



KEENE CITY COUNCIL  
Council Chambers, Keene City Hall  
October 5, 2017  
7:00 PM

Roll Call  
Pledge of Allegiance

MINUTES FROM PRECEDING MEETING

- September 21, 2017

**A. HEARINGS / PRESENTATIONS / PROCLAMATIONS**

1. Relating to Accessory Dwelling Units - Ordinance O-2017-10-A
2. Relating to the Establishment of a Business Growth and Reuse District, a Neighborhood Business District and a Residential Preservation District - Ordinance O-2016-01-C

**B. ELECTIONS / NOMINATIONS / APPOINTMENTS / CONFIRMATIONS**

1. Nomination  
Agricultural Commission

**C. COMMUNICATIONS**

1. Dean Eaton - Resignation - College-City Commission
2. Donna Forte - Application for a Lodging House License - 57 Winchester Street
3. Joe Schapiro/Keene Immigrant and Refugee Partnership - Encouraging the Consideration of a Resolution Aimed at Making Keene a Welcoming Environment for Immigrants
4. Councilors Clark and Richards - Intended Use of Highway Funds Allocated to the City Through SB 38

**D. REPORTS - COUNCIL COMMITTEES**

1. Departmental Presentation – General Assistance and Workfare Program
2. Cecile Chickering – Request for No Parking – Foundry Street
3. Holiday Family Sponsorship - Human Services Department
4. Safe Routes to School Non-Infrastructure Grant - Planning Department
5. Main Street Bridge Replacement Project - Public Works Department
6. Professional Services Contract - Flood Management - Public Works Department

**E. REPORTS - CITY OFFICERS AND DEPARTMENTS**

1. CITY MANAGER COMMENTS

**F. REPORTS - BOARDS AND COMMISSIONS**

**G. REPORTS - MORE TIME**

1. Mayor Lane – Requesting that the Council Consider Adopting an Ordinance for Disorderly Residences

**H. ORDINANCES FOR FIRST READING**

1. Relating to Snow and Street Maintenance Periods  
Ordinance O-2017-18

**I. ORDINANCES FOR SECOND READING**

1. Relating to Driveway Permits and Standards  
Ordinance O-2017-15

**J. RESOLUTIONS**

1. Relating to an Appropriation for the Police Communications System Replacement  
Resolution R-2017-33
2. Relating to Reallocaton of Funds - Black Brook Water Storage Tank Repair  
Resolution R-2017-34

**K. TABLED ITEMS**

1. Relating to Change of Zones - Marlboro Street Project Area and Parcels  
Ordinance O-2016-02-A

Non Public Session  
Adjournment

A regular meeting of the Keene City Council was held Thursday, September 21, 2017. The Honorable Mayor Kendall W. Lane called the meeting to order at 7:00 PM. Roll called: Carl B. Jacobs, Janis O. Manwaring, Robert J. O'Connor, Terry M. Clark, Bartolmiej K. Sapeta, Randy L. Filiault, Robert B. Sutherland, George S. Hansel, Gary P. Lamoureux, Stephen L. Hooper, Bettina A. Chadbourne, Philip M. Jones, David C. Richards and Mitchell H. Greenwald were present. Thomas F. Powers was absent. Councilor Lamoureux led the Pledge of Allegiance. A motion by Councilor Greenwald to accept the minutes from the September 7, 2017 regular meeting was duly seconded. The motion passed with a unanimous vote in favor.

#### ANNOUNCEMENTS

The Chair encouraged the Council and the public to look at the City's homepage to learn about the 3-day Downtown Vision Forum sessions that will be held next week on September 25, September 26 and September 27. The sessions will be held in the former Ingenuity Country Store at 41 Central Square. The Chair also encouraged everyone to complete the downtown vision survey which could be found on the website. The Chair went on to announce on Monday, September 25, 2017 the new City Manager, Elizabeth Dragon will start. A reception at 7:45 AM will be in the Council Chambers.

#### COMMUNICATION – CECILE CHICKERING – REQUEST FOR NO PARKING – FOUNDRY STREET

A communication was received from Cecil Chickering, requesting no parking on Foundry Street. The communication was referred to the Municipal Services, Facilities and Infrastructure Committee.

#### COMMUNICATION – COUNCILOR GREENWALD – CONFLICT OF INTEREST – EMERALD STREET SIDEWALK PROJECT

A communication was received from Councilor Greenwald, requesting to abstain from the Emerald Street sidewalk project. The Chair explained that although he applauded Councilor Greenwald's efforts at full disclosure, the Council's Rules of Order are quite specific in that all Councilors are required to vote unless there is a conflict of interest. Owning property on a public street where a public improvement is occurring does not create a conflict. The Mayor noted he was therefore seeking a consensus of the Council that Councilor Greenwald does not have a conflict of interest in connection with the public improvement project that is adjacent to his property on Emerald Street. The consensus was that Councilor Greenwald did not have a conflict of interest in the Emerald Street sidewalk project.

#### COMMUNICATION – MAYOR LANE – REQUESTING THAT THE COUNCIL CONSIDER ADOPTING AN ORDINANCE FOR DISORDERLY RESIDENCES

A communication was received from the Mayor, requesting that the Council consider adopting an Ordinance for Disorderly Residences. The communication was referred to the Municipal Services, Facilities and Infrastructure Committee.

MSFI REPORT – DEPARTMENTAL PRESENTATION – SOLID WASTE DIVISION – THE EVOLVING TON

Municipal Services, Facilities and Infrastructure Committee report read recommending acceptance of the presentation from the Solid Waste Division as informational. The Chair filed the report into the record as informational.

MSFI REPORT – PETITION – 50 SIGNATURES – EXTENDING WALK SIGNAL OF TRAFFIC LIGHTS

Municipal Services, Facilities and Infrastructure Committee report read recommending acceptance of the petition for extending walk signal of traffic lights, as informational and that any issues raised be handled administratively. The Chair filed the report into the record as informational.

