

City of Keene
New Hampshire

PLANNING, LICENSES AND DEVELOPMENT COMMITTEE
MEETING MINUTES

Wednesday, May 26, 2021

7:00 PM

**Hybrid Meeting –
Council Chambers A/via Zoom**

Members Present:

Kate M. Bosley, Chair
Philip M. Jones
Gladys Johnsen
Mitchell H. Greenwald, Vice Chair (7:05)

Members Not Present:

Catherine Workman

Staff Present:

Elizabeth A. Dragon, City Manager
Thomas P. Mullins, City Attorney
Rhett Lamb, Community Development
Director/Assistant City Manager
Mark Howard, Fire Chief
Kürt Blomquist, Public Works Director
Andy Bohannon, Parks, Recreation, and
Facilities Director
Med Kopczynski, Economic Development
Director

Chair Bosley read a prepared statement explaining how the Emergency Order #12, pursuant to Executive Order #2020-04 issued by the Governor of New Hampshire, waives certain provisions of RSA 91-A (which regulates the operation of public body meetings) during the declared COVID-19 State of Emergency. She called the meeting to order at 7:03 PM. Roll call was conducted.

1) Kevin Watterson/Swamp Bats – Request to Discharge Fireworks

Chair Bosley asked to hear from City staff.

Kürt Blomquist, Public Works Director, stated that staff has received the “annual” request by the Swamp Bats to discharge fireworks, although it did not happen in 2020. He continued that the Swamp Bats took over the discharge of fireworks that was originally done by the Rotary Club. Staff requests that the PLD Committee place this item on more time to give staff the opportunity to sit down with the Swamp Bats and go over the event, see if there are any changes, and then bring back recommendations to the Committee.

Chair Bosley asked if he is saying staff is still waiting to have protocol meetings with the Swamp Bats to bring back a full recommendation for the Committee. Mr. Blomquist replied that is correct. He continued that he thinks they have something scheduled within the next couple weeks, so staff should have a recommendation for the Committee by their meeting in June.

Chair Bosley asked if there were any further questions. Hearing none, she asked if members of the public had any questions. Hearing none, she asked for a motion.

Councilor Greenwald made the following motion, which was seconded by Councilor Jones.

On a vote of 4-0, the Planning, Licenses, and Development Committee recommends the communication requesting the discharge of fireworks be placed on more time to allow protocol meetings to occur.

2) **Madeline Ullrich/Keene Downtown Group – Request to Use City Property – Art Walk**

Chair Bosley asked to hear from Karen Lyle or Madeline Ullrich.

Karen Lyle of 383 Main St. stated that for Keene Art Walk, art from the Monadnock region will be displayed in downtown business windows. She continued that it has run for 30 years, even during COVID-19, although in a simpler form. This year they are expanding Art Walk and requesting a sidewalk sale license so that folks can be on the street. If businesses want to come on the street they may. They are also asking for free parking for the two Saturdays, following the footprint of downtown and going one block off of downtown in each direction on Emerald St., Gilbo Ave., Washington St., and Roxbury St. They are also looking for electricity to go into four places downtown, because they will have tents containing artist demonstrations and music, on both Saturdays from 11:00 AM to 4:00 PM.

Mr. Blomquist stated that staff held a protocol meeting with Ms. Lyle and representatives from the Keene Downtown Group for the Art Walk. He continued that this is his 28th time coordinating the City support for this, and it is one of his favorite events. As Ms. Lyle explained, they are doing a few things differently this year, which staff thinks is great. Staff has worked with them to go over their various protocol items. Staff is not recommending that the Committee grant the request for free parking around the downtown and that Med Kopczynski, Economic Development Director/Director of Parking Services was here tonight to speak to the parking fund balance. One of staff's concerns is that the Parking Fund is not healthy this year. Also, the two-hour parking limit is not lifted. Residents would not necessarily be paying the fee for the two-hour limit, but the two-hour limit is still enforced. The Keene Downtown Group did not want to have folks get parking tickets, but theoretically, if someone is remaining in a two-hour parking space for more than two hours then they certainly will. Staff also wants to encourage the use of the long-term lots, which are in the immediate areas of the downtown, such as Wells St., Commercial St., and Gilbo Ave. This event is in the heart of the city and specifically in the heart of the downtown, and staff recommends that the Committee move forward and grant the license.

Councilor Jones stated that he looks forward to this. He continued that he wants to thank Ms. Lyle and all of Art Walk volunteers, and wish them a happy 30th anniversary. For many years,

he was a school chaperone, bringing students down to see the Art Walk. It was great to see students inspired by it.

Chair Bosley asked if there were any further questions. Hearing none, she asked if members of the public had any questions. Hearing none, she turned to the Committee for discussion. She stated that she would like to hear Committee members' opinions about the request for free parking. The standard license for Art Walk has not included that in the past. Does the Committee feel comfortable including it this time? What do they think about Mr. Blomquist's comments about the Parking Fund being in the negative?

Councilor Jones stated that as long as the Petitioner has heard what Mr. Blomquist said, the Committee should go with Mr. Blomquist's recommendation, unless the Petitioner has something else to add.

Chair Bosley asked Mr. Blomquist if he has a recommendation on whether to grant the free parking. Mr. Blomquist replied that staff's recommendation is to not grant the free parking. He continued that it does not necessarily affect the event and how the Keene Downtown Group runs the event. The purpose of their request was the Keene Downtown Group's belief that free parking may bring more people to the event or have them stay longer.

Councilor Jones stated that the recommended motion does not talk about that, so he thinks they are fine with the prepared recommended motion.

Chair Bosley asked if members of the public had any questions. Hearing none, she asked for a motion.

Councilor Greenwald made the following motion, which was seconded by Councilor Jones.

On a vote of 4-0, the Planning, Licenses, and Development Committee recommends that the Keene Downtown Group be granted a street fair license to use downtown City property in conjunction with the annual Art Walk. Said permission is extended to use downtown City sidewalks on June 5, 2021 and June 12, 2021, for art demonstrations in front of various businesses from 10:00 AM to 4:00 PM. Further, permission is extended for the shared use of Railroad Square on June 5, 2021 to accommodate the Art Market sponsored by the Friends of Public Art and use of Railroad Square on June 12, 2021 for related event activities. Said license is granted subject to the following provisions: the furnishing of a certificate of liability insurance in the amount of \$1 million; listing the City of Keene as an additional insured; the signing of a revocable license and indemnification agreement; the maintenance of a 6-foot clearance on the sidewalk for pedestrian traffic; and compliance with any recommendations from City staff. The Petitioner agrees to absorb the costs for any special City services provided.

3) Georgia Cassimatis/Friends of Public Art – Request to Use City Property – Outdoor Art Market - Railroad Square

Chair Bosley asked to hear from Georgia Cassimatis.

Georgia Cassimatis of 46 Centennial Rd., Gilsum, stated that she submitted an application about hosting a periodic artisan market throughout the summer in Railroad Square. She continued that the application proposes four dates. The first event will fall within the Art Walk event. The proposed time coincides with the Farmer's Market, the idea being that the Farmer's Market is for farmers and the Artist's Market will be for artisans. The Farmer's Market's capacity for artisans is full and there is a lack of space to host the art there. She hopes that Railroad Square could be an opportunity for this type of use. She would like to amend the proposed time for June 5, to match the Art Walk's hours of 11:00 AM to 4:00 PM, if possible, but she would like to keep the proposed hours of 9:00 AM to 1:00 PM for the remainder of the Art Market dates.

