

A regular meeting of the Keene City Council was held Thursday, January 19, 2017. The Honorable Mayor Kendall W. Lane called the meeting to order at 7:00 PM. Roll called: Janis O. Manwaring, Robert J. O'Connor, Terry M. Clark, Randy L. Filiault, Thomas F. Powers, Robert B. Sutherland, George S. Hansel, Gary P. Lamoureux, Stephen L. Hooper, Bettina A. Chadbourne, Philip M. Jones and David C. Richards were present. Councilors Carl B. Jacobs and Mitchell H. Greenwald were absent. At-Large Council seat vacant. Councilor Hansel led the Pledge of Allegiance. A motion by Councilor Jones to accept the minutes from the December 15, 2016 meeting was duly seconded. The motion passed with a unanimous vote in favor.

WINCHESTER STREET PREFERRED ALTERNATIVE – AD HOC WINCHESTER STREET RECONSTRUCTION PROJECT STEERING COMMITTEE

The Mayor recognized City Engineer Don Lussier. Mr. Lussier began by introducing design consultant Gene McCarthy of Corwin Johnson. They provided a brief update on the status and planning that has occurred over the last six months. He stated they would also provide information on the role of the Steering Committee.

With the aid of a PowerPoint presentation, Mr. Lussier displayed a map of Winchester Street, and explained what the project would encompass. This project is slated to reconstruct Winchester Street from the 101 roundabout to the Winchester Street Bridge over the Ashuelot River. He continued it will include the Key Road Intersection and the Island and Pearl Streets Intersection. The project also encompasses the replacement of one of the red listed bridges, namely the Island Street Bridge. As background, Mr. Lussier noted the project came about because of the State's bypass program. When the State built Route 101 to bypass traffic around Keene, there was an acknowledgement that that work had an effect on these other roadway networks, Winchester Street being one of those affected streets. Because it is considered part of the State's bypass program, it is eligible for 50% funding from the State for the design and construction.

Mr. Lussier went on to discuss the Steering Committee process. He said the Mayor appointed nine members to serve on the Committee back in August of 2016. The members included a broad spectrum of the community. Three formal meetings have been held to help the City's consultant gather information, get feedback on some of their early concepts and adopt a recommendation for the City Council. There was also a listening session on September 13th which was very well attended. The 45 attendees were broken into small sub-groups and each participated in discussions about the opportunities and the challenges this corridor presented. This was enormously informative to the design consultant in honing in on the key concepts of this project. The session also helped the Steering Committee in determining the preferred alternative they would propose to the Council. Before handing the presentation off to Mr. McCarthy, Mr. Lussier named the members of the Committee: Councilor Powers served as the Chair, Gary Spykman served as Vice-Chair, Frank Mazzola representing Keene State College, April Busby representing Keene Housing, Tom Bogar from Autex Mazda, and Kate Jennings, David Souther, William Hope and Joseph Bendzinski representing the residents. He ended by thanking them for their participation.

Mr. McCarthy began by stating the points brought out in the listening session were the basis for how they looked at this project. He went on to provide the challenges identified in the session in ranked order by how frequently the issue was mentioned. The top challenges identified

included: problematic left turns off Pearl Street onto Winchester, pedestrian issues and concerns that Winchester Street is not a bike friendly road. He noted the opportunities were identified as well, again in ranked order. Some of the main opportunities presented were as follows: Key Road to Route 9 connection, opportunity to remove the Goodnow House, right turn into Walmart from Route 101, installation of landscaping, installation of bike lanes, additional crosswalks, and pedestrian safety measures, etc.

Mr. McCarthy continued that one of the first things they did was look at traffic. There are a few key intersections, and they did do a detailed traffic study. They collected information in December of 2015. This was a very high traffic time of the year. They also did morning, afternoon and Saturday counts to determine the full understanding of the demands on this corridor. He continued that based upon this information and data collected at the listening session, they came up with various alternatives to present to the Steering Committee.