MSFI REPORT – DEPARTMENTAL PRESENTATION – FLEET DIVISION – ROLLING, ROLLING, ROLLING

Municipal Services, Facilities and Infrastructure Committee report read recommending acceptance of the presentation from the Fleet Division, as informational. The Chair filed the report into the record as informational.

MSFI REPORT – BEAVER STREET SPEED COMPLAINT FOLLOW-UP – POLICE DEPARTMENT

Municipal Services, Facilities and Infrastructure Committee report read recommending acceptance of the follow-up on the Beaver Street speed complaint, as informational. The Chair filed the report into the record as informational.

MSFI REPORT – KEY ROAD SPEED BUMP REQUEST - FOLLOW-UP – POLICE DEPARTMENT

Municipal Services, Facilities and Infrastructure Committee report read recommending acceptance of the follow-up on the Key Road speed bump request as informational. The Chair filed the report into the record as informational.

MSFI REPORT – FRIENDS OF OPEN SPACE – CREATION OF POCKET PARK – CITY PROPERTY – 238 CHURCH STREET

Municipal Services, Facilities and Infrastructure Committee report read recommending the approval of the pocket park concept as shown. A motion by Councilor Manwaring to carry out the intent of the report was duly seconded. On showing of hands, 14 Councilors were present, 13 in favor and one opposed, the motion carried. Councilor Sutherland voted in opposition.

MSFI REPORT – REQUEST FOR LETTER/RESOLUTION – ATV USE ON RAIL TRAILS – PLANNING DEPARTMENT

Municipal Services, Facilities and Infrastructure Committee report read recommending a resolution on ATV use on the rail trails be introduced. 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.

PLD REPORT – DANYA LANDIS/MACHINA ARTS, LLC – REQUEST TO USE CITY PROPERTY – RAILROAD SQUARE

Planning, Licenses and Development Committee report read, recommending that Machina Arts be granted permission for the use of City property on Railroad Square at a location to be determined with City staff for the placement of a painted steel pinwheel art piece that is 11 feet tall by 3 feet wide for a period of one year from the date of installation, subject to the following conditions: the signing of a revocable license and indemnification agreement and submittal of a certificate of liability insurance in the amount of \$1,000,000 listing the City of Keene as an additional insured; and that the Petitioner complies with all requirements of City Staff with respect to the installation, ongoing maintenance and repair, facility removal, and site restoration. A motion by Councilor Richards to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

PLD REPORT –KENNETH CHAMBERLAIN, JR. – PROPOSAL TO UTILIZE LOCAL RESIDENTS IN FIXING UP HOMES ON THE TAX DEED LIST

Planning, Licenses and Development Committee report read, recommending the communication from Mr. Chamberlain regarding properties on the tax deed list be accepted as informational. The Chair filed the report into the record as informational.

PLD REPORT – COUNCILOR MANWARING – RECONSIDERATION OF LICENSE – THE PUMPKIN FESTIVAL BROUGHT TO YOU BY THE CHILDREN OF SAU 29

Planning, Licenses and Development Committee report read indicating the Committee had failed to recommend that a license be granted. the report was filed into the record. Councilor Richards was recognized for a motion from the floor. A motion by Councilor Richards to recommend a license be granted to Let It Shine for the Keene Pumpkin Festival Brought to You By SAU 29. Said license is granted subject to the same terms and conditions identified by the City Council at their meeting on September 7, 2017 was duly seconded. Lengthy discussion followed. Councilor O'Connor requested a roll call vote. On a roll call vote, 7 Councilors voting in favor and Councilors Manwaring, O'Connor, Sapeta, Lamoureux, Chadbourne, Jones and Richards voted opposed. Councilor Powers was absent. The chair broke the 7 to 7 vote with a vote in favor of the motion.

FOP REPORT – DEPARTMENT PRESENTATION – CAREER SPAN WITHIN THE CITY OF KEENE – HUMAN RESOURCES

Finance Organization and Personnel Committee report read recommending acceptance of this item as informational. The Chair filed the report into the record as informational.

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

Finance Organization and Personnel Committee report read, recommending that the City Manager be authorized to do all things necessary to accept the donation of \$600.00 for pickle ball lines at the Recreation Center from St. James Episcopal Church for the purpose of growing the activity. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

FOP REPORT – LAW ENFORCEMENT OPIOID ABUSE REDUCTION GREANT – POLICE DEPARTMENT

Finance Organization and Personnel Committee report read, recommending that the City Manager be authorized to do all things necessary to accept the NH Department of Safety 2017/2018 Law Enforcement Opioid Abuse Reduction Grant in the amount of \$25,000. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

FOP REPORT – EMERALD STREET SIDEWALK PROJECT – PUBLIC WORKS DEPARTMENT

Finance Organization and Personnel Committee report read, recommending that the City Manager be authorized to do all things necessary to negotiate and execute a construction change order with Twin State Utilities, Corp. for an amount not to exceed \$40,326 for the Emerald Street Sidewalk Project, with funding to be taken from the unspent balance of the Norway & 93RD Street Infrastructure Project (90268). A motion by Councilor Greenwald to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

FOP REPORT – AIRPORT LAND LEASE – NORTON AIR LLC - AIRPORT DEPARTMENT

Finance Organization and Personnel Committee report read, recommending that the City Manager be authorized to do all things necessary to negotiate and execute a new land lease with Christopher Norton, d/b/a Norton Air, LLC on city-owned land currently leased to Carl and Betty Thomas. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

FOP REPORT – AIRPORT LEASE AMENDMENT – MONADNOCK AVIATION - AIRPORT DEPARTMENT

Finance Organization and Personnel Committee report read, recommending that the City Manager be authorized to do all things necessary to negotiate and execute an amendment to the current lease with Monadnock Aviation. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

FOP REPORT – AIRPORT DISADVANTAGED BUSINESS ENTERPRISE (DBE) PLAN - AIRPORT DEPARTMENT

Finance Organization and Personnel Committee report read, recommending that the City Council accept the Airport Disadvantaged Business Enterprise (DBE) Plan as informational. The Chair filed the report into the record as informational.

