Councilor Farrar agreed, but said it is not necessarily consistent with very apparent criteria, yet it has been done for a long time.

Commenting on the Colonial Theatre parking, Councilor Parsells said it was free parking to the extent the City does not gain any revenue and the purpose is to facilitate a production at the Colonial, not to offer free parking to the public who would be attending the production. In his opinion, Councilor Parsells said this is a necessity to a community event; whereas free parking for the music festival is not to facilitate the event in terms of the production but to assure that when people attend they will not get a ticket. In the case of the music festival, Councilor Farrar said he was bothered by the fact that people can park for free whether they attend the music festival or not.

Councilor Farrar spoke of the multi-church fairs that are typically held on one weekend, expressing his opinion that these fairs do not warrant free parking downtown. Chief Walker commented that this was a legitimate argument. He stated that this was a murky topic because there really is no evidence to support the affect free parking has on the downtown area and merchants. Councilor Farrar asked if it would be reasonable to consider a certain radius of no charge parking, as opposed to the complete City. He asked about the walk sheds introduced by the Planning Department. Chief Walker responded that this idea made a lot of sense and may have been suggested in the original document as a possibility. He thought the only problem would be that the general public is not familiar with walk sheds.

Councilor Parsells suggested that free parking be eliminated especially since there is no clear evidence that it does attract the public to the event, and in fact could work to

the contrary; however, it should be offered in situations where free parking facilitates the production of the event, such as the Colonial Theatre or Ice Festival. Councilor Parsells said he would also endorse free parking for the Pumpkin Festival because it facilitates the production of that event. Councilor Farrar noted that as opposed to “free parking”, the Pumpkin Festival is “no parking” and it was important to differentiate between the two. Councilor Parsells agreed. Councilor Farrar said “no parking” events were not the issue and the focus should be on free parking. Councilor Farrar also said he considers the Colonial to be “waived parking”, which is different than free parking.

Councilor Farrar asked Chief Walker how “bagged meters” were handled. Chief Walker responded that bagged meters were paid for, based on per meter per hour. In that case, Councilor Parsells stated that the City would in fact be waiving the rental of meter/parking spaces for the Colonial. Councilor Farrar said there should not need to be a policy for waived fees and that they could be handled on a case-by-case basis. Councilor Pregent commented that it would seem necessary to have an application for waived fees. Councilor Farrar said a waived fee would have to be applied for by the waivee. Chief Walker asked what criteria should be used. Councilor Parsells responded that one criterion would be if it facilitates the event or production in question. Councilor Farrar suggested it be a case-by-case basis, instead of a policy. Councilor Pregent agreed.

Councilor Farrar said there is currently no free parking, except by request. He said he does not consider free parking in the City for the Christmas fairs to be valid. Councilor Parsells suspected that free parking probably leads to more abuses than benefits. Councilor Farrar said he would like to determine a locale next to each of the churches that could be designated for parking. Councilor Parsells remarked that designating areas would be unworkable both for enforcement and the public. Councilor Pregent agreed with Councilor Parsells.

Councilor Parsells recommended waiving the rental fee of the meter(s) if it can be demonstrated that doing so is necessary to facilitate the production of an event, other than that, he said there should be no free parking. Councilor Farrar did not disagree with Councilor Parsells, but wanted assurance that nothing has been overlooked. Councilor Pregent remarked if something was overlooked it could be corrected. Councilor Farrar recalled that as of right now the ordinance states there is no free parking in the City, the current practice being for the PLD to review such requests and if a request is granted it would override the ordinance on a temporary basis. Councilor Parsells stated that the focus has been narrowed greatly to those events that can demonstrate a need for space, not just for attracting the public. Chief Walker added that it would be waived meter fees for spaces being used to support the actual production. Councilor Farrar remarked that this could be an amendment to an ordinance.

Councilor Parsells said this would be wide open to anyone putting on an event. Councilor Farrar expressed his concern about making a statement and inadvertently forgetting something. Councilor Parsells suggested that Chief Walker be given an opportunity to review this further to determine whether anything is missing. Chief

Walker said he could review past events. Councilor Farrar said this would make him feel more confident.

Chair Jones suggested that requests be dealt with individually for a while until it is more clear, and then develop a policy. Chief Walker responded that there is no data, which can show how many parking spaces are actually filled by people going to that event. Councilor Farrar said the City couldn't draw any conclusions about the benefit of free parking.

Councilor Farrar stated that the generation of an application would be another piece of paper that the City Clerk must keep track of and another layer of bureaucracy.