In the end they focused on two major design alternatives. The first was a signals concept that contemplated an enhanced signal at the Key Road intersection, and also at the Pearl and Island Streets intersection. He showed an expanded view of Winchester Street noting that to accommodate the traffic into the future there is a need for more capacity, a wider street with three lanes and dual left turns entering Key Road, and dual left turn coming from Winchester Street into the plaza. There is a much higher need for that turning volume, and this is what they felt would satisfy those needs. He noted the second alternative was a roundabout concept which would incorporate two multi-lane roundabouts, one at Key Road and one at the Pearl and Island Streets intersection. Because this concept performed better it was the preferred design alternative that came out of the Steering Committee. He ended that there is a project specific website online for those wishing to find out more. Mr. Lussier noted there is a comment submission form on the site for those that might want to provide input. At this point Mr. Lussier and Mr. McCarthy offered to answer any questions.

The Mayor recognized Councilor Powers for his efforts in chairing the Steering Committee and asked if the Councilor would like to make any comments prior to the his opening the floor to public comments.

Councilor Powers stated that the Steering Committee and listening session were highly effective. He added that folks in the neighborhood spent a lot of time with the consultants discussing in depth the various aspects of the project, their pros and cons. This is still in the preliminary stages, but if this concept is acceptable the project can move forward.

Mayor Lane commented with regard to potentially opening up Key Road to additional traffic for some of the housing off Key Road that goes along Meadow Road and Pearl Street. He asked if there was any consideration given to doing so. Mr. Lussier responded that several people at the listening session mentioned that, but it is outside the scope of what the State funded project encompasses. He added however, that nothing they are discussing with regard to the Winchester Street project would preclude or prohibit them from looking at that as a separate consideration. This is a conversation that staff will want to have at some point knowing there is interest in this.

Councilor Hansel commented that he went to the listening session and remembers concerns regarding pedestrian access crossing on Winchester Street, and asked if this has been considered. Mr. McCarthy answered in the affirmative noting it was considered along with pedestrian access

along the corridor. They are proposing sidewalks along both sides of the road and crosswalks across the street at the roundabouts, to provide a safe, dedicated location for people to cross. The roundabout concept provides a better means for pedestrians to cross with less interruption to the flow of vehicular traffic.

Councilor Sutherland stated that he has concerns with the proximity of the crosswalks to the current roundabouts, noting that when a vehicle is exiting the roundabout they immediately encounter pedestrians on their right. He asked if this needs to be looked at for safety reasons. Mr. McCarthy stated that typically crosswalks at roundabouts are placed so that pedestrians are very visible, and they are only crossing one direction of traffic. That is the intent.

Councilor Manwaring asked about bike lanes, whether they are going to be considered in the design. Mr. McCarthy stated they are including a bike lane, up to the roundabouts, and bicyclists will be able to get off their bike and take the sidewalk all the way around the roundabout if they were not comfortable navigating the roundabout itself on their bike.

As there were no further questions or comments, the Mayor thanked Mr. Lussier and Mr. McCarthy for their presentation. He went on to refer the item to the Municipal Services, Facilities and Infrastructure Committee.

PRESENTATION – FY 2018-2023 PROPOSED CAPITAL IMPROVEMENTS PROGRAM REVIEW OF DOCUMENT CONTENT AND LAYOUT

Mayor Lane recognized Finance Director Steve Thornton to provide a brief overview of the layout and content of the Capital Improvement Program for Fiscal Year 2018-2023. Mr. Thornton stated that staff has redesigned the book as requested by the City Manager, to be organized in a more programmatic fashion than it has been in the past. He continued that a lot of detailed information has also been added, including graphical representations of certain data in an effort to make the information more clear and concise. He went on to go through the various sections of the book providing details as to what has changed. He commented the table of contents should be more easy to use when navigating the document. The Manager's comments provide some context on the rationale used in putting this document together. Mr. Thornton went on to touch on the various sections of the CIP, describing the layout, and some aids that have been included to better disseminate information, including an executive summary, and the project requests organized by program as follows: Public Health and Safety; Transportation; Economic Development and Vitality; Flood and Storm Water Management; Community Development; and, General Operations and Infrastructure. He went on to review the various capital reserves in the financial section.