Ms. Cassimatis continued that she submitted a picture of Railroad Square and wanted to talk about the space available. She and Madeline (Ullrich) are in conversation and will make sure they accommodate each other instead of crowding each other, regarding the placement of Art Walk activities and Artist's Market activities. She would like the Artist's Market to be able to spill out into the grass area if possible. She has many artisans who want to participate but she has not given a final count or an okay to the people who responded, because she was waiting for this PLD Committee meeting to happen.

Chair Bosley thanked Ms. Cassimatis for that background and asked to hear from City staff.

Andy Bohannon, Parks, Recreation, and Facilities Director, stated that he and Ms. Cassimatis have been working on this event. He continued that this is similar to an event that happened a few years ago. One reason this came before the PLD Committee is there is commercial activity as part of the market. Staff thought it was appropriate to not just do a standard Railroad Square use permission from the Recreation Center, but to instead do a Use of City Property application and go through this process, provide insurance, and so on and so forth. By doing this type of license, staff can work with Ms. Cassimatis to extend into the grass area if needed, depending on how many artisans there are.

Councilor Greenwald stated that the Trax Club has outdoor seating. He continued that he wanted to make sure Trax still had the ability to be outdoors during this event. Mr. Bohannon replied that City staff could certainly work with Trax. He continued that at this time the Trax Club still has not gotten its license through the City Clerk's Office, but staff will be working with Club related to these type of events.

Chair Bosley stated that she drove by the area this evening to look at the space, and she thinks the Trax Club and the Artist's Market can co-exist.

Chair Bosley asked if there were any further questions from the Committee. Hearing none, she asked if members of the public had any questions. Hearing none, she asked for a motion.

Councilor Greenwald made the following motion, which was seconded by Councilor Jones.

On a vote of 4-0, the Planning, Licenses, and Development Committee recommends that Friends of Public Art be granted a General Use of City Property license for the shared use of Railroad Square on June 5, 2021, from 11:00 AM to 4:00 PM to accommodate activities associated with the Art Walk sponsored by the Keene Downtown Group; and the use of Railroad Square on July 30, September 4, and October 2, 2021, from 8:00 AM to 2:00 PM to hold an outdoor Art Market. Said license is granted subject to the following provisions: the furnishing of a certificate of liability insurance in the amount of \$1 million, listing the City of Keene as an additional insured; the signing of a revocable license and indemnification agreement; and compliance with any recommendations from City staff. Petitioner agrees to absorb the cost for any additional City services provided.

4) General Discussion – Parklets - Public Works Director

Chair Bosley asked to hear from City staff.

Kürt Blomquist stated that the Committee received a communication from Danya Landis, requesting the ability to erect a parklet in front of her business located on Court St. He continued that “parklet” is a relatively new term that has come up over the past 5 to 8 years. Parklets are generally in the more built-up areas of a community. The idea is to repurpose parking areas that have been traditionally utilized by vehicles, to provide additional seating, possibly provide green/park space, and potentially provide additional dining or gathering spaces. These can be permanent spaces, but in many cases, parklets are temporary. Temporary construction blocks off the area for vehicle parking but provides the amenities for these other activities. Cities such as Manchester and Concord have parklets.

Mr. Blomquist continued that staff got together to look at this, including folks from the Community Development Department, Parking Services, and Public Works. They looked at where parklets may be appropriate in the downtown area. They looked through the design guidance that is out there with a number of communities having issued specific guidelines for the construction, maintenance, and operation of parklets. They looked at communities across the country, but he was most interested in those in more tepid climates than those in southern California or Florida. They looked at the criteria for where parklets could be located and potential facilities that the City would provide, because this would be a partnership. They also talked about fees, and identified some general expectations that the City would be issuing as part of a license for the business or property owner who is doing a parklet.

Mr. Blomquist continued that Mr. Kopczynski and John Rogers, Code Enforcement, looked at the downtown sidewalks, primarily from Central Square to about Emerald St. They looked at the

different widths of sidewalks, which vary from about 6 feet to 12 feet. They looked at areas of outdoor dining that exist today through the café licenses, and how much space those were using, and how that relates to the sidewalk configuration. They identified that approximately 8 feet of space or more would provide sufficient room for a property owner or a merchant to have activity in front of their business and also provide sufficient space for the public to move through the area. That is important; the sidewalks are there to allow the public to move around downtown and be able to visit all the different areas. They also identified areas where there are parking meters; medians with landscaping, where the areas narrow down; or have less than 8 feet of sidewalk width.

Mr. Blomquist continued that parking in the downtown serves multiple purposes. It does not necessarily just provide parking for the businesses on the ground floor; it also provides parking for businesses on the second and third floors, such as lawyers, hairdressers, and health providers. Staff considered this and wants to minimize the loss of parking. A parallel parking space is 18 feet long along the curb. A 60-degree-angled space, which most parking spaces in the downtown area are, is about 10 feet wide. For every parallel space there are two angled spaces. They wanted to try to minimize the loss of spaces. That brought their focus to looking at the downtown areas that did have more parallel parking along the street versus the angled parking.

Mr. Blomquist continued that after staff looked at all of that, and went through and applied the criteria they had developed, they identified a number of areas in the downtown that could accommodate a parklets. Areas where sidewalks are less than 8 feet wide, or have less than 8 feet available due to restrictions, primarily parallel parking was along those, to minimize the loss of spaces. The areas they identified are: the east side of Court St., from Central Square to Vernon St.; the south side of Roxbury St. from approximately Central Square, the first entrance on the east side, to the Hannah Grimes parking lot area; the north side of Railroad St. between Main St. and the entrance to 42 Main (just west of the carriage house); and the south side of Winter St. between Court St. and the Cheshire County parking lot entrance. Those areas staff sees as having met the criteria of not having sufficient space on the sidewalk, and having parallel parking.

Mr. Blomquist continued that staff then discussed how the City would participate in parklets. As the Public Works Director, one of his concerns is the general safety of anyone who is close to the travel way. Staff recommends the City provide some type of block structure for protection. Some staff members feel jersey barriers are ugly. They looked at potentially some decorative block structures that they could reuse in some other work, such as when they close downtown. The blocks would be about 1.5' wide by 3' tall by 4' long. They weigh 500 to 700 lbs. Depending on location, they could use as few as two blocks or upwards of four.

Mr. Blomquist continued that staff talked about expectations and criteria they would establish for the parklet users. A business would be potentially licensed to use one or two parking spaces in front of their area, and if they want to use more space than that, they would need concurrence from the adjacent property owner. That is similar to how it works with café licenses. Other

expectations are to not block gutter flow, so it does not cause flooding; and the construction proposals need to comply with accessibility and with other City regulations, such as insurance indemnifications. Mr. Rogers is looking at expectations for compliance with City Code, regarding construction, to ensure general safety. In addition, businesses would be required to already have a café license in order to have a parklet license, because the café license sets up expectations for the sale of alcohol and those requirements would pass over to the parklet space.

Mr. Blomquist continued that regarding how to license parklets, they identified under the City's Code of Ordinances, a General License for Use of City Property. Section 46-23 provides the ability through the City Clerk's Office. However, this license would be part of a review team; it will not solely be the City Clerk's Office issuing these licenses. The City Clerk's Office has the ability to issue licenses for use of City property, including but not limited to City parking spaces, sidewalks, rights-of-way, and so on and so forth. That same section, 46-24, also deals with the sale of alcohol, which requires anyone doing this on City property to comply with the recommendations of the NH Liquor Commission.