FOP REPORT – AIRPORT LEASE RENEWAL – HEXAGON HANGAR - AIRPORT DEPARTMENT

Finance Organization and Personnel Committee report read, recommending that the City Manager be authorized to do all things necessary to negotiate and execute a multi-year lease renewal with Hexagon Hangar, LLC. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

FOP REPORT – AIRPORT LEASE RENEWAL – DWIGHT KLEPACKI - AIRPORT DEPARTMENT

Finance Organization and Personnel Committee report read, recommending that the City Manager be authorized to do all things necessary to negotiate and execute a land lease renewal with Dwight Klepacki relative to Lot #18 at the airport. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

FOP REPORT – AIRPORT – NEW LAND LEASE – DWIGHT KLEPACKI - AIRPORT DEPARTMENT

Finance Organization and Personnel Committee report read, recommending that the City Manager be authorized to do all things necessary to negotiate and execute a new, additional land lease with Dwight Klepacki of approximately 10,000 square feet for construction of a new aircraft hangar. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

CITY MANAGER COMMENTS

Before the City Manager gave his comments, the Mayor invited him to the front of the podium. The Mayor went over the past 2 years of the City Manager's career. The Mayor expressed that the creativity, innovation, imagination, willingness to tackle new subjects, progress on budgeting, planning, economic development. Progress in all of these areas are, in large measure, a result of what the City Manager had brought from years of experience from across the country to us. The Mayor appreciated the City Manager for what he has accomplished for the City. The Mayor presented the City Manager a key to the City of Keene in recognition for the service, work and effort he has provided to us. The City Manager appreciated and thanked the Mayor.

The Manager returned to his chair and announced the Ashuelot Chapter National Society Daughters of the American Revolution cordially invited the Council to the dedication ceremony honoring 15 Revolutionary War patriots interred in Washington Cemetery on Saturday, October 7, 2017 at 10:00 AM which is at 312 Washington Street. The City Manager continued with the Heritage Commission launched its Architectural Roadshow last Thursday evening. The first event was focused on "How to Research the History of Your Old House" and attracted over 90 participants. The Commission received a grant from the NH Division of Historical Certified Local Government

Program to host three educational workshops as part of this Roadshow. The next one will take place in March and will be on “Old House Dos and Don’ts” and in June there will be a review of Keene’s Architectural History. All events are free and open to the public.

The City Manager commented that this summer marked the completion of five years of Safe Routes to School grant work with pilot “Road Diet” project within the Maple Acres subdivision. A series of painted, perimeter lanes on six, existing roadways has been designated for pedestrian and bicycle use, creating a safer path of travel for active transportation in an area with no sidewalks. These lanes are now serving the adjacent Middle School children as well as the area’s adult, fitness walkers. This grant was one of the last 100% reimbursable Federal grant administered through NH Department of Transportation.

The City Manager stated last Friday and Saturday, Keene held its 11<sup>th</sup> annual local Connecticut River Source-to-Sea Cleanup event. The City once again partnered with lead organizer Cheshire County Conservation District, along with Moosewood Ecological, the Ashuelot River local Advisory Council, Keene State College, Granites State Rural Water Association, and the Harris Center for Conservation Education, to organize the local cleanup effort.

Finally, the City Manager thanked the Keene Sentinel for their kind editorial and stated it was unexpected and very humbling. He continued that this role was really hard to walk away from; he had grown accustomed to it, and was torn a bit about leaving it, but knew it was the right thing to do for personal reasons and for the good of the City. The City Manager stated he was thankful to be able to assist Elizabeth Dragon in her next great adventure. He went on to say that this had been the best two years of his career and it was due to all of the members of the staff. Each department is run by extremely capable and competent people and their staff is capable, dedicated and driven to serve. When we had to call on each of the Assistant City Managers for their help with understanding and coping with the complexities of this organization, they all went above and beyond. The creation and completion of successful projects, the look, feel, and direction of the budgets, and many of the ideas that the City Council has embraced, is theirs. He thanked Rhett Lamb, Rebecca Landry and Beth Fox. The City Manager works in a close partnership with the City Attorney and the City Clerk. It is hugely important that that relationship is friendly and professional, that we can explore openly difficult issues and most importantly that we can keep a sense of humor. He also thanked the specific staff, Helen Mattson, Barbara Di Napoli and Dee Fedorowicz. The City Manager discussed his interactions with the members of the public. He went on to about working with the elected bodies since 1983 and has seen many Mayors and City Councilors come and go. He thanked the Mayor for his advice and for the quality of her counsel and friendship. He also thanked the members of the City Council for being a dedicated group who really do care about the staff, each other and the beautiful City of Keene. The Council and audience in the room acknowledged the City Manager’s contributions to the City.

#### MORE TIME

More time was granted by the Chair for: Kiwanis Club of Keene – Request to Use City Property – Tree Lighting Event.

#### ORDINANCE O-2017-15: RELATING TO DRIVEWAY PERMITS AND STANDARDS



A memorandum was received from the City Engineer along with Ordinance O-2017-15. The memorandum was filed into the record. Ordinance O-2017-15 referred by the Chair to the Municipal Services, Facilities and Infrastructure Committee.

ORDINANCE O-2017-09: RELATING TO THE BUILDING PERMIT FEES

A memorandum was received from the Acting Health Director along with Ordinance O-2017-09. The memorandum was filed into the record. Ordinance O-2017-09 referred by the Chair to the Finance, Organization and Personnel Committee.

MSFI REPORT AND ORDINANCE O-2017-14: RELATING TO YEILD SIGNS – PUBLIC WORKS DEPARTMENT

Municipal Services, Facilities and Infrastructure Committee report read recommending the adoption of Ordinance O-2017-14. The report was filed as informational. Ordinance O-2017-14 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 14 Councilors present and voting in favor, the motion carried. Ordinance O-2017-14 declared adopted. Councilor Powers was absent.

MEMORANDUM & RESOLUTIONS R-2017-33: RELATING TO AN APPROPRIATION FOR THE POLICE COMMUNICATIONS SYSTEM REPLACEMENT

A memorandum was received from the Police Chief along with Resolution R-2017-33. The memorandum was filed into the record. Resolution R-2017-33 was referred by the Chair to the Finance, Organization and Personnel Committee.