Mr. Thornton continued his review of the CIP document noting that each program is defined in the various sections, and a sub-table of contents is included in each program section to guide readers. Narratives are also included by the various Departments relative to their project requests in an effort to provide context and to describe why they are important to the Department's operations. After further comments, Mr. Thornton stated that the public is encouraged to ask questions and staff is happy to assist them in better understanding the CIP and the projects that have been proposed. He stated the CIP document has been posted on the city website under the Finance Department page.

Mayor Lane commented another great improvement is the tabs that have been incorporated to delineate the various sections of the book. He went on to ask for comments or questions from the Council. There being none, he noted the CIP will be referred to the Finance, Organization and Personnel Committee and the Planning Board. A Public Hearing has been set for March 2, 2017 at 7:00 PM.

CONFIRMATIONS – AGRICULTURAL COMMISSION - AIRPORT ADVISORY COMMISSION – BICYCLE/PEDESTRIAN PATH ADVISORY COMMITTEE - CITIES FOR CLIMATE PROTECTION– TRUSTEES OF TRUST FUNDS AND CEMETERY TRUSTEES

A motion was made by Councilor Jones and duly seconded to confirm the following nominations: Aaron Moody as a regular member on the Agricultural Commission with a term to expire December 31, 2019; Megan Straughen as a regular member on the Agricultural Commission with a term to expire December 31, 2019; Mitchell Greenwald to serve as a regular member on the Airport Advisory Commission with a term to expire December 31, 2017; Sam Hawkes to serve as an alternate member on the Bicycle/Pedestrian Path Advisory Committee with a term to expire December 31, 2019; Christopher Brehme to serve as a regular member on the Cities for Climate Protection with a term to expire December 31, 2017; Susan Silver to serve as a regular member on the Trustees of Trust Funds and Cemetery Trustees with a term to expire December 31, 2019. On a roll call vote, with 12 Councilors present and voting in favor the motion carried. Councilors Jacobs and Greenwald were absent. At-Large Council seat vacant.

NOMINATIONS – PLANNING BOARD – CONSERVATION COMMISSION – PARTNER CITY COMMITTEE

The Mayor declared slot 6 vacant on the Planning Board due to the resignation of Christine Weeks. The following nominations were received from the Mayor: Martha Landry to serve as a regular member on the Planning Board with a term to expire December 31, 2019; David Webb to serve as an alternate member on the Planning Board with a term to expire December 31, 2019; Eloise Clark to serve as an alternate member on the Conservation Commission with a term to expire December 31, 2019; and Gary P. Lamoureux to serve as a City Councilor member on the Partner City Committee with a term to expire December 31, 2017. The nominations were tabled until the next regular meeting.

APPOINTMENT – SPECIAL COMMITTEE ON CITY MANAGER RECRUITMENT

The following appointment to the Special Committee on City Manager Recruitment was received from the Mayor: Councilors Mitchell H. Greenwald, Janice O. Manwaring, Carl B. Jacobs, David C. Richards, Thomas F. Powers and George S. Hansel; for staff support Patricia Little, City Clerk, and Elizabeth Fox, ACM/Human Resources Director. A motion by Councilor Jones was duly seconded to accept the Mayor's appointments. The motion passed with a unanimous vote in favor.

COMMUNICATION – JOSEPH HOPPOCK – RESIGNATION – ZONING BOARD OF ADJUSTMENT

A communication was received from Attorney Joseph Hoppock resigning his position on the Zoning Board of Adjustment. A motion by Councilor Jones to accept the resignation with regret and appreciation for service was duly seconded. The motion passed with a unanimous vote in favor.

COMMUNICATION – DAVID CRAWFORD – OPTIONAL FIREARM REQUIREMENT FOR POLICE OFFICERS

A communication was received from David Crawford of 36 Marlboro Street, recommending that firearms be optional for Keene Police Officers and that it not be a mandatory requirement. The communication was filed as informational.

