

City of Keene
New Hampshire

PLANNING, LICENSES AND DEVELOPMENT COMMITTEE
MEETING MINUTES

Wednesday, July 11, 2018

7:00 PM

Council Chambers A

Members Present:

David C. Richards, Chair
Philip M. Jones, Vice-Chair
George S. Hansel
Bart K. Sapeta
Margaret M. Rice

Staff Present:

Mark Howard, Keene Fire Chief
Rhett Lamb, ACM/Planning Director
Thomas Mullins, City Attorney
Elizabeth Dragon, City Manager

Members Not Present:

Other Councilors Present

Robert Sutherland
Randy Filiault
Gary Lamoureux
Carl Jacobs

Chair Richards called the meeting to order at 7:00 PM.

1. Let it Shine - Use of City Property - 2018 Pumpkin Festival

Elizabeth Dragon, City Manager clarified the requests for an additional 1,000 pumpkins and five food vendors are being removed per the letter received from Let it Shine.

Chair Richards asked for Committee questions or comments.

Councilor Jones noted the issues he had raised in the past and made the following comments. Regarding Let it Shine being in arrears with monies owed he stands corrected. Let it Shine did give the City \$5,500.00. Councilor Jones offered his apologies. He also brought up the College paid \$60,000 which was in arrears. At that time we had a different College President; at this time we have no recommendation from the current College President. Branding was the last

issue Councilor Jones raised noting it has bothered him for the past three years; this had not been addressed. Today he did some emailing with Let it Shine and they provided him seven points depicting how they want to improve their brand. Councilor Jones thanked Mr. Zinn and added this shows we are communicating.

Councilor Sapeta thanked Mr. Zinn for coming back and continuing the discussions to remove the additional requests. He continued if the goal is to return to the 30,000 pumpkins that were at the prior iteration of the event, then there does need to be more discussion about that. This is a community event and it needs to be driven by the community as well as the organization. In the future quality versus quantity would be a good discussion. Councilor Sapeta commended Let it Shine for engaging the children of SAU 20 last year and hopes they can follow through with the additional possibility of raising money and awareness for the needy children in the City. Lastly, Councilor Sapeta would like everyone to think about the process- he would like to see discussions take place prior to the applicants coming before this Committee. He suggested engaging the College City Commission and the newly created position that organizes community events.

Councilor Rice commented her concerns had been addressed. She thanked Let it Shine for being flexible and responsive.

Tim Zinn, of 43 Grove Street commented it is all good feedback and that it is exciting to have good communication. He continued the Let it Shine Board did meet and discussed what was best for the community and the festival. We will keep talking and figure out a path to find our happy spot. He confirmed Let it Shine is going back to the 2017 Festival proposal. Mr. Zinn added he hopes this removes any apprehension about the festival.

Chair Richards asked for public questions or comments.

There being no further questions or comments from the Committee or public, Chair Richards asked for a motion.

Councilor Hansel made the following motion which was seconded by Councilor Jones.

On a vote of 5-0, the Planning, Licenses and Development Committee recommends that a license be granted to Let It Shine, Inc. to use Downtown City rights-of-way on Sunday, October 28, 2018 to hold a “Keene Pumpkin Festival, In the HeART of downtown Keene, NH” subject to the following provisions:

- This license is granted based upon the event scope presented to City staff during protocol meetings held to date, changes or additions to the license may require that an amended license be issued by the City Council and no changes to this license or the associated protocol documents will be accepted after September 1, 2018;
- The Petitioner agrees there will be no food vendor set-ups at the event with the exception of any currently licensed Sidewalk Cafes which will be able to operate within the parameters of their existing license barring any public safety concerns;
- The Petitioner agrees to limit the number of pumpkins to 5,000;

- The Petitioner agrees to absorb the cost of any City services over and above the amount of City funding allocated in the FY 19 Community Events Budget, and agrees to remit said payment within 30-days of the date of invoicing;
- The furnishing of a certificate of liability insurance in the amount of \$1,000,000 naming the City of Keene as an additional insured;
- The signing of a standard revocable license and indemnification agreement and associated protocol documents;
- That the agreed upon footprint and layout for the event shall encumber Central Square, including the traveled portion of the road requiring the following road closures: Central Square, West Street from Federal Street to Central Square, Roxbury Street from Roxbury Plaza to Central Square, Washington Street from Vernon Street to Central Square, and Court Street from Winter Street to Central Square;
- That the Petitioner is permitted to place 10 porta-potties in City parking spaces located at the base of Washington Street from Friday, October 26, 2018 to Monday October 29, 2018, which will be chained together and affixed to ensure they are not vandalized while unattended overnight;
- That the actual event will be held from 1:00 PM to 7:00 PM with the times for set up and clean up to be established with City staff;
- That the Petitioner cooperates with the decision of the City Council to endorse the intent of the City Emergency Services to review all applications for other activities requested to occur on October 28, 2018 to determine if a public safety concern exists. If a public safety concern is found to exist, said license will not be granted. This would apply to the following activities: hawkers and peddlers on private property, itinerant vendors on private property, outdoor periodic events on private property, walk-a-thons, parades, bike and foot races on public property, general uses of public property, and sidewalk obstructions and sidewalk café licenses on public property;
- That free parking be granted under the provisions of the free parking policy for City parking spaces on Washington Street needed for storage of equipment from Friday, October 26, 2018 to Monday October 29, 2018, and spaces within the event footprint on the day of the event; and
- That the Petitioner complies with any other recommendations of City staff.