MEMORANDUM & RESOLUTIONS R-2017-34: RELATING TO THE REALLOCATION OF FUNDS – BLACK BROOK WATER STORAGE TANK

A memorandum was received from the Assistant Public Works Director along with Resolution R-2017-34. The memorandum was filed into the record. Resolution R-2017-34 was referred by the Chair to the Finance, Organization and Personnel Committee.

FOP REPORT AND RESOLUTION R-2017-31: RELATING TO AN APPROPRIATION FOR THE LIBRARY CAMPUS DEVELOPMENT PROJECT

Finance, Organization and Personnel Committee report read recommending the adoption of Resolution R-2017-31. The report was filed as informational. A motion by Councilor Greenwald for adoption of the Resolution was duly seconded. On a roll call vote, with 14 Councilors present and voting in favor, the motion carried. Councilor Powers was absent. Resolution R-2017-31 declared adopted.

MEMORANDUM & RESOLUTIONS R-2017-35: RELATING TO EMBRACING DIVERSITY AND DENOUNCING ACTIVITIES OF HATE, INTOLERANCE, AND INTIMIDATION

09/21/2017

A memorandum was received from the City Attorney along with Resolution R-2017-35. The memorandum was filed into the record. The Mayor read the full text of the Resolution. A motion by Councilor Greenwald for adoption of the Resolution was duly seconded. On a show of hands vote, with 14 Councilors present and voting in favor, the motion carried. Councilor Powers was absent. Resolution R-2017-35 declared adopted.

ADJOURNMENT

At 9:05 PM, there being no further business, the Mayor adjourned the meeting.

A true record, attest:

A handwritten signature in cursive script, appearing to read "Patricia A. Smith".

City Clerk



### Notice of Public Hearing

Notice is hereby given that a Public Hearing will be held before the Keene City Council relative to Ordinance O-2017-10-A, which amends Section 102-896 of the Keene Zoning Ordinance to be consistent with changes made to NH RSA 674:72 regarding Accessory Dwelling Units (ADUs), which took into effect on June 1, 2017. The proposed Ordinance allows as a matter of right attached ADUs in the Rural, Agriculture, Office, Medium Density, High Density, High Density-1, Low Density, and Low Density-1 Districts and for detached ADUs in the Rural and Agricultural Districts. The proposed Ordinance establishes a maximum size of 800 sf for ADUs in all districts. Copies of the Ordinance along with a staff report are available for review during normal office hours.

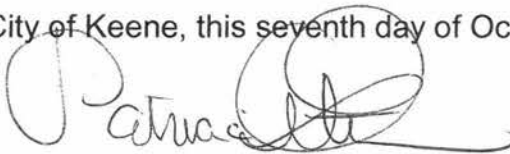
HEARING DATE: October 5, 2017

HEARING TIME: 7:00 PM

HEARING PLACE: Council Chambers, Keene City Hall

Per the Mayor and Councilors of the City of Keene, this seventh day of October, two thousand and seventeen.

Attest:

  
City Clerk



### Notice of Public Hearing

Notice is hereby given that a Public Hearing will be held before the Keene City Council relative to Ordinance O-2016-01-C which amends the Keene Zoning Ordinance by creating three new zoning districts – a Business Growth and Reuse District, a Neighborhood Business District and a Residential Preservation District. The intent of the Ordinance is to encourage new development and re-development that will be compatible with existing businesses and neighborhoods; to encourage the reuse of former commercial and industrial buildings; to preserve residential neighborhoods; to encourage a pedestrian-oriented gateway streetscape including sidewalks, lighting, on-street, and other amenities including parks and bicycle access; and to pursue the goals of the 2010 Comprehensive Master Plan.

HEARING DATE: October 5, 2017

HEARING TIME: 7:05 PM

HEARING PLACE: Council Chambers, Keene City Hall

Per order of the Mayor and Councilors of the City of Keene, this seventh day of September, two thousand and seventeen.

Attest:

City Clerk



City of Keene, N.H.  
*Transmittal Form*

October 3, 2017

**TO:** Keene City Council

**FROM:** Kendall W. Lane, Mayor

**ITEM:** B.1.

**SUBJECT:** Nomination

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**RECOMMENDATION:**

I hereby nominate the following individual to serve on the following Board or Commission:

**AGRICULTURAL COMMISSION**

Catherine M. Souther, slot 5  
Keene, NH 03431

Term expires, December 31, 2019

**ATTACHMENTS:**

Description

Background

**BACKGROUND:**

## Helen Mattson

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**From:** Mayor Kendall Lane  
**Sent:** Monday, October 02, 2017 11:38 AM  
**To:** kit souther  
**Cc:** Helen Mattson  
**Subject:** RE: Keene Agricultural Commission Vacancy

Thank you for your interest in the Agricultural Commission. Please send me a short resume I can share with the City Council and I be glad to nominate you to the Commission.

Thanks,

Kendall

**From:** kit souther [REDACTED]  
**Sent:** Monday, October 02, 2017 9:37 AM  
**To:** Mayor Kendall Lane  
**Subject:** Keene Agricultural Commission Vacancy

Dear Mayor Kendall Lane,

I had the pleasure of meeting Mr. Charles Daloz this weekend at the Fall Festival with my family, and we were encouraged to contact you to express interest in an opening on the Keene Agricultural Commission. I have a strong interest in agriculture, having grown up on a homestead in the area with small livestock and an annual garden. During college I spent a semester at Greenfield Community College studying Human Ecology, and have since worked in agricultural positions as well as spent a great deal of time researching various related subjects such as permaculture, companion planting, no till and organic agriculture, livestock breeds, pasture management, etc... I am an avid fan of the Keene Farmers Market, am familiar with many of the vendors and other farmers in the area, and I would enjoy the opportunity to share ideas and participate in promoting local agriculture in whatever capacity I can be most useful. Some of my other skills include writing, photography, art, crafts, and a good knowledge of local history, including agricultural. Please consider this a formal request to be considered for the position and thank you very much for your time.