COMMUNICATION – MONADNOCK TRAVEL COUNCIL – REQUEST TO USE CITY PROPERTY – ICE & SNOW FESTIVAL

A communication was received from Jim Narkiewicz, Chair of the Keene Ice & Snow and a member of the Monadnock Travel Council submitted their annual request for the Ice & Snow Festival. This community event is scheduled to take place on February 4, 2017. The communication was referred by the Chair to the Planning, Licenses and Development Committee.

COMMUNICATION – COUNCILOR TERRY M. CLARK – SOLAR LED STREETLIGHT DEMONSTRATION AS PART OF MARLBORO STREET LED DEMONSTRATION PROJECT

A communication was received from Councilor Clark recommending a solar-powered lighting element be included in the Marlboro Street project. The communication was referred by the Chair to the Municipal Services, Facilities and Infrastructure Committee.

COMMUNICATION – MAYOR LANE – AMENDMENT TO THE RULES OF ORDER - COMMUNICATIONS

A communication was received from the Mayor to amend Section 33 of the City Council's Rules of Order to codify the practice that communications submitted to the Council Committee for initial consideration shall be placed on more time for a minimum of one committee cycle to allow City Staff sufficient time to review the communication and to make appropriate recommendations to the committee, except that City Staff may recommend immediate action on communications that will not require review prior to City Staff recommendation. The communication was referred by the Chair to the Planning, Licenses and Development Committee.

MSFI REPORT – AIRPORT FORESTRY MANAGEMENT PLAN – AIRPORT MANAGER

An informational report was received from the Municipal Services, Facilities and Infrastructure Committee recommending the Airport Forest Management Plan be accepted as informational. The report was filed into the record as informational. The City Manager commented the issue of trees at the airport and in the Edgewood neighborhood has been and will likely always be a controversy. It is a fact that there is a safety issue with trees in the flight path. It is a fact that the City did develop a Forestry Management Plan that has been developed for the entire 300 acres of the airport. Part of that plan includes removal of trees adjacent to the Edgewood neighborhood. Part of that plan is management of the forest generally. Areas not adjacent to the Edgewood neighborhood (that is the airport generally) will be treated in accordance with the Forestry plan. The whole intent of the plan was for scientific management of the entire forest and the retention in appropriate areas of vegetation and trees that will create in time a new forest. It is a fact that there are no plans to close the airport. It is true that we do need to work as best as we can with our neighbors recognizing that they have concerns and share the safety concerns. The issue is trying to balance these concerns, remembering that for the area adjacent to the Edgewood neighborhood and in the neighborhood the issue really is public safety, and that is paramount. The City Manager stated his intent is to see what actions the FAA would take in regards to the EA II. Most importantly with regard to the removal of trees in the Edgewood neighborhood, he continued that his intent to work with the Airport Manager and Forester to leave a temporary buffer untouched between the Airport and the neighborhood that allows us to determine what buffers need to be erected or installed. The remainder of the trees would be removed as proposed in the Forestry Management Plan. We cannot leave this temporary buffer in place long; it will be unstable and as long as these trees remain there is a safety concern.

MSFI REPORT – CREATION OF AN ARTS POLICY – TARYN FISHER

Municipal Services, Facilities and Infrastructure Committee report read recommending the letter from Ms. Fisher be accepted as informational and further recommending that the letter be forwarded to the Land Use Code Update Committee. A motion by Councilor Manwaring to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

MSFI REPORT – REQUEST TO REMOVE TREES – UNITED CHURCH OF CHRIST – PUBLIC WORKS DEPARTMENT

Municipal Services, Facilities and Infrastructure Committee report read recommending the United Church of Christ be granted permission to remove the two trees at the head of the square at their expense and further that the Church reimburse the City \$1900 for the cost of replacing the two trees. A motion by Councilor Manwaring to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

FOP REPORT – ACCEPTANCE OF DONATION – PARKS, RECREATION AND FACILITIES DEPARTMENT

Finance, Organization and Personnel Committee report read recommending the City Manager be authorized to do all things necessary to accept a donation of \$100.00 and that the money is used by the Parks, Recreation and Facilities Department. A motion by Councilor Powers to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