Councilor Parsells argued the need for an application, stating it would ask who the applicant is, who they are dealing with, do they need spaces on the public way, how many spaces and why. He said this would allow the PLD to become familiar with certain aspects of a request. Councilor Farrar questioned whether it would be worthwhile to generate another document if, for example, there are only ten applications per year.

Councilor Pregent said the issue was the policy and not the production of another document. Councilor Farrar said a written application was not necessary because the PLD would have the opportunity to question the applicant. He said the PLD is in need of guidelines, not the applicant. Chief Walker said letters of request are generally sent to the City Clerk; and, upon receipt, the City Clerk notifies the applicant of the appropriate meeting to attend. If any issues are not addressed in the initial letter, Chief Walker said the PLD would need the information prior to meeting with the applicant. Chair Jones said the City Clerk could advise applicants when notifying them of the PLD meeting to be prepared to answer certain questions. Councilor Farrar agreed, adding that the Chairman of the committee could receive copies of the questions as a reminder.

Councilor Parsells said his understanding was that the only parking that the City would waive would be if those spaces are needed to facilitate an event. Councilor Farrar said he wanted to make sure that this criterion is adequate for all the requests granted in the past.

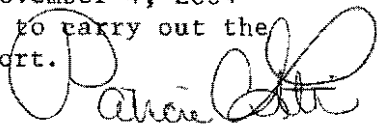
City of Keene  
NEW HAMPSHIRE

October 28, 2004

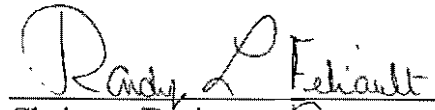
TO: Mayor and Council  
FROM: Finance, Organization and Personnel Committee  
SUBJECT: **MEMORANDUM: Police Chief – Free Parking Policy.**

On a 4-0 vote, the Finance, Organization and Personnel Committee refers this matter to the PLD Committee to develop an appropriate form to delineate information as set out in the requirements in the proposed policy.

In City Council November 4, 2004  
Voted unanimously to carry out the  
intent of the report.



Patricia White  
City Clerk



Randy L. Fehault  
Chairman/Designee

Background Notes:

Police Chief, Art Walker, indicated that this matter was in reference to how the City can determine as to who gets free parking and for which event. He indicated that the City could have a general policy which states that it does not give free parking to any entity, or the City can adopt a policy which says that free parking will be given to anyone who requests it. The Chief went on to say that still another option would be to allocate free parking in just the parking lots. The Chief stated that during conversations with City staff the following were recommended as policies that the Council could adopt:

1. The event for which free parking is requested should be open to the public free of charge.
2. The event should be of general interest to the public and of demonstratable benefit to the community.
3. The event should be sponsored by a non-for-profit group or a coalition of downtown merchants.
4. The request should be proportional to the anticipated draw of the event.

The Chief indicated that it costs the City \$2,000 per day to provide free parking for a day.

He stated that additionally, the Council may elect to consider the following elements of free parking policy.

1. The number of days free parking should be limited to a specific number and awarded on a first come, first served basis.
2. Free parking may be limited to parking lots only or "walk-shed" districts in the immediate area of the event.

Councilor Stout stated that if a free parking policy is adopted, asked what would happen in three years when someone comes with a request. The City Manager stated that tonight what the Committee is trying to do is to outline the basis for such a policy.

The Chief added that when free parking is provided and there is a two-hour limit, this policy is not always obeyed and at an instance such as that available parking is going to be drastically reduced. Chief Walker stated that when free parking is provided, the enforcement aspect gets taken away.

Councilor Stout asked whether chalking the tires could be a method to reduce such a situation. The Chief stated that he would like to point out that when tires get chalked, the two hours begins from that point on. He added that when the weather turns bad, such as rain and snow, chalking just does not work.

Councilor Jones asked when free parking is provided for funeral homes, whether it is done by policy or by an Ordinance. Chief Walker stated that he was not sure.

Councilor Greenwald stated that when free parking is provided, the downtown neighbors seem to be abusing it. Hence, the City should maintain the two-hour turn over. He also pointed out that the Colonial Theater would not have free parking behind their site because they are not putting on a special event.

Chief Walker stated that a consideration would be to keep the two-hour turnover going downtown, but keep the free parking just in the lots.