Kind Regards,  
Catherine Souther  
603-852-0273

## Catherine M. Souther

82 Meadow Rd, Apt 127  
Keene, NH 03431  
Home Phone (603) 852-0273

### OBJECTIVE

I am seeking to fill the vacant position on the Agricultural Commission.

### EDUCATION

Associates Degree in General Studies from Franklin Pierce College, Rindge, NH 2005

### EXPERIENCE

*12/05-2/07 Farm Manager, Wingfield Farms LLC*

- Customer service
- Inventory
- Cleaning
- Livestock care

*8/04-9/05 Agricultural Products Manager, Stormy Moon Vocational Development Farm*

- Customer service
- Agricultural products marketing and inventory
- Website design and maintenance
- Cleaning at Christa McAuliffe Planetarium

*2/04-4/04 Seasonal Help, Inn At Valley farms*

- Housekeeping
- Cooking
- Livestock Care

### REFERENCES

Charles Daloz  
Keene Agricultural Commission  
(603)903-0484 dalozc@gmail.com

David W. Souther Jr.  
Winchester Street Steering Committee/Tobacco Coalition Advisory Group/Keene  
Kids Collaborative Parent Advisory Committee  
(603)852-0937

Rebecca Holland  
Holland Homestead Farm  
(603)762-4839 hollandhomestead@gmail.com



City of Keene, N.H.  
*Transmittal Form*

October 3, 2017

**TO:** Mayor and Keene City Council

**FROM:** Dean Eaton

**THROUGH:** Patricia A. Little, City Clerk

**ITEM:** C.1.

**SUBJECT:** Dean Eaton - Resignation - College-City Commission

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**RECOMMENDATION:**

Dean Eaton has submitted his resignation from the College-City Commission. Mr. Eaton has been a member since March 3, 2017.

**ATTACHMENTS:**

Description

Communication - Eaton



COPY

18 August 2017

DEAR KENDALL,

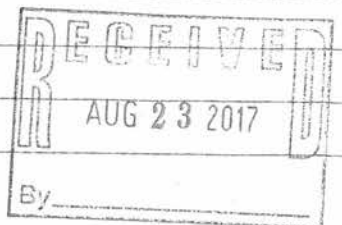
PLEASE ACCEPT MY RESIGNATION FROM THE CITY COLLEGE COMMISSION.

LAST FALL WHEN IT APPEARED THAT I WOULD BE ABSENT FOR 6 MONTHS, THE COMMITTEE AS A WHOLE AGREED THAT I SHOULD HOLD MY PLACE ON IT AS A MEMBER AND AS CO-CHAIR.

A 6 MONTH TEMPORARY JOB HAS BEEN EXTENDED BY THE GOVERNMENT ONE AND TWO MONTHS AT A TIME. I AM NOW SCHEDULED TO BE HERE THROUGH NOVEMBER AND LIKELY INTO EARLY NEXT YEAR. IT IS NOT FAIR TO YOU, THE COMMITTEE OR THE CITIZENS THAT I SHOULD HOLD AN EMPTY SPACE.

THANK YOU FOR YOUR CONFIDENCE IN ME AND THE OPPORTUNITY AND PRIVILEGE TO FURTHER SERVE MY COMMUNITY.

DEAN





City of Keene, N.H.  
*Transmittal Form*

October 3, 2017

**TO:** Mayor and Keene City Council

**FROM:** Donna Forte

**THROUGH:** Patricia A. Little, City Clerk

**ITEM:** C.2.

**SUBJECT:** Donna Forte - Application for a Lodging House License - 57 Winchester Street

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**ATTACHMENTS:**

**Description**

Application for Lodging House License

**BACKGROUND:**

The property at 57 Winchester Street has been sold. This property was previously granted a lodging house license, which is not transferrable to the new owner.



**APPLICATION FOR OPERATION OF A LODGINGHOUSE**

(Please print or type)

pd ✓  
#5000  
JC  
9/12/17

Date 08/30/2017 Location of Lodginghouse 57 Winchester St.

Identify local or national Fraternity or Sorority that members are pledged to (if applicable) \_\_\_\_\_

Property Owner Donna Forte Business Phone 603 724-4138

Address 319 Sugar Hill Hopkinton NH 05229 Home Phone 603 903 4078

Operator/Resident Agent Brianna Blasser Business Phone 603 724-4138

Address 23 Ralston St Keene NH Home Phone \_\_\_\_\_

Number of Persons Authorized to reside on premises 16

**I hereby certify that the information listed above is complete and accurate:**

Donna J Forte  
Signature of Property Owner

Donna J Forte  
Name (Printed or Typed)

Brianna Blasser  
Signature of Operator/Resident Agent

Brianna Blasser  
Name (Printed or Typed)

**I hereby certify that the above named Sorority or Fraternity is duly recognized by Keene State College, and is in good standing with the College:**

\_\_\_\_\_  
Signature of College Representative

\_\_\_\_\_  
Name and Title (Printed or Typed)

*(For Office Use Only)*

Date Received Sept. 16, 2017 Action Taken \_\_\_\_\_

**Recommendations/Requirements**

Police \_\_\_\_\_

Fire \_\_\_\_\_

Code Enforcement \_\_\_\_\_

\_\_\_\_\_  
City Clerk



External Communication  
*Transmittal Form*

October 3, 2017

**TO:** Mayor and Keene City Council

**FROM:** Joe Schapiro, Keene Immigrant and Refugee Partnership

**THROUGH:** Patricia A. Little, City Clerk

**ITEM:** C.3.

**SUBJECT:** Joe Schapiro/Keene Immigrant and Refugee Partnership - Encouraging the Consideration of a Resolution Aimed at Making Keene a Welcoming Environment for Immigrants

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**RECOMMENDATION:**

The Keene Immigrant and Refugee Partnership is requesting that the City Council consider adopting a Resolution aimed at making Keene a safe and welcoming environment for immigrants.