FOP REPORT – ACCEPTANCE OF DONATIONS TO LIBRARY RENOVATION PROJECT – CAMPAIGN MANAGER FOR THE NEXT CHAPTER CAMPAIGN

Finance, Organization and Personnel Committee report read recommending the donations of \$511,320.70 listed in the October, November and December statements of the Cambridge Trust Bank to be deposited into the Library Renovation Temporarily Restricted City Trust as part of the Next Chapter Campaign Drive. A motion by Councilor Powers to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

FOP REPORT – ACCEPTANCE OF DONATION – POLICE DEPARTMENT

Finance, Organization and Personnel Committee report read recommending the City Manager be authorized to do all things necessary to accept a donation of \$100 from the Groth family of Old Walpole Road. A motion by Councilor Powers to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

FOP REPORT – ACCEPTANCE OF CASE NUMBER 2015117128 FORFEITURE – POLICE DEPARTMENT

Finance, Organization and Personnel Committee report read recommending the City Manager be authorized to do all things necessary to accept forfeiture funds, in the amount of \$1,762.60, awarded to the Keene Police Department from the New Hampshire State Attorney General's Office. A motion by Councilor Powers to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

FOP REPORT – ACCEPTANCE OF BUREAU OF JUSTICE ASSISTANCE BALLISTIC VEST PARTNERSHIP GRANT – POLICE DEPARTMENT

Finance, Organization and Personnel Committee report read recommending the City Manager be authorized to do all things necessary to accept a Fiscal Year 2016 Bureau of Justice Assistance Bulletproof Vest Partnership grant of \$6,032.50. A motion by Councilor Powers to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

FOP REPORT – WASTE MANAGEMENT TRANSPORTATION AND DISPOSAL CONTRACT – PUBLIC WORKS DEPARTMENT

Finance, Organization and Personnel Committee report read recommending the City Manager be authorized to do all things necessary to execute a contract with Waste Management New

Hampshire (WMNH) to provide transportation and disposal services for refuse received at the Keene Transfer Station for a period of five (5) years with options to renew for additional years. A motion by Councilor Powers to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

FOP REPORT – REALLOCATION OF ROAD REHABILITATION FUNDS – ROXBURY STREET CROSSWALK, CHURCH AND EMERALD STREET SIDEWALKS – PUBLIC WORKS DEPARTMENT

Finance, Organization and Personnel Committee report read recommending the City Manager be authorized to do all things necessary to allocate \$127,000 of unspent funds from previously appropriated Roadway Rehabilitation projects (90018) as follows: to the Roxbury Street Crosswalk project \$35,000; to the Church Street Sidewalk project (90278) \$45,000; and, to the Emerald Street Sidewalk project (90032-17) \$47,000. A motion by Councilor Powers to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

CITY MANAGER COMMENTS

The City Manager commented on the software update by the State of the motor vehicle registration system scheduled to occur from February 17, 2017 to February 21, 2017. People will be unable to register their vehicles during the upgrade. The City Manager went on to discuss House Bill 191, which is related to broadband and the outpouring of support for the bill in this region. Rebecca Landry, Assistant City Manager, testified in Concord on the behalf of the citizens. There were over 250 businesses that had signed a petition in support of this bill. Broadband is vital for the economic development of this region. The second piece of legislation was brought by Patty Little, City Clerk. House Bill 170 relates to posting notices and minutes of public meetings on the public body's website. If this bill passes this would require draft minutes to be posted.

JOINT PB/PLD REPORT - RELATING TO ZONE CHANGE – WEST SURRY ROAD

A memorandum was received from Rhett Lamb, Planning Director on Ordinances O-2016-18 and O-2016-19 – Relating to Zone Change – West Surry Road, and Relative to an amendment to the Zoning Ordinance – High Density I Zone. . The memorandum indicated that at their meeting of December 12, 2016, the Planning Board failed to find Ordinances O-2016-18 and O-2016-19 consistent with the Master Plan. Further, the Planning, Licenses and Development Committee voted unanimously to recommend the Mayor to set a Public Hearing on Ordinances O-2016-18 and O-2016-19. The Public Hearing was set by the Mayor for Thursday, February 16, 2017 at 7:15 PM.