Mr. Blomquist continued that lastly, staff discussed what the fee for this license should be. They looked at the basic cost for City staff to review and issue the license, following City Council's fiscal policy, Section 3C, which talks about how much license fees should be. They did not look at full cost recovery, but they looked at the fact that there would be several hours from the Code Enforcement Office and Public Works Department. They settled on \$100 to cover those hours. The other component is the rental for the parking spaces. As Mr. Kopczynski talks about, there is always a concern to continue the revenue for parking, which pays for the maintenance and upkeep of the parking spaces. Thus, there is a quarterly cost to rent a parking space. Since they are looking at allowing parklets from April 15 to November 15, which is about 8 months, part of the fee would be two quarters of the rental cost for the parking spaces.

Mr. Blomquist concluded that concludes the staff's presentation on parklets. He appreciates the assistance from the Community Development Department and the Parking Operations Officer in assessing the potential for parklet locations and developing the guidelines.

Chair Bosley asked if the fee for the replacement of the lost revenue from the parking meter applies for each space. For instance, if a business wants two parking spaces for a parklet, would the cost be twice the 50% of the cost of the full? Mr. Blomquist replied yes, if a business used one parking space it would be the cost of one space, and if they used two parking spaces it would be the cost of two spaces.

Chair Bosley asked if there was any consideration given to businesses that are not restaurants. She continued that she sees that staff is tying parklet licenses to sidewalk café licenses, but some of the locations Mr. Blomquist suggested as appropriate for parklets may not have a restaurant that would be utilizing it like that and maybe another business would be interested.

Mr. Blomquist replied they did start talking about the other businesses. He continued that he does not see a problem with that; they do not necessarily need to tie it to a café license. The connection there was regarding serving alcohol. However, if another type of business just wanted to provide seating, coffee, snacks, and so on and so forth, staff was talking about being able to eliminate the requirement for a café license.

Councilor Johnsen stated that it is exciting to make such good use of the space. She continued that her question is about people with physical challenges. They do not want to discourage people who need the accessible parking from coming to the restaurants. Has that been figured into these conversations?

Mr. Blomquist replied absolutely. He continued that it is important for the space to be accessible to all modes. When a property owner or business owner comes with a proposal, they need to demonstrate that they have a plan for how to provide their service for everyone. Services can be provided in multiple ways, but staff would be looking for a business owner to demonstrate, for example, if they are going to have their activity down on the pavement, how they would get someone with a mobility concern from the sidewalk down to the pavement. If they are going to have a parklet level with the sidewalk, they need to demonstrate how they are going to make sure there is not a lip or something there that would hinder accessibility. With any use of the right-of-ways, they have to demonstrate a clear path through the area so that anyone with mobility issues would be able to move through the area, even if they are not stopping at that particular site.

Councilor Greenwald stated that he is shocked at this whole discussion. He continued that the agenda lists this item as “general discussion.” He realizes that the City Manager has the power to organize a committee to do some work, but he has never seen a staff comment come out as an advocate for a program with no City Council backing. He has never seen Mr. Blomquist be such an advocate for anything in such a positive way.

Elizabeth Dragon, City Manager, stated that to clarify, this was put on the agenda as a general discussion, but in reality, the work that was done was in response to Machina Arts’s request to have a parklet. She continued that staff did a great deal of work to prepare a response to that request.

Councilor Greenwald stated that he has a conflict of interest regarding Machina Arts’s request, specifically, but this discussion with this agenda item is about a city-wide issue, and just like roads, sewers, and so on and so forth, he does not have a conflict of interest with that. He continued that he needs to separate himself and call the whole thing a conflict of interest, when appropriate, but if they are having a general discussion on parklets, he does not think it is going anywhere this evening, but he is up for discussing it.

Chair Bosley stated that they recognized at the last PLD Committee meeting that Councilor Greenwald has a conflict of interest on file for that area and they want to honor that. She continued that Councilor Greenwald is welcome to include his comments in the general

discussion and when the agenda moves to the Machina Arts request, Councilor Greenwald will be considered an “attendee.”

Councilor Greenwald stated that regarding the general discussion of parklets, he has a number of issues with the concept. He saw parklets in Connecticut and understands what they are. He saw a restaurant using three to four diagonal parking spaces as a parklet and businesses on either side, second story residents, got no benefit from that. There was no parking. He was not looking to go to the restaurant, he wanted to go to a nearby store, could not get in, and drove by. That is something that needs to be maintained as a strong concept. Parking in Keene is in short supply, particularly in Central Square. Going back in time, there was to be a parking deck built somewhere near the Fire Station to try to alleviate it, and that did not happen. He does not think it will ever happen. They need to be aware that it is more than just food service. Numerous businesses on the second and third floors and apartments need these parking spaces. Thus, before the City Council goes running down the road to create criteria to justify the parklet request that is coming up, they need to be aware that there is a severe parking shortage.

Councilor Greenwald continued that parklets are interesting. Jersey barriers were used in the CT parklets he saw. They may be ugly, but at least they stop people from driving into the tables. He strongly urges a review process. In speaking with the City Attorney he understands that the Planning Board only deals with private property. However, when the City is doing any kind of development, such as the ice arena, it does go through the Planning Board process. There needs to be public discussion about whether a parklet would be a good thing or not, in each specific location. We are through the COVID-19 emergency now, and we need to be thinking further. If the PLD Committee recommends approving something, and if there is an Ordinance about this, there needs to be an annual review by the City Council, not just administratively. He knows most of the licenses now are just validated by the City Clerk. This needs review by the City Council because it has implications beyond just the operation of these specific businesses. As Chair Bosley pointed out, it should not just be limited to restaurants. If a retail business wants to have displays outside, or if another business wants outdoor activity, they should be allowed if restaurants are. Everyone should have the same ability. This creates the problem of lack of parking. He has been an advocate for saving the parking. Councilor Greenwald encouraged the Council not to give away any kind of parking in any downtown redesign.

Councilor Jones stated that he is wholeheartedly opposed to this Ordinance. He continued that he thinks they should address it just like they are doing in agenda item 5, one at a time, when someone comes forward with a petition to do something. If they had an Ordinance, they would be inviting this type of activity. For many of the reasons Councilor Greenwald stated, he does not think they should be inviting this type of activity. At the last meeting, he spoke about how nice parklets are in Plattsburgh, NY. They use jersey barriers in an artsy way. The parklets in Amherst and Northampton, MA, look ugly. Restaurants there are allowed to display political and social messages outside, which is creating conflict. There are many reasons why Keene should not be inviting this type of activity. If someone comes forward to the City Council, like Machina Arts did, and has a plan for the PLD Committee to discuss, he is all for that. However,

he does not think they should be creating new zones for this activity to happen. He thinks they should accept this discussion as informational.

Chair Bosley asked if there were any further questions or comments from the committee. Hearing none, she asked for public comment.

Jaclin Headings of 15 Ashuelot Ct. stated that she joined the meeting to support Machina Arts's request for a parklet. She continued that as she has listens this evening she sees that there is a larger scope to that, with perhaps expanding parklets to other areas. On that topic, she encourages the PLD Committee and the City Council to be creative. She understands the concerns, but at the same time, the community is coming out of COVID and downtown businesses need the peak spring, summer, and early fall seasons to attract residents, people from the Monadnock region, and people from out of state. The economy needs that. If Keene creates and expands the inviting spaces downtown, people will come. People will find a way to find a parking spot. She understands sometimes people get concerned about that, but she asks the Committee to be open to the parking concept.