**ATTACHMENTS:**

Description

Draft Resolution

Keene, New Hampshire

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KEENE TO  
ENSURE THAT KEENE IS A SAFE AND WELCOMING COMMUNITY FOR  
IMMIGRANTS

WHEREAS, the city of Keene has a long and rich history of welcoming and successfully integrating diverse immigrant groups into its civic life; and

WHEREAS, immigrants contribute essential skills as employees and entrepreneurs, thereby strengthening our local economy, which is especially important in a state where the population is aging and many young people look elsewhere for opportunity; and

WHEREAS, the resources of the Keene Police Department are limited and the funding of city services through local property taxes are an issue of extraordinary concern; and

WHEREAS, recent studies have shown that humane treatment of immigrants by law enforcement enhances cooperation with police and lowers crime rates (Wong, University of California-San Diego, 2017); and

WHEREAS, there have been a number of recent events involving racist intolerant behavior in our community which were addressed in a letter signed by community leaders including the Keene Mayor, the Cheshire County Sheriff, the former Keene Police Chief, and the SAU 29 Superintendent of Schools (March, 2017); and

WHEREAS, Keene is blessed with the legacy of Jonathan Daniels and the example he provided of fighting for justice and offering compassion for those in need; and

WHEREAS, the mission statement of the Keene Police Department reads, "...to protect life and property and to maintain order within the City while assuring fair and respectful treatment of everyone."

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY OF KEENE:

Will promote the following policies within the Keene Police Department:

1. Police Officers shall inquire into the immigration or citizenship status of an individual only where the inquiry relates to a legitimate law enforcement purpose that is unrelated to the enforcement of a civil immigration law.

2. Police officers will assist U.S. Immigration and Customs Enforcement (ICE) or Customs and Border Protection (CBP) in actions intended to enforce federal immigration statutes only with clear indications that targeted persons are involved in violent criminal behavior, are in violation of NH State felony laws, or have an outstanding criminal warrant.
3. Police officers will detain or prolong detention of individuals on behalf of ICE or CBP only with clear indications that such persons are involved in violent criminal behavior, are in violation of NH State felony laws, or have an outstanding criminal warrant.

September 11, 2017



City of Keene, N.H.  
*Transmittal Form*

September 7, 2017

**TO:** Mayor and Keene City Council

**FROM:**

**THROUGH:** Patricia A. Little, City Clerk

**ITEM:** C.4.

**SUBJECT:** Councilors Clark and Richards - Intended Use of Highway Funds Allocated to the City  
Through SB 38

---

**ATTACHMENTS:**

**Description**

Communication - Councilors Clark and Richards

**BACKGROUND:**

New Hampshire SB 38 authorizes \$30 million appropriation to the State Department of Transportation for local highway projects and aid for municipal bridges. The Councilors are recommending a use of Keene's share of this appropriation.



September 7, 2017

Mayor and City Councilors,

In June of this year the state, through New Hampshire SB 38, sent \$30 million to the state Department of Transportation for local highway projects and aid for municipal bridges.

Since Concord has continued to downshift millions of dollars from the state to the local level over the last decade, making it difficult for cities and towns to keep up with the costs of repairing roads and bridges, I move that we earmark our \$417,000 share of NH Senate Bill 38 for accelerating by one year as many road and bridge projects slated for FY 2019 that the funds allow.

Respectfully,

Terry M. Clark  
City Councilor - Ward 3  
661-8347  
14 Barrett Ave.  
Keene, NH 03431

David C. Richards  
City Councilor - Ward 3  
352-1084  
201 Court St.  
Keene, NH 03431





City of Keene, N.H.  
*Transmittal Form*

September 27, 2017

**TO:** Mayor and Keene City Council

**FROM:** Municipal Services, Facilities and Infrastructure Committee

**ITEM:** D.1.

**SUBJECT:** Departmental Presentation – General Assistance and Workfare Program

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**RECOMMENDATION:**

On a vote of 4-0, the Municipal Services, Facilities and Infrastructure Committee recommends the acceptance of the presentation on General Assistance and Workfare program, as informational.

**BACKGROUND:**

Chair Manwaring welcomed Elizabeth Sayre, Human Services Manager, and Natalie Darcy, Human Services Case Worker.

Ms. Sayre provided background on how welfare came to be and what Human Services does today. Human Services provides general assistance – or welfare – short term community assistance. Human Services provides customer service and customers range from an elderly widow who cannot afford health care, to an older couple that has lived up to their means and are now short one income, to a young couple with severely disabled children that are ineligible for state or federal assistance because they make too much. These are the types of customers that come to Human Services daily but customers also include the Keene taxpayers. Ms. Sayre said her team is happy to do their work but are also conscious to not spend tax dollars where unnecessary. Her daily customers are the neediest and have a direct financial effect on the work Human Services does and therefore a ripple effect on storeowners, businesses, and landlords. Human Services emphasizes treating everyone with courtesy and respect; in her experience, other outreach agencies in the City do not always do so.

Per NH law RSA-165, every person has a right to apply for general assistance. Every municipality in NH has the responsibility to comply with this law and must have guidelines adopted by the governing body. Ms. Sayre noted many people are unaware that general assistance is actually a loan for which the municipality is expected to be reimbursed. The intent of the law is to be humane and not punish individuals or make them feel worthless; the intent is to help people when they are in need, which may be once or several times. Longer term assistance is also provided to help individuals return to a state of financial self-sufficiency; it is not just a band aid.

The process of obtaining general assistance is demanding. It is an eight-page application, the first two pages of which are release forms to be able to speak with a Case Worker. Applications are a challenge because they require a lot of case management and staff time; applications involve review of eligibility, full financial review, and third party documentation of income and expenses. Every time an individual seeks assistance, they must go through the eligibility process. Many of the people served are the working poor and are just over or under income for state and federal benefits. The goal is to help individuals get beyond these hurdles and help them with budgeting and money management even if they cannot access other services.