Councilor Stout stated that following our increase in rates, the primary concern at that time was the turnover at the meters. He indicated that the policy distinction that is being recommended here draws the distinction between the lots and the meters. He indicated that this was not a money matter for the City and it is more of a money matter for the downtown merchants. He indicated that he endorses having free parking of the metered spaces.

Chair Filiault stated that he wonders whether this whole issue creates more problems than if someone dropped two quarters in the meter. He indicated that when people are visiting from out of town and they return to their vehicles in 2 ½ hours and now have a ticket; this is no longer considered free parking. He stated that when a special event happens downtown, he couldn't imagine someone staying away just because they have to pay fifty cents for parking.

Councilor Stout stated that the PLD Committee are the ones who determine parking issues and asked whether the Chairman of this committee has a comment about the City simply saying that they would just not have free parking anymore.

Councilor Jones stated that this is a big issue, and even if the City does not want to provide free parking, the issue still needs to be addressed.

Councilor DiBernardo stated that the more he thinks about this issue, it might be easier to just say that there would be no free parking.

Councilor Parsells asked if the City had a no free parking policy across the board, how it would deal with the pumpkin festival. He stated that this entity already deals with a tight budget.

Councilor Greenwald stated that the policy should be based on a case-by-case basis.

Councilor Parsells stated that he agreed with Councilor Greenwald and the Chief that this should be done on a case-by-case basis. He indicated that even though the City loses \$2,000 a day, there are events that make our downtown the vibrant downtown it is and this adds to the economy in other ways.

Councilor Farrar asked who was going to write the criteria.

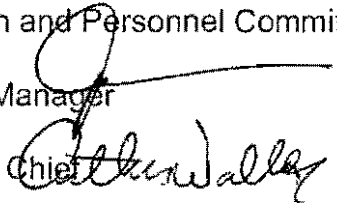
Councilor DiBernardo stated that it should be left up to the 15 councilors to decide on a case-by-case basis, as this seems to be too much of a complex issue.

Councilor Jones stated that an actual application should be something each applicant should be filling out to be able to qualify for free parking.



City of Keene  
New Hampshire

October 26, 2004

TO: Finance, Organization and Personnel Committee  
THROUGH: John MacLean, City Manager  
FROM: Arthur Walker, Police Chief   
SUBJECT: Free Parking Policy

**Recommendation:**

Consistent with the general City policy of maintaining a vibrant downtown it is recommended that the City Council adopt a policy regarding free parking that contains the following essential elements.

1. The event for which free parking is requested should be open to the public free of charge.
2. The event should be of general interest to the public and of demonstrable benefit to the community.
3. The event should be sponsored by a not-for-profit group or a coalition of downtown merchants.
4. The request should be proportional to the anticipated draw of the event.

Additionally the Council may elect to consider the following elements of a free parking policy.

1. The number of day's free parking should be limited to a specific number and awarded on a first come-first served basis.
2. Free parking may be limited to parking lots only or "walk-shed" districts in the immediate area of the event.

**Background:**

Frequently, various groups petition the City Council to waive parking meter fees for the duration of some downtown event. The intent of waiving the parking meter fees is to make the event more attractive. Petitioners also point out that downtown merchant's benefit from additional foot traffic during the event. In order to be fair to all petitioners

the City Council has expressed a desire to develop a policy for assuring consistency and equity in managing the approval of these requests.

Generally, parking meters are in effect six days a week, fifty-two weeks a year, or 312 days. The ordinance waives parking meter fees for the six days leading up to Christmas, allowing for that and several other events we round off the number of days meters are in effect to 300. Adding coinage collected last year ((\$370,000) and fines collected (\$238,000) gives a total revenue of \$608,000. Dividing that by 300 meter days gives us an average of \$2,026 per day. While not precise, this should serve as a basic rule of thumb as to the lost revenue per day of free parking.

While waiving all meter fees during an event is the simplest way in terms of both public education and enforcement it may not be warranted depending on the anticipated draw of the event. Specifics discussed by City staff included the geographic disbursement of the event – how wide spread are the venues of the event? A wide spread event may more easily justify a general waiver of parking fees. Though even a geographically small event likely to attract a large number of participants may justify a general waiver.

Where a general waiver may not be warranted the Council may elect to provide free parking in lots only. It also may elect to provide free parking in lots only as a means of maintaining turn over in high-demand Main Street parking spaces.

Another alternative for limited free parking is to authorize free parking within the walk-sheds adjacent to the event. A downside of this is that most people are not familiar with the concept or boundaries of the walk-sheds and it may appear confusing or arbitrary to them.