Ms. Headings continued that she strongly supports Machina Arts getting approval for a parklet. They have been good stewards to their attractive building, and they have done a great business here. They not only take care of their staff, but are also great contributing members to the community. Jordan Scott, co-owner and chef, is involved with several non-profits that count on his support, such as the Monadnock Farm Share, Community Kitchen, Culinary Journeys, and Rise...For Baby and Family. Danya Landis will be a co-chair for Monadnock United Way's annual campaign. She mentions this to put a wider lens on Machina Arts's request. They need this parklet space to help them remain financially viable so they can, in turn, provide jobs for their staff and continue to support the community at large. They also allow Archway Farm to use their kitchen space when Machina Arts is closed. This is a good business with strong community leaders. They have an unusual spot in that they do not benefit from the other restaurants downtown and have limited sidewalk space. She encourages the Committee to support them. If nothing else, try the parklet for the spring and summer and then revisit these requests in the following year. Now is the time to support the downtown businesses by being flexible and creative.

Councilor Jones stated that he agrees with everything Ms. Headings says. He continued that it is just that an Ordinance is not necessary in order for Machina Arts or another entity to come forward and request a parklet. He has no problem with Machina Arts's request and looks forward to talking about it.

Chair Bosley stated that she thinks Councilor Jones's perspective is interesting. She continued that she listened to Mr. Blomquist's presentation and thought of a few restaurants that could benefit from a parklet situation and may only take two spaces, and not necessarily parallel ones. Limiting it to certain areas is something she is interested in looking at on a case-by-case basis, instead of creating, as Councilor Jones said, an entire zone for parklets.

Chair Bosley asked if anyone wants to weigh in on the parklets conversation as a whole, not necessarily Machina Arts' request, and about whether they want to see an Ordinance or whether they want to look at requests individually.

Dorrie Masten, of 326 Matthews Rd., Swanzey, stated that recently the City has adopted new rules for the downtown, including the rule that any new apartments built in the City must provide one parking space for each apartment. She continued that right now if every landlord redid their office space into an apartment that is a demand people cannot meet because the City does not have enough to offer. After she sat with City staff for about an hour, staff described the reason for requiring every new apartment to have a parking spot: because there is such a shortage. There is a terrible need for parking in the downtown. Her bigger concern is knowing what foundation the City is standing on. Are they standing on the foundation that they do not have enough parking and they are going to tell landowners and investors that for new apartment they need a parking space? Or are they going to stand on the foundation of, "We have plenty of parking spaces, so let's give three to this one, and three to this one"?

Ms. Masten continued that the four proposed locations where parklets would be allowed have a total of 12 parking spaces. That is a lot. Think about what it would be like if they allowed every restaurant to have a parklet. That is over 60 parking spaces. Court St. and Winter St. have heavy traffic. Winter St. has the courthouse, apartments, law offices, hair salons, and more. Court St. has approximately 16 tenants in the building, and above The Stage there are offices. She does not think it is fair to take three parking spaces and allow a single business to use them. She understands that this is made to enhance patios and get people out and about, but when people rent apartments downtown, they do so knowing what parking spaces they may utilize. For example, her space used to be The Chambers, on Winter St. She owns the building and the space is currently vacant. If she rented to a tenant, they would love to have a parklet right there. But she, as the landlord, would hate it, because her tenants renting apartment spaces upstairs would have no place to park.

Ms. Masten continued that in addition to what is fair and what is not, and the need for downtown parking, there is a huge safety issue. The three parking spaces proposed for a parklet on Court St. would enclose the entrance to that building. She would guess that the Fire Department and EMS go to that building at least once every two months. Most recently, there was a fire there. Emergency responders would have to walk all the way around the parklet to get upstairs to the apartment. It would also cause a traffic jam. There is a driveway there for deliveries for The Stage and China Wok. China Wok would not have parking available, since the first three parking spaces would be for that one restaurant.

Ms. Masten concluded her remarks by stating there should be a study, on the impact of parklets. It seems like people are so excited about doing something new that they are forgetting that there is a lot to this, such as location, safety, and other issues. She wants the City Council to think more about this before allowing a parklet on a heavily traveled road.

Georgia Cassimatis stated that she is speaking on behalf of a community member of Keene. She continued that she spends a lot of time in Keene and she has never has trouble parking in Keene. She is a 34-year-old active person who likes to participate in the downtown. If they want to attract more people like her, they need to think about how to make the city more attractive. She agrees that jersey barriers can look ugly, and they need to figure out a way to accommodate the aesthetics of the downtown. That can be taken into consideration via the Historic District and their opinions on the way things look. She thinks it is interesting that a direct competitor of Machina Arts is speaking out against this when they have their entire parklet really well done. It looks great and it is a living example of what success can be in Keene. The downtown obviously needs a lot of work. Over the time she has been here, she has heard people talking about downtown being expanded, or shrunken, or pedestrian (centered), or not; and talking about having a parking garage here, and how no one wants to pay for it, and how it should be privatized, and so on and so forth. She hears City Councilors saying there is not a parking issue. The Southwest Regional Planning Commission (SWRPC) did a parking study on this. This topic is a big conflict, and everyone should be aware of that.

Ms. Cassimatis continued that everyone should have the opportunity to participate in this type of experience, and she agrees that it should be temporary for a year to show everyone what we are willing to do for our downtown businesses. It will invigorate Keene's downtown in ways they do not even understand. They need to take this opportunity. Because of COVID-19 restaurants are not able to be at capacity. Because COVID-19 is probably not going away, restaurants are always going to be under pressure for people to sit outside, so the City needs to provide the opportunity for outdoor seating more often, moving forward. She does not think this is going to be a one and done issue. She thinks this is going to come up more and more. There is parking all over the city, within a quarter mile. In other cities in NH you are guaranteed to walk a quarter mile in general, just enjoying yourself. It is not necessary to have a parking space in front of every shop on Main St. to provide the experience of downtown Keene. She does not want Keene to fall to the bottom of the list as a destination. She wants Keene to be in the top rankings when people consider NH and which cities to visit. She wants Keene to be a place people have heard about and say "I had such a great time." Parklets are an important part of this potential future for Keene. Keene will be left in the dust if they do not take advantage of these opportunities. What kind of city do they want? What kind of people is the City Council trying to attract? It is clear to her that they need to attract her generation. Through experiences like parklets, they will see more people from her generation coming to Keene. She really supports this and she hopes that through discussion they can figure out the best, most coherent, and safest way to make parklets accessible for everyone in the city.

Councilor Madison stated that in 2015, the SWRPC concluded a Complete Streets project along Marlboro St., and the demonstration included parklets. He continued that all of that was received with high acclaim. Thus, Keene has already looked at the concept of parklets and there was a lot of positive energy around it. He asked Mr. Lamb to clarify: in the new Zoning Ordinance, are apartments required to have two spaces provided by the property owner, or two spaces provided

by the City by means of metered parking? Otherwise, he thinks they do need an Ordinance on parklets. He does not think it invites this kind of development or activity; he thinks it creates a framework for it to be permitted and for it to be permitted in a fair and equitable way.

Councilor Jones stated that he listened carefully as Ms. Cassimatis spoke, and she was right about everything. However, once again, they do not need an Ordinance to do all of that. The PLD Committee can address things the same way they are going to address the request from Machina Arts. They do not want to create certain zones. There might be people who are not within those proposed areas who might come up with a creative idea, and the City would have to say, "No, you're not within that licensed area." He does not think that is fair. They should give everyone an opportunity to be considered one at a time. He thinks they should not have an Ordinance and should just deal with each petition individually.