Other challenges to Human Services include:

- Reductions in state and federal assistance
- Customers cannot see a staff member when they need to
- Fewer resources to refer people to, so they come back
- Low education levels – in the last year, Human Services saw 586 heads of households that had less than a high school education
- Impact of substance abuse and untreated chronic mental health issues
- An unskilled labor force – many do not have the technological skills to apply for jobs online
- Teaching people how to maintain their home and encouraging them to be responsible for keeping employment
- Keene is considered an expert by many other towns and regions and is a full-time office; other towns frequently contact Keene for help finding services

Ms. Sayre continued explaining some myths about welfare recipients. The three examples she previously provided represent the majority of customers. 85% of customers are working poor; some might be eligible for fuel assistance of \$350, but that is not enough for a harsh winter. Some suffer from too fixed an income, have fallen through the cracks, and 5% just need encouragement, direction, and motivation toward independence. Human Services also does a lot with reimbursements; if someone has pending benefits for Social Security income through the state a lien can be placed on that reimbursement, which has shown success. Property liens can also be placed on someone's home if they receive assistance until the home changes hands or the City has been reimbursed. Human Services also submits for Medicaid reimbursement, which has a lot of paperwork and little return. There are assistance recipients who do reimburse the City. Toward this effort, the Workfare program began four years ago.

Ms. Darcy explained the Workfare program, which began because customers expressed concern about how to reimburse the City without the financial means to do so. She quoted RSA-165, which states that, "any recipient of general assistance who is able and not gainfully employed may be required to work for the municipality at any bona fide job that is within his or her capacity for the purpose of reimbursement of benefits received." So, the City decided to take advantage of that ability. All compensation earned by volunteers (aid recipients, not referred to as employees) is applied directly toward reimbursement of general assistance; they are not paid any cash value. Participants do receive Workman's Compensation provided by the City. Volunteer positions the City has had success with include janitorial, administrative assistance, child care providers, litter clean-up, and creating gift cards for the holiday program. There are currently two volunteers in the program and over the last four years, Workfare participants have worked a total of 1,882.5 hours and reimbursed the City \$19,997.20. The average wage for participants is \$11.50/hour for an average of 10 hours per week. Human Services has also partnered with six City departments and many are willing to accept a volunteer with needed skills. Ms. Darcy continued sharing some statistics:

- 50% of Workfare volunteers have found employment while participating in the program
- 20% of participants were disabled and could no longer do the assigned job
- 12.5% of participants quit the program
- 12.5% of participants moved away during the program
- 5% of participants reimbursed their general assistance loan

Ms. Darcy continued explaining challenges to the Workfare program:

- Transportation to worksites
- Length of time to receive background checks
- Participants finding work while in the program
- Drug and alcohol use, which are not tolerated in the work place

Councilor O'Connor asked if there is a time limit to reimburse the City. Ms. Sayre replied forever. The City will take money anytime; for example someone reimbursed the City four years ago for a very old assistance loan.

Councilor Filiault asked if Human Services is seeing more people who have only been residents of Keene for one day trying to receive services. Ms. Sayre replied there are very few 24 hours residents. Some customers are assisted with finding services but are not given general assistance, some are helped only once for a medication issue, and some come in if they cannot find space at a shelter. Keene statistically has 30% full shelters. Sometimes customers are also mistakenly sent to Keene by the hospital, for example, even if they are residents of another municipality that provides the same services by law.

Councilor Hooper asked the minimum age to volunteer. Ms. Sayre replied 18 years old.

Chair Manwaring recognized Councilor Terry Clark who said while there will always be homeless and poor, Human Services does a wonderful job and is underfunded. He said it is important that the community not stigmatize these individuals needing assistance, to treat them with humanity, and to do the right thing.

Councilor Filiault made the following motion, which was seconded by Councilor O'Connor.

On a vote of 4-0, the Municipal Services, Facilities and Infrastructure Committee accept the presentation on General Assistance and Workfare program as informational.

Ms. Sayre invited everyone to stop by Human Services if they would like to learn more.



City of Keene, N.H.  
*Transmittal Form*

September 27, 2017

**TO:** Mayor and Keene City Council

**FROM:** Municipal Services, Facilities and Infrastructure Committee

**ITEM:** D.2.

**SUBJECT:** Cecile Chickering – Request for No Parking – Foundry Street

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**RECOMMENDATION:**

On a vote of 4-0, the Municipal Services, Facilities and Infrastructure Committee recommends that staff be directed to introduce an ordinance for no parking on Foundry Street.

**BACKGROUND:**

Chair Manwaring welcomed Dave Chickering, who owns Stan's Auto Body at 38 Foundry Street. His mother also owns a building with five apartments on the street and there is one other business. He said since last August, when the Keene State College (KSC) students returned to the apartments on Ralston Street, there has been anywhere from one to four cars parked on Foundry Street; one of them is there almost always. His business has large trucks coming in and out, as does the other business on the street. Additionally, Sid's Carpet shop owns storage space on the end of the street and has many tractor trailers passing through daily. He said with parking the way it is, the parked car is essentially taking up one lane forcing people to go around. This creates a safety hazard with the numerous trucks coming through daily; it has even caused traffic back-ups on Winchester Street. He approached the student parking there and his response was, "I'm sorry but it does not say no parking."

Chair Manwaring asked if it is a dead end street. Mr. Chickering replied yes and there are only three property owners on the street.

Police Chief Russo said this relates back to the No Parking issue on Spring Street and issues within the ordinances. He said technically a car cannot park on Foundry Street because if a car must pass into the oncoming traffic lane it is a No Parking zone. He said the City does not place No Parking signs everywhere and many students/residents are not aware. He said because there are only three residents who own most of the street it is logical to officially make the east side of the street along the bike path No Parking. He said this is similar to Avon Street where large trucks have to pass often. He thinks this solution will meet the petitioner's requirement to run their business and meets the requirement to make something No Parking without going to the public.

Chair Manwaring asked about dead end streets in the ordinance. Chief Russo replied it falls under Ordinance 94.66 on Parking/No Parking but dead ends are not distinguished. Specific streets are listed as No Parking but a lot is unclear in the ordinance. He thinks this solution makes sense for this street. Mr. Chickering added that in wintertime the street becomes one lane anyway so if the students or others park there they will either block the road entirely or cause a snow bank.