2) Kevin Dremel – Use of City Property – Keene Music Festival

Kevin Dremel, of 257 Beaver Street noted this is the Music Festival's 18th year. He commented on the change of incorporating a block party into the day as an experiment to see how it works. Mr. Dremel said he spoke with Roger Weinreich who organized the previous block party and the same protocols will be used for the Music Festival.

Mark Howard, Fire Chief reported there were a couple of protocol meetings. He also verified the scope has changed from that budgeted for in Community Events. Chief Howard also noted all music venues except for Central Square will stop at 8 PM to coincide with the end time of the

block party. There will be one additional protocol meeting to tie-up loose ends, but staff is ready to move forward with an affirmative recommendation on the issuance of a license.

Councilor Hansel clarified everything except Central Square will shut down at 8 PM and then the City will bring in a loader to remove the barriers. He also asked if any other streets would be closed down during this time. Chief Howard confirmed there will be a truck across the south lane of Gilbo Avenue for a short time while the barriers are picked up. He likens the delay as being no different than an emergency situation there; perhaps a half hour of the street being blocked. He noted comments made after the block party that this could have gone better.

Councilor Jones noted the Committee's awareness of the block party portion. He continued we just heard you are expanding and asked Mr. Dremel if he understands the last sentence of the approval relative to payment for city services that go beyond the allocation in the Community Event funding budget. Mr. Dremel confirmed he is aware of the financial responsibility.

Councilor Sapeta asked if the block party and Music Festival are run by the same organization. Mr. Dremel replied they are under the auspices of Keene Music Festival and we are working with Roger Weinreich to handle the details of the block party component.

Councilor Rice asked if the non-profits would have booths and activities. Mr. Dremel responded they might have booths or popup tents. Attorney Mullins asked if the block party was also included under the insurance policy issued to the City. Mr. Dremel replied in the affirmative. Councilor Rice asked Staff if there was any other feedback from the previous block party. The City Manager said she heard positive feedback about the City involvement. The other piece she heard about was the cost to hold the event.

Councilor Jones made the following motion which was seconded by Councilor Hansel.

On a vote of 5-0, the Planning, Licenses and Development Committee recommends that The Keene Music Festival be granted a street fair license to use downtown City rights-of-way for purposes of conducting merchant sidewalk sales, as well as use of downtown City property on Central Square, Railroad Square, and designated parking spaces on Main Street to conduct the Keene Music Festival on Saturday, September 1, 2018 from 9:00 AM to 10:30 PM. In addition, the applicant is permitted to close off a portion of Railroad Street, from Main Street to the westerly entrance of the Wells Street Parking Garage, and a portion of Church Street from Main Street to the entrance of the Vision Financial parking lot. The applicant is further permitted to host a block party from 10:00 AM to 8:00 PM, which will include the closure of two lanes of traffic on Main Street on the northbound side from Eagle Court to Cypress Street. This permission is granted subject to the customary licensing requirements of the City Council, submittal of a signed letter of permission from City Tire for use of their property, and compliance with any recommendations of City staff. In addition, the petitioner is granted use of the requested parking spaces free of charge under the provisions of the Free Parking Policy. The Petitioner agrees to absorb the cost of any City services over and above the amount of City funding allocated in the FY 19 Community Events Budget.

PLD Meeting Minutes
April 25, 2018

Councilor Sapeta asked about the level of coordination with Keene State College. Mr. Dremel replied we tend to do a little advertising there but not a lot. The students become aware by word of mouth.

3) **Adjournment** - There being no further business before the Committee Chair Richards adjourned the meeting at 7:22 PM.

Respectfully submitted by,
Mary Lou Sheats Hall
July 12, 2018

Additional Edits by,
Terri M. Hood
Assistant City Clerk