The City Manager stated that she does not have an opinion about whether or not an Ordinance is required, but she believes that if an Ordinance is not in place they need a policy and framework. She continued that the framework should allow some flexibility and make it clear why they are doing a parklet and what a parklet is, and have guidelines as to where parklets would actually work. Otherwise, it becomes a political conversation, and without some sort of criteria for them to use, at least initially when evaluating this, it becomes very difficult.

Councilor Jones stated that he agrees that they should have a framework. He continued that he thinks they are starting to do that, by what they are doing with Machina Arts. He looks forward to that framework. And they can adopt policies without having an Ordinance, and he would look forward to that. He thanks the City Manager for her words.

Councilor Greenwald stated that the discussion should not be political or personal, and he has concerns about that. He is happy they are having an open discussion and that this was not just handled under the emergency COVID flexibility that the City Manager has. He agrees with Councilor Jones that they should discuss each request the City Council receives, and if some other downtown entity has some creative ideas, they are open to hearing them. Chair Bosley stated that she agrees.

Mr. Lamb stated that he thinks it is important to check in with Mr. Blomquist one more time. He continued that in his memo, Mr. Blomquist implies that the Chapter 46 section indicates that this is a license issued by the City Clerk's Office, and it seems like the discussion happening tonight assumes that the City Council plays a role. He wants the Committee to be clear that this is a license issued by the City Clerk's Office, not the City Council.

Chair Bosley asked if the City Clerk's Office could issue these licenses without these individual items coming before the PLD Committee, because they have authority over the right-of-way and parking, and parklets are not on sidewalks. Mr. Lamb replied that is the existing language.

Councilor Jones stated that that is another reason why he does not want to have this Ordinance. Chair Bosley replied that without this Ordinance, the PLD Committee would not have the authority to review any plans for these parklets. The licenses would come straight from the City, is what is being indicated, and she heard that Councilor Jones's wishes are that the license requests be reviewed one by one. That complicates it, if they are not moving forward with some sort of policy. Councilor Jones replied that it would be fine to have a policy and procedures.

Chair Bosley asked the City Manager if a policy would allow them to create a framework where each parklet request would come before the PLD Committee for initial review, or if that would immediately give framework for the City Clerk's Office to automatically issue licenses. The City Manager replied that a policy would give framework for the City Clerk's Office to issue licenses; however, she thinks that these are unique enough that she does recommend they have a policy and a framework to go through. She thinks they can include a City Council review process in that so there is a public process. She agrees that it is not easy balancing the needs of everyone, and sometimes having these conversations brings forward something that maybe they had not thought of. She does not think the City Clerk's Office would have an issue with the City Council being part of the initial review process, but she could talk with the City Clerk about that.

Chair Bosley asked if Mr. Blomquist had anything to add. Mr. Blomquist replied no, as Mr. Lamb stated, he was pointing out that currently there is that provision for use of City property, and whether it is a parklet or anything else, there is authority for staff to grant it. Part of the reason they looked into that was they also know that the City Council is concerned about how long it takes to do things. This is a way in which something can be moved through. He is concerned if the expectation is that if a request comes in at one City Council meeting they will be ready by the next one, particularly if staff has to evaluate individual requests every single time. It could take a month for them to get through the process to get a license issued.

Chair Bosley replied that she thinks that would just be for the initial license. She thinks once it has been issued, it renews on a regular basis as a normal sidewalk café license would.

Councilor Greenwald stated that he now has even more concern after hearing that the City Clerk's Office would be the mediator. Imagine that the new merchant coming downtown that everyone is thrilled to see, Chaos and Kindness, wants the two parking spaces in front of their business for an additional display area. Is that going to fall to the City Clerk to permit that? Every store would want to go out there and take those spaces. They should not go down that rabbit hole. It is grossly incorrect to make this only for restaurants and bars. It should be available to anyone or no one. He thinks parklets will be very difficult to limit.

The City Manager replied that that is all the more reason for a policy and guidelines, because the framework that Mr. Blomquist was walking them through talked about how the area in front of Chaos and Kindness has sufficient sidewalk space to do an outdoor activity and they could get an obstruction license if they want to. They have sufficient space. There are only a few areas of the

downtown that do not have sufficient space to do that, which is why staff tried to create a framework that would identify those areas.

Councilor Greenwald replied that he thinks every merchant would want more, whether there is “enough” space or they could have more. He continued that having spent time in those trenches, he knows the way retailers think.

Councilor Johnsen stated that she is learning a lot tonight. She asked if the PLD Committee has to do something regarding agenda item 4 before they can approve agenda item 5, if they were to think about these parklet requests one at a time. She asked if it is correct that they cannot move ahead with Machina Arts’s request if they do not have something set up in agenda item 4.

Chair Bosley replied that her understanding of the way the license rules are currently written in Chapter 46 is that they can move forward on number 5 without there being a framework for number 4, but the fact that the parklet was requested brought forward all of these additional concerns and the need to look at this as a whole. Because to authorize number 5, and then decide that they were not going to allow anyone else to have a parklet in the city would seem inconsistent. As a matter of best practice, it would seem reasonable to have some sort of policy, Ordinance, or framework that they may or may not make decisions going forward, and then apply the request the PLD Committee has before them to that framework, instead of just starting to hand out opportunities ad hoc.

Councilor Johnsen replied that makes sense. She continued that the PLD Committee already listened to Machina Arts’s request at their last meeting, and she hates to hold them up so long while the Committee is figuring this out. Is there a way they can come to a happy medium, so they can agree that they will start to look at this or start to do this? She hates to leave Machina Arts out in the woods, because they came to the City Council with a wonderful request.

Chair Bosley replied that she hears what Councilor Johnsen is saying. She continued that there is a sense of urgency here so the PLD Committee can start to get to that request and make a decision one way or another so Machina Arts is not hanging in the balance. Her question to the City Manager is what the proper recommendation is where they can create some sort of guidelines. She asked Councilor Jones if he is interested in having each initial, individual request come before the Committee. Councilor Jones replied yes. She asked if that would then be an Ordinance.

The City Manager replied technically, it would be an amendment to the existing Ordinance, to specifically call out parklets as a separate license, which would be handled differently. Chair Bosley asked if it would be under the Sidewalk Café Ordinance. The City Manager replied no, the General Use of City Property license.

Chair Bosley stated that she thinks their options are to either create a policy, which gives the City Clerk’s Office a framework, and then the PLD Committee is removed from the process; or to

create an Ordinance that allows them to create a framework of some sort, and an initial review process at the Committee.

Councilor Jones made the following motion, which was seconded by Councilor Greenwald.

Move to accept this discussion as informational and ask staff to return with amendments to the General Use of City Property license ordinance.

Councilor Jones stated that he would prefer that to creating a new Ordinance. That would allow for the policy and procedures.

Councilor Johnsen asked if agenda item 5 is held up, if they pass this motion. Chair Bosley replied that she believes Machina Arts was aware their request might go on more time this evening because the Committee was going to be getting the details sorted out for the procedure, but yes, it would mean that. Councilor Johnsen replied that then Machina Arts has to wait until all of this is processed. She asked how long they are willing to wait. Summer is coming and they want to have something special, and they have come forward with this request. She asked the City Manager if the Committee could recommend letting Machina Arts have their parklet even if Councilor Jones's motion passes.

The City Manager replied that she appreciates what Councilor Johnsen is saying. However, she would feel uncomfortable moving forward with a parklet when they are in the process of discussing the guidelines to use for other applications for parklets. The reason also ties to the expenditure that Machina Arts would have to expend to create the parklet. It is possible that they could do that and then the Ordinance could do something very different and Machina Arts could potentially be out quite a bit of money, only having a parklet for a month while the Committee is discussing the Ordinance. That puts Machina Arts and the City in a difficult position.