Councilor Filiault recalled that because of the narrowness of the shoulder and configuration of the street it is technically No Parking anyway; Chief Russo replied yes. Councilor Filiault replied asking why not just put up signs then and be done with the matter; to have Public Works put signs up and the Police Department (PD) enforce it. The Public Works Director replied that unfortunately the section Chief Russo referred to is general No Parking; the City does not post everywhere. To place the signs and for the PD to regulate them, it must be entered into the specific street section of the code, and therefore through the ordinance. Councilor Filiault replied if no parking is allowed anyway in this situation he sees no problem placing a few signs at this point to handle the situation today. The Public Works Director replied that would be unenforceable. Councilor Filiault said then force it if it is not allowed anyway. Chief Russo replied yes, in general it is not allowed but something cannot be enforced if not in City ordinance. He respects the attempt to streamline but agrees with the Public Works Director.

Chair Manwaring recognized Councilor Mitch Greenwald who said Chief Russo has the ability to enact most anything in an emergency and while this process is lengthy, putting it in the code will solve all of the problems presented. Chief Russo said he would write a special regulation for 90 days while the ordinance is being codified, which takes at least one month. He said this will be a quicker process, realistically. The Public Works Director added that as of November first there is no overnight parking allowed on the street.

Chair Manwaring recognized Bob Gogolin, 60 Foundry Street, who said it is important to get parking off the street because many children live on the street. He often has to stop for trucks to pass and sometimes trucks block one another. He said it is unsafe, especially if there were an emergency. He appreciates this is a bureaucratic process but is willing to wait; he added if the City is really struggling for money the residents would likely pay for the signs.

Councilor Filiault made the following motion, which was seconded by Councilor O'Connor.

On a vote of 4-0, the Municipal Services, Facilities and Infrastructure Committee directed staff to bring an ordinance forward for no parking on Foundry Street.



City of Keene, N.H.  
*Transmittal Form*

September 28, 2017

**TO:** Mayor and Keene City Council

**FROM:** Finance, Organization and Personnel Committee

**ITEM:** D.3.

**SUBJECT:** Holiday Family Sponsorship - Human Services Department

---

**RECOMMENDATION:**

On 3-0 vote, the Finance, Organization and Personnel Committee recommends the City Manager be authorized to accept donations associated with the City's 2017 Holiday Family Sponsorship Program.

**BACKGROUND:**

Human Services Manager Liz Sayre addressed the Committee and stated each year the Human Services Department is contacted through sponsors to help families in need during the holiday season. Last year the city gave out 282 gift and food baskets, 300 holiday checks predominantly for older and disabled adults and 63 gift cards donated by the community; 382 homes were supported last year.

Ms. Sayre stated she is coming before the Committee this early in the season because sponsors are looking to start their shopping.

Councilor Clark made the following motion which was seconded by Councilor Jacobs.

On 3-0 vote, the Finance, Organization and Personnel Committee recommends the City Manager be authorized to accept donations associated with the City's 2017 Holiday Family Sponsorship Program.



City of Keene, N.H.  
*Transmittal Form*

September 28, 2017

**TO:** Mayor and Keene City Council

**FROM:** Finance, Organization and Personnel Committee

**ITEM:** D.4.

**SUBJECT:** Safe Routes to School Non-Infrastructure Grant - Planning Department

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**RECOMMENDATION:**

On 3-0 vote, the Finance, Organization and Personnel Committee recommends the City Manager be authorized to do all things necessary to apply for, accept and execute a “Non-Infrastructure” grant from the New Hampshire Department of Transportation (NHDOT) to continue to supervise and coordinate the Safe Routes to School, “Walk & Roll” program at the Symonds Elementary School. This program endeavors to increase the number of children walking and biking to school.

**BACKGROUND:**

Planner Michele Chalice and Mary Brunner, Planner from Southwest Regional Planning Commission were the next two presenters. Ms. Chalice stated Symonds School has a Walk and Roll Program which is being coordinated by a group of individuals. This program has been going on for a long time and they are looking to provide some sort of compensation for these individuals. Ms. Brunner stated this grant is through the New Hampshire Department of Transportation which is 100% reimbursed – it is non-infrastructure so there are no built aspects.

Councilor Jacobs made the following motion which was seconded by Councilor Clark.

On 3-0 vote, the Finance, Organization and Personnel Committee recommends the City Manager be authorized to do all things necessary to apply for, accept and execute a “Non-Infrastructure” grant from the New Hampshire Department of Transportation (NHDOT) to continue to supervise and coordinate the Safe Routes to School, “Walk & Roll” program at the Symonds Elementary School. This program endeavors to increase the number of children walking and biking to school.



City of Keene, N.H.  
*Transmittal Form*

September 28, 2017

**TO:** Mayor and Keene City Council  
**FROM:** Finance, Organization and Personnel Committee  
**ITEM:** D.5.

**SUBJECT:** Main Street Bridge Replacement Project - Public Works Department

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**RECOMMENDATION:**

On 3-0 vote, the Finance, Organization and Personnel Committee recommends that the City Council allocate \$16,989.20 from the Bridge Capital Reserve to the Main Street Bridge Replacement Project (90151).

**BACKGROUND:**

City Engineer Don Lussier was the next to address the Committee. Mr. Lussier stated a few weeks ago staff addressed emergency bridge repairs to a few bridges. At that time staff asked through Resolution to re-appropriate funds through the 2015 infrastructure project to cover these costs. The Resolution called for the remaining funds from this infrastructure project account to be put into the bridge capital reserve. The Resolution however, did not indicate which bridge this approximately \$17,000 would be used for. Today staff is before the Committee to correct this item and to stipulate these funds are going into the Main Street Bridge Project.

Mr. Lussier noted the Route 12 Bridge has already been awarded, bids have been received, a contract has been awarded and they are going to start work in the winter. The additional \$17,000 which was put into the bridge capital reserve is being requested to be used for the bridge construction administration.

Chair Greenwald noted the recommendation has \$16,989 but the last paragraph indicates to an amount of \$13,315. Mr. Lussier explained