MEMORANDUM – PARKING SERVICES MANAGER AND ORDINANCE O-2017-01: RELATING TO PARKING METER RATES - HOLIDAYS

A memorandum was received from the Parking Services Manager recommending Ordinance O-2017-01 Relating to Parking Meter Rates – Holidays be referred to the Finance, Organization

and Personnel Committee for their consideration and a recommendation back to City Council. Ordinance O-2017-01 was read for the first time. The memorandum and Ordinance O-2017-01 were referred to the Finance, Organization and Personnel Committee.

**MEMORANDUM – PARKING SERVICES MANAGER AND ORDINANCE O-2017-02:
RELATING TO TWO HOUR PARKING ZONE – WASHINGTON STREET**

A memorandum was received from the Parking Services Manager recommending Ordinance Relating to Two Hour Parking – Washington Street be referred to the Finance, Organization and Personnel Committee for their consideration and a recommendation back to City Council. Ordinance O-2017-02 was read for the first time. The memorandum and Ordinance O-2017-02 were referred to the Municipal Services, Facilities and Infrastructure Committee.

**FOP REPORT AND ORDINANCE O-2016-21-A: RELATING TO THE COLLEGE CITY
COMMISSION**

Finance, Organization and Personnel Committee report read recommending the adoption of Ordinance O-2016-21-A. The report was filed as informational. Ordinance O-2016-21-A: Relating to the College City Commission was read for the second time. A motion by Councilor Powers for adoption of the Ordinance was duly seconded. On a roll call vote, with 12 Councilors present and voting in favor the motion passed. Ordinance O-2016-20 declared adopted. Councilors Jacobs and Greenwald were absent. At-Large Council seat vacant.

**RESOLUTION R-2017-04: IN APPRECIATION OF DIANE L. FLAGG UPON HER
RETIREMENT**

Resolution R-2017-04 was read by title only. A motion by Councilor Jones for adoption of the Resolution was duly seconded. The motion passed with a unanimous vote in favor. Resolution R-2017-04 declared adopted.

**COMMUNICATION – ATTORNEY THOMAS R. HANNA, ON THE BEHALF OF THE
PROSPECT-WOODWARD HOME AND RESOLUTION R-2017-05: RELATING TO THE
ALTERATION OF WYMAN ROAD**

A communication was received from Attorney Thomas R. Hanna, on the behalf of the Prospect-Woodward Home, along with Resolution R-2017-05: Relating to the Alteration of Wyman Road. Resolution R-2017-05 was read for the first time. The communication and Resolution were referred to the Planning Board and Municipal Services, Facilities and Infrastructure Committee. The Mayor announced a site visit for Thursday, March 2, 2017 at 5:45PM and a Public Hearing on Thursday, March 2, 2017 at 7:00PM.

NON-PUBLIC SESSION

At 8:20 PM, a motion by Councilor Jones to go into non-public session for the purposes of discussion of land matters under RSA 91-A:3 II(d) was duly seconded. On a roll call vote, 12 Councilors were present and voted in favor. Councilors Jacobs and Greenwald were absent. At-

01/19/2017

Large Council seat vacant. Discussion was limited to the subject matter. The session concluded at 8:45 PM. A motion by Councilor Jones to keep the minutes in non-public session was duly seconded. On a roll call vote, 12 Councilors were present and voting in favor. Councilors Jacobs and Greenwald were absent. At-Large Council seat vacant.

TAX DEED – 9 MARTIN STREET

Councilor Jones moved in accordance with RSA 80:80, III, that the Mayor, acting through the City Manager, be authorized to sell property acquired by tax deed located at 9 Martin Street, other than through public auction or sealed bid, as justice may require. The motion was seconded. On a roll call vote, 12 Councilors were present and voting in favor. Councilors Jacobs and Greenwald were absent. At-Large Council seat vacant.

ADJOURNMENT

At 8:45 PM, there being no further business, the Mayor adjourned the meeting.

A true record, attest:


City Clerk