Councilor Jones stated that regarding Councilor Johnsen's question, staff's recommendation either way is to put Machina Arts' request on more time. Thus, his motion might make it go even faster, because if they did the Ordinance it would have to have a first reading and come back to Committee and then have a second reading, and they do not know how many amendments there would be, because this is something new for the City. It could be amended and sent back to Committee, as they have seen happen many times when there is a new Ordinance a City Councilor disagrees with. It could take months. He thinks they are better off amending the present Ordinance and not creating a new one.

Councilor Greenwald stated that meanwhile, the parking spaces in front of the establishment are still blocked and not accessible for anyone's use, under the City Manager's powers. He continued that he would not want to move to revoke that or take away those spaces. Thus, in a sense, Machina Arts has no loss, but they just will not have anything as nice as what they are proposing. They still have tables outside and the patrons are safe. He asked when those spaces go away.

The City Manager replied that Machina Arts was granted a license to use the sidewalk in that manner for this season at the beginning of the licensing season.

Councilor Greenwald stated that he thinks that is fine, because Machina Arts can use that space and does not have to pay for it, so this situation is not at all bad for them.

Councilor Jones replied yes, this is the answer to Councilor Johnsen's question – Machina Arts is ahead of the game right now. They are doing well. He does not think that (placing this item on more time and amending Chapter 46) will affect them at all.

Councilor Johnsen asked what happens if the vote on the motion is a tie, since there are four Committee members present tonight. The City Attorney replied that it would mean no action is taken, so someone could make another motion. If there is still no action, it would go to the full City Council for further discussion with no recommendation from the PLD Committee.

Councilor Greenwald stated that he thought the motion was to accept this as informational. Chair Bosley replied no, the motion was to amend Chapter 46 to create a provision for parklet requests to come to the PLD Committee for initial review.

Chair Bosley asked for public comment.

Danya Landis of 433 Elm St. stated that regarding the question of whether Machina Arts was aware that their request might be placed on more time tonight, no, they were not aware. She continued that she also wanted to thank everyone who has put a lot of time into this. This conversation has been lively and she appreciates it. She loved the policy Mr. Blomquist and the team came up with. She thought the criteria were reasonable and it left room for City staff to work with individuals to make sure the design was custom to the space they were working with, because everyone's space is different. She also appreciated that the Ordinance was for particular locations. She knows everyone is concerned about parking in Keene, but the Ordinance is one way to make sure parklets do not get out of control. In general, this Ordinance would be helpful, to give guidelines to anyone considering a parklet, who might be thinking, "Where do we start?" This Ordinance would let people know if and how they would qualify to do a parklet. It is important to make sure the structure is done correctly and is safe, well lit, and so on and so forth. All of those guidelines are in Mr. Blomquist's proposal, and she is 100% in favor of it.

Councilor Jones stated that everything Ms. Landis just said she is in favor of can be in the amendments to Chapter 46 that the motion asks for. He thanked Ms. Landis for her comments.

Chair Bosley asked if any more members of the public had questions about the motion. Hearing none, she asked if there were any further comments from the Committee. Councilor Greenwald stated that he will support the motion, because the proper time to oppose it is when he knows what he is opposing, after the proposed changes have been written.

On 4-0 roll call vote, the Planning, Licenses and Development Committee recommends to amend Chapter 46 to create a provision for parklet requests to come to the PLD Committee for initial review.

5) Danya Landis/Machina Arts – Requesting Permission to Erect a Parklet in Parallel Parking Spaces – Outdoor Dining

Chair Bosley stated that she apologizes to Ms. Landis not being aware that the intent was to discuss this and then place it on more time. She continued that she was told that the City Clerk's Office had reached out to Ms. Landis today about that. She hopes that through listening to this discussion Ms. Landis has gotten an idea of the process the Committee is going through to try and get a resolution for Machina Arts. They are moving it through the Committee as quickly as they can. She asked if Ms. Landis wanted to speak.

Ms. Landis stated that she wants to thank them again. She continued that it is incredible to have a City go this far to support a business and try to figure out how to make something brand new work. She knows it is not always easy to look outside the box. This parklet will be important for Machina Arts' vitality. It is not just a business; it is full of people who work there, their families and friends, and they support the community continuously. That is important for the Committee to remember as they think about how they are supporting small businesses. She knows parklets could benefit other businesses as well. She thanks the Committee and looks forward to their vote about the permit to serve alcohol on the patio, and the construction of the temporary parklet in three parking spaces.

Chair Bosley stated that she thinks they did vote on Machina Arts's permit at a previous City Council meeting. She thinks they just segregated the parklet issue. She asked if that is correct. Ms. Landis replied that she did not hear anything. Chair Bosley stated that Machina Arts is able to serve alcohol under the discretion of the City Manager's Emergency Order authority, but the full vote on that would be tied into the continued discussion on parklets. She asked if that is correct. Ms. Landis replied yes.

Chair Bosley stated that she hopes the Committee will have some sort of policy before them in a couple weeks and they can get right back to this conversation.

Ms. Landis stated that this does not need to be tied to parklets. She continued that Machina Arts wants to have an outdoor patio regardless of whether or not they have a parklet. The way they are currently set up could work. It is not ideal, and there is space they could utilize. They want to utilize it instead of just taking up parking spaces.

Chair Bosley stated that she hopes Ms. Landis can bear with them, because she thinks that while Machina Arts has the authority to operate in the manner they are currently operating in, it gives the Committee time to work out these details so they are not approving one thing and then taking

it back to extend into parking spaces, if that potentially is where this goes. The Committee is aware that Machina Arts is at least operating and able to do business currently, and they want to get it right the first time. Ms. Landis replied that she agrees 100%.

Chair Bosley asked if members of the public had any questions. She stated that Councilor Greenwald is now considered an “attendee,” recused from his position as PLD Committee member for this agenda item.

Mitchell Greenwald stated that he is a Keene resident and property owner downtown. He continued that to be clear, there is a difference between being a City Councilor and being a resident/citizen. The conflict of interest statute states: “*A City Councilor has a conflict of interest if they have a pecuniary interest in the matter.*” Indeed, he is the property manager at the building where The Stage restaurant is located on Central Square, and he was asked by the building’s owner to speak to the PLD Committee and represent her interest and the 13 offices upstairs and two other retailers there who are very concerned about the loss of any parking spaces. They discussed that there is no parking lot north of Central Square. Those offices, such as the hair salons, definitely need parking. It takes time to have hair services done. Walking is good but it also inhibits their business growth. It is important to keep in mind that the request before the Committee will benefit the petitioner and the petitioner’s employees and patrons, but it is to the detriment to all others. Parking is key. It is in short supply, regardless of what the surveys say. People do not want to walk; they want to park as close as possible to where they are going. Keene needs more parking.

Mr. Greenwald continued that the safety issues of the request are obvious. There is a lot of traffic, including trucks going through. He cannot imagine how winter maintenance has been and will be done in the future. They usually use the Planning Board for site plan review. It does not apply to this as it is City property, but he can just imagine what the Planning Board would say to this request. It is dangerous and a bad idea. It is a great concept, in terms of progressive thinking, but they need to consider the hazards. The current situation, under the COVID-19 Emergency Powers, will end soon. When a business chooses where to locate – and Ms. Masten pointed this out – there are pluses and minuses of every location. Parking is a major issue, as is sidewalk size. Retailers want big sidewalks so they can put their goods outside, and restaurants love to have tables outside. Sometimes a location does not have such a big area out front and it is just part of the load the location bears. There is an opportunity north of the petitioner’s location, in a park, and he has been told the owner is hesitant to make that available. That solution perhaps could be worked out.

Mr. Greenwald continued that at the very least, if this request is approved, he urges the City Council, not just staff, to review this annually, and have the license be revocable without cause. He is sure the parklet will be gorgeous and there will not be any problems, but that is specific to the operation. There is the implication of the surrounding community that it is not going to be actually seen without getting some public input. The rules and procedures proposed by the Public Works Director are brilliant and answer all the questions, but they have been crafted to

answer this situation. He finds that troubling. Finally, he reminds the City Council that they represent the public, not their favorite place or their favorite person or someone who is doing wonderful things, which he is sure the owners of Machina Arts are doing. The general public needs to be heard on this, and the general public needs parking as a high priority.

Ms. Landis stated that as a reminder, there is free parking on Court St., and a parking lot on Mechanic St., and a lot of parking on Washington St. She continued that there is a lot of parking in Machina Arts' area. It may not be as apparent but it is there.

Rachel Eschle of 39 Union St. stated that she respectfully disagrees with Mr. Greenwald that creating parklets would be to the detriment of all others in the city. She continued that as a member of the public, she would like to see downtown outdoor dining expanded. It is good for the city and for commerce and creates the kind of atmosphere they want downtown. Parklets are an effective way to accomplish that. She would like the City to adopt an Ordinance that deals with this and she would like to see more outdoor dining options downtown, particularly in the summer. Her understanding is that parklets would be taken out for the winter. She has seen parklets work in other cities, including Portland, ME. If safety issues exist, she is confident that the City could figure out a way to deal with that. She wants the record to reflect that she, as a member of the public, sees parklets as beneficial and something she would like to see not just for Machina Arts, but also for other restaurants that want to expand their outdoor dining options.

Ms. Masten stated that her decision to not want parklets or think negatively about them is based on all parklets; it is nothing towards Machina Arts. Machina Arts' folks are good folks who work hard and provide jobs in the community, and she recognizes all of the good things about them. It is parklets in general that she is concerned with. If the City has parklets they first need a safety study and a parking study. They should not do this on a whim.

Councilor Jones stated that all these issues people are bringing up can be addressed again, because tonight they are only placing this item on more time. The topic will come back to the Committee with guidelines in place. That would be the better time to speak to the pros and cons of Machina Arts getting this license.

Chair Bosley agreed and asked the City Manager if they have ever issued licenses on a first come, first serve basis with a cap. She continued that for instance, they could consider, as part of their guidelines, something like a five parklet limit and have those be available on a first come, first serve basis.

The City Manager replied that all that comes to mind is that the food truck spots are first come, first serve. It is not by license, but by spot. She continued that they recently licensed a mobile vending spot, which is first come, first serve, and it is the only location they have.

Chair Bosley stated that she heard that they spent a lot of time trying to find a way of being conservative with the amount of parklets they will allow, to conserve parking, and that narrowed

down and cut out specific retailers, restaurants, or interested parties whose locations did not fit those guidelines. However, instead of looking at it from that perspective, maybe they could have a limitation in general that would allow them to review each design.

The City Manager replied that that is something they can look at. She continued that the criteria staff focused on was the sidewalk width, because people can do a lot with the sidewalk if they have the width, but if they do not, that is the challenge. Chair Bosley replied absolutely, there needs to be some basis for beginning, and that is a clear reason. She thinks that eliminating the pull-in parking spaces, because there are businesses that have narrow sidewalks and pull-in parking spaces is an issue. That might open up the opportunity, but without allowing it to run rampant in the city if they had some sort of cap. That is just a different way to look at it.

Georgia Cassimatis stated that she supports Machina Arts and any future business that wants to participate in this idea, because parklets are widely accepted across the country. Keene needs to make sure they are ahead of the curve on this and do everything necessary to figure out the details of these processes. Keene is generally ahead of the curve, which is great. They can figure it out and make it work for everyone. Regarding the fees Machina Arts will have to pay for this additional space due to the lack of income for the City, she wants to know: is there a fee for businesses that already have large-scale outdoor seating areas?

Chair Bosley replied that she believes there are fees associated with sidewalk café licenses, but no one else in the city has proposed or applied for anything like this. Thus, there is lost revenue by taking over those parking spaces, and to compensate the City for that is reasonable, along with a licensing fee, which a standard sidewalk café licensee would pay. The City Manager added that mobile vendors also pay for the spots they park in while vending.

Ms. Landis replied that makes sense, and the Farmer's Market also pays thousands of dollars to occupy their spots as well, and she does not see that as an issue. She continued that she was just curious if the restaurants that already have parklet-style outdoor seating pay fees. Chair Bosley replied that she would caution her against calling it "parklet-style outdoor seating," because Keene does not have any of that currently. She continued that the city has sidewalk cafes.

Ms. Landis asked what the fee is for a business to have a sidewalk café. Mr. Lamb replied that he thinks it is between \$100 and \$150 for the processing fee for the license. Ms. Landis asked what fee Machina Arts would have to pay. Chair Bosley replied that it would be identical, with the inclusion of the rental of the parking spaces. Ms. Landis asked if there is an estimated cost yet for those parking spaces. Chair Bosley replied that the proposed amount was two quarters of a yearly rental for a parking space, and Ms. Landis would have to contact the Parking Office. Mr. Greenwald stated that there is a daily rate for a space rental, but he does not know what it is.

Chair Bosley stated that there are a couple ways of looking at this. She continued that when the Committee sees the policy language that staff brings back at their next meeting, they will have a clearer idea of the direction that staff wants to take.

Councilor Jones stated that he has a story from the past, regarding the need to be careful when saying something like “We want to open it up to other businesses.” Years ago, there was a cigar store on Central Square, which rented parking spaces to have a “smoke out” day. The City gave it to them, and received a lot of negative feedback afterwards from the hospital and anti-smoking advocates. They have to be careful. He was the only Councilor who voted against the cigar store renting the spaces for their smoke out. Due to that, Cigar Aficionado magazine has noted him as a politician to blackball. They have a list of governors, senators, congressional representatives, and him, a city councilor from Keene. He opposed to the cigar store’s request because he thought it contradicted the City’s new partnership with Healthy Monadnock. That is an example of what can come up if they start renting parking spaces to businesses. They need guidelines. They want the kind of business that Ms. Landis has, but they want to be careful about what else the City allows.

Councilor Johnsen stated that the Committee wants younger people in the community, and these young people are taking a stand. She wants to see that happen, and that does not take away anything from folks who are well established. When the Committee says they represent their constituents, they do. They want these kinds of things available. Many constituents want something more modern. She is not saying this is just for younger people. The well-established places are great, but she would like something new, too.

Chair Bosley replied that to Councilor Johnsen’s point, COVID-19 has taught them a lot. They have expanded outdoor seating in general, which the City might have been hesitant to do at one time. Now they see that it works and people enjoy it. Currently, Machina Arts is taking up some parking spaces downtown and she still has a problem getting a reservation at a restaurant downtown. Obviously, people are still going out to eat and they are still finding a way to get to their locations, even if they have to walk a couple extra feet. She thinks it is interesting to have some progressive ideas and it keeps Keene modern. They just need to find a proper pace to implement it in a smart way that does not result in them regretting the decision. Having these open, public conversations and hearing people’s opinions definitely makes her think. She had a certain opinion at the start of tonight’s meeting about the general discussion, and Councilor Jones walked her through a different perspective on how the process could happen. They are all here to learn, grow, and make good decisions.

Chair Bosley asked if there were any further questions. Hearing none, she asked for a motion.

Councilor Jones made the following motion, which was seconded by Councilor Johnsen.

On a vote of 3-0, the Planning, Licenses, and Development Committee recommends the request from Machina Arts for use of public parking spaces for a parklet be placed on more time, pending the amendments to Chapter 46, General Use of City Property Right-of-Way.

6) James Murphy – In Support of the Improved Medicare Act of 2021

Chair Bosley asked to hear from James Murphy.

James Murphy of 19 Shadow Lane stated that he has lived here for 48 years. He continued that his request is a petition for support of a Resolution on the Improved Medicare For All Act of 2021. It will provide affordable, high quality, comprehensive coverage for all medically necessary care under a national health program. Healthcare is a basic human right of every American and providing it as publicly funded social insurance is the only proven and cost-effective way to achieve equitable and sustainable universal coverage. The City of Keene will witness a savings of \$5 million annually on expenditures of employee healthcare and this will vastly improve healthcare outcomes to residents, who will encounter no financial barriers to care. Healthcare providers, hospitals, and doctors will benefit from not having to write off uncompensated care, as “everyone in and nobody out” will be the norm upon the Act becoming the law of the land.

Chair Bosley thanked Mr. Murphy and asked if staff wanted to speak to this item. Hearing no staff input, she stated that she wants to hear what the Committee’s opinion is regarding supporting this.

Councilor Johnsen stated that she appreciates Mr. Murphy’s request and it is clear that many people would benefit from this. She continued that they could recommend that the City Manager be directed to draft a Resolution in support of this, and she hopes they do. Anything they can do to make this come from Keene, NH, to take care of Keene residents on Medicare, is something she strongly supports.

Councilor Jones thanked Mr. Murphy and stated that he thinks this is important. He continued that he needs staff input on whether this is a social issue or a City issue. All that makes it a City issue is paragraph 3, and that needs staff input. If staff agrees with it, the PLD Committee should endorse this. Otherwise, it is a social issue, and they should not get into that. He asked if the other Committee members agree with his interpretation.

Chair Bosley replied that she agrees with Councilor Jones. She continued that she fully supports Mr. Murphy’s request, as a human being. However, she is not sure that the PLD Committee or the City Council is the right place to be putting this forward, because it presumes that this benefits the city as a whole, but she knows there are mixed opinions about this and they have not heard from the public on this topic. She holds reservation until they fleshes this out more.

The City Manager stated that the third paragraph says “*The City of Keene will witness a savings of ___ million from its annual expenditures.*” She continued that she has not investigated whether or how that would occur, so she cannot confirm any number of savings in the City’s budget because of this.

Heather Stockwell, of 1166 Main St., Dublin, stated that she has lived in NH for over 50 years. She continued that she is on staff with Rights and Democracy (RAD) as a statewide campaign organizer. RAD is a non-profit organization with a mission to raise up the voices of working people and families, and they support raising the minimum wage, ending the overdose crisis, housing for all, and a universal healthcare system for all. In 2018, the entire US saw a 25% increase of insurance premiums and NH saw an outrageous 45% increase, as documented in the NH Providers Association report from that year. When the COVID-19 pandemic hit early in 2020 we were already in a healthcare crisis. The City of Keene spends almost \$5 million for City employees' health insurance, which is why that number is being raised tonight. When the pandemic hit, an additional 5 to 10 million people lost their health insurance, on top of the 28.9 million that were already uninsured. Almost 44% of people do not have or cannot afford to use their insurance. People are afraid to seek care when they need it most, and at a time when our neighbors' health is most linked to our own. More than 575,000 people have died from COVID-19 in the last year. An estimated 45% of those deaths could have been prevented if the US had responded differently, with earlier mask mandates, earlier lockdowns, more PPE or oxygen machines, and so on and so forth. COVID-19 has increased the life expectancy gap between Black and white people in the US by more than 50%, in one year.

Ms. Stockwell continued that people heard the term "Medicare for all" politicized during the last election cycle, but it is an actual piece of legislation that would create a national, universal healthcare program for the country. It would do this by taking an existing program, Medicare, and improving and expanding it. A universal healthcare system would provide everyone in the US with comprehensive healthcare coverage and would be free at the point of service. A healthcare system like this is often referred to as "single-payer." A single-payer system means there is only one payer in the system. The government acts as the payer, instead of greedy insurance companies that are making millions of dollars. We the people, the users, would pay nothing at the point of service. Under a single-payer system, aka Medicare for all, all residents in the US would be covered for all medically necessary services, including doctor, hospital, preventative, long-term care, mental health, reproductive health care, dental, vision, and prescription drug costs. The Affordable Care Act (ACA) is being opened up and more subsidies are being added for folks still struggling, but it is not enough. It is just keeping those private insurance companies making bigger and bigger profits, and literally putting those profits over people's actual care. The ACA is important but insufficient, unjust, and inefficient. It is unjust because individuals' access to care is determined by who their employer is and what state they live in, and costs vary widely across locations, and even across facilities in the same location. It is inefficient because insurance companies become an intermediary. Much of doctors' and patients' time is spent doing paperwork rather than focusing on direct care. It is unsustainable, because very little time and energy is spent on wellness and preventative care. Studies show that people put off routine procedures and screenings until the required care is more expensive and in some cases it is just plain too late.

Ms. Stockwell continued that she urges the City to support this Resolution for the greater good of the people of Keene and the broader community of Cheshire County and the United States. They

are bringing this Resolution forward to the City Council because there are a number of cities and towns that have passed a Resolution to send a message to the national delegation that this is something communities support. Communities are struggling with healthcare costs. The \$5 million estimate does not even include the school district. That is just City employees. Therefore, she urges the Committee to take the time they need to think about this, but know that this is not a legal, binding thing being asked of them. They are asking the community to come together and say they support this.

Councilor Johnsen stated that she concurs with Councilor Jones's question, and would like to know if this is a social issue or something for the Keene City Council to discuss. She continued that she likes it personally but wants to make sure that they have the right hat on.

Chair Bosley replied that the conversation is before them, regardless, and the Committee needs to decide what they want to do with it and decide if they want to recommend that the City Council support this. They could accept the petition as informational.

Councilor Jones stated that Ms. Stockwell spoke very well and he agrees with everything she said, but he is seeing this as a social issue. He wants to hear how this is about the city. The City Council needs to represent the city as a whole. They cannot get into social issues.

Chair Bosley asked for further public comment. Due to technical difficulties, the Committee took a five-minute recess at approximately 9:15 PM. Chair Bosley stated that if the internet connection is lost again, the meeting will adjourn and this agenda item will continue at the next meeting.

Amanda Elizabeth Toll of 24 Base Hill Rd. stated that her Zoom log-in says Keene Democrats but she is speaking as herself. She continued that she represents Cheshire 16 in the NH Statehouse and Cheshire 16 encompasses the City of Keene at large. She is here tonight to speak in support of the passage of the Medicare For All Resolution in Keene. She ran and was elected on a feminist platform, and this is a feminist issue to the core. People stay in abusive situations due to lack of healthcare.

Chair Bosley stated that due to continued technical difficulties, the meeting will adjourn and the Committee will pick this item up on their next agenda.

7) **Adjournment**

The meeting adjourned at 9:25 PM.

Respectfully submitted by,
Britta Reida, Minute Taker