



Public Safety & Transportation Committee Report

City of Newton In City Council

Wednesday, November 8, 2023

Present: Councilors Downs (Chair), Markiewicz, Oliver, Lucas, Malakie, Bowman and Grossman

Absent: Councilor Lipof

Also Present: Councilors Baker, Kelley and Leary

City Staff: Jonathan Yeo, Chief Operating Officer

Others Present: NewTV

For more information regarding this meeting, a video recording can be found at the following link: https://zoom.us/rec/play/0G9HJFFn31eLo8ngZnUwQ_L6APzZSBNlw9PTZQmeMqSTA-wk1hE8tp_bXRpfEhx1aaEPC8bDh_N_L2oK.2wc4MLa6IX1uBqU8?autoplay=true

#362-23 Shorten the duration of the winter parking ban

COUNCILORS KELLEY AND ALBRIGHT, requesting a discussion and amendment to Chapter 19 Sec-174 (b) of the City of Newton Ordinances to shorten the duration of the winter parking ban to begin on January 1st and end on March 1st.

Action: **Public Safety & Transportation Denied 5-1-1, Councilor Bowman opposed, Councilor Downs abstaining**

Note: Chair Downs stated that Councilors Kelley and Albright docketed this item to shorten the duration of the overnight winter parking ban to begin on January 1, and end on March 1. This will make the parking ban less onerous, this year and next year, at least until Citizens vote on the referendum in 2025. Currently the ban runs from December 1 through March 31. If approved, the ban would be shortened from four months to two months.

Public Comment:

1. It doesn't seem correct that you can vote on this because it was previously discussed and voted on several weeks ago by City Council. If this Committee passes this item, will it go before the City Council for a vote? Chair Downs answered yes.

I cannot support this item. The streets need to be cleaned. We asked to form a committee to offer different suggestions to find out from village to village who needs parking and how can we assist them.

2. Many Councilors expressed a desire for this winter to help many people with the parking ban. The parking ban is a burden. Possible and practical solutions--shortening the ban--is what is in front of us. City Councilors commented that repealing the parking ban would cause a proliferation of cars, whether from new development, or existing households. I think four to two months isn't going to make much of a difference. I'd be happy if City Council implements this as a one-year trial to see how it goes and provide people the relief they've been hoping for.

Committee members comments, concerns, suggestions, questions, answers:

Is this a one- or two-year trial? Chair Downs answered this has no sunset date. We could put in a sunset date, but if the referendum passes, the entire ban goes away.

To go from four months to two months is a great decrease, making it potentially a two-year trial. Assuming voters choose not to repeal the ban, then we will have a two-month long ban.

I recall the ban from November 15 to April 15. My objection is that we have a large concentration of college students living in the city. Changing the beginning date essentially grants a semester's worth of free parking to college students.

Some winters have tremendous amounts of snow, the dates should not be changed.

This was once a full year overnight parking ban that was whittled down over time. Shortening the ban to two months takes away the effect. It's about more than snow. We are about to approve many more units of housing without more curb space, attracting more people with more cars. We've received letters from people supporting the ban.

I will suggest perhaps lifting the ban during Thanksgiving and Christmas to accommodate out-of-town visitors without changing the incentives for full-time residents.

Any change that suspends, modifies, or eliminates the ban on a trial basis, may likely become permanent because of the difficulty of reversing and restoring the existing system. We discussed creating a subcommittee to look at parking management. The project needs to define the objectives, identify the requirements, implementation, methods, alternatives, existing environment, existing constraints and any legal considerations. It is necessary to have some reasonable control, perhaps there are parts of the city where we can relax the ban, but cutting two months is reckless.

I recommend we deny this item, including the proposal for a trial and any amendments. We should look at what it would take to create a working group or a subcommittee. A piecemeal approach is not appropriate with over 100 different parking rules in the city.

Chair Downs stated that she met with Mayor Fuller and Mr. Yeo about starting a process to address parking issues. They noted limited staff time to do analysis or data gathering, and are

not ready to start a new overnight permit system. They prefer letting the referendum go first. Piecemeal is where we are and where we can make changes.

Councilor Kelley stated this item was docketed because of letters received requesting lifting the ban or to conduct a trial. We have chosen for reasons of convenience and practicality to shorten the ban. Shortening the parking ban length makes sense for many of our residents. Many residents are extremely inconvenienced by this kind of overkill of an approach. If we need to get off the streets, we'll get off the streets. Enforcement and data would be provided if a trial was implemented, which City Council opposed. Data would have been helpful, but was denied. It is also a safety issue.

Another councilor said he believes that there are opportunities for us to create intelligent, informed and smart adjustments to the overnight parking ban. This isn't about snow anymore. This is about picking and choosing where parking might make more sense. We need to do our homework. We have to get smart about this solution. If we do a blanket like this, we're going to be creating more problems than then we're solving.

I'm shocked to hear feedback from the administration about a lack of willingness to work with us. Mayor Fuller has written about this repeatedly and put a lot of emphasis on this issue in her newsletter but to turn around and say no, we're not going to work with you on a solution is disappointing. If they really believe that this is a problem, then they should be willing to invest time and resources on trying to come up with creative solutions.

Councilors comments and concerns:

A wholistic approach is necessary. Removing the ban will have a negative impact in the denser areas in the city. A comprehensive approach would include a permit parking process, permit fees, and would cover the cost of administering the program. It's not about snow, it's about subsidizing parking, subsidizing driving and increasing the number of cars while we're trying to increase density in our village centers. It is also a safety issue. People struggle when the ban is not in place. If approved, this would open the floodgates. Everybody loves free parking, but the cost of free parking gets pushed on to everything else. We are also working on our stormwater permits, and having cars in the road all the time will also be difficult for us to do street sweeping.

Chair Downs asked Mr. Yeo to summarize where the administration is on the topic of creating a comprehensive plan to address overnight parking? Mr. Yeo answered that the administration supports eliminating the overnight parking ban, and also supports this item. We do not buy into these other arguments against it. If it is done as a trial, and there's some analysis that can be done, we will certainly sit down and go through what data points can be put together to analyze, before and after effects of a temporary change in the parking ban.

Chair Downs asked if doing a zone, putting together objectives, a plan, permit program and an analysis before doing anything on the parking ban? Mr. Yeo answered yes. If the council

decides on a zone for relief from the city-wide ban, we will certainly work with the various departments to put together that analysis. There's no department that feels that there's this is a problem to lift the ban. We do not foresee negative impacts that have been imagined. We are not interested in a complicated administrative program. This needs to be very, very simple.

Chair Downs asked if a pre-parking plan analysis is something we have to do ourselves? Mr. Yeo answered that the administration will work with you. I think one key thing is the administrative burden. It needs to be minimal, we just don't see a need, or we certainly don't want to be implementing anything that's complicated.

It is disappointing to hear the administration will not work on a permitting solution. It's one thing for the administration to advocate for the repeal of the ban but to not work with the Council on a possible solution or on a compromise that could suit all parties.

We have an administration who is overly supportive of advocating for a housing policy that requires no parking off street. They are now saying, we support everybody just turning our streets into parking lots. I don't understand the logic. That is intensely disappointing.

Mr. Yeo said he would be happy to work with us on what exactly? Chair Downs answered trials to end or modify the current overnight parking ban, but not a permit system. We've also heard from the police that they feel permit programs are unenforceable. Mr. Yeo would be interested also in perhaps carving out a zone where parking would be permitted on a trial basis overnight, in the winter. If we were to agree on that zone, the administration would help us with analysis. It was a lot less of a blanket statement than what I had heard in my initial conversations with the administration. They're willing to work with us within some pretty constrained limits.

The administration is not looking to simplify the permitting process. If it hasn't already hit a breaking point with the police as far as what they can manage to administer and issue tickets. I recommend a trial of providing residents with a process to opt out of the parking ban on their street. It may cost more for snow removal if cars aren't removed. Should the cost of tickets be raised?

Without further discussion, Councilor Lucas made a motion to deny this item. Councilors agreed 5-1-1, Councilor Bowman opposed and Councilor Downs abstaining.

The Committee adjourned at 7:50 p.m.

Respectfully submitted,

Andreae Downs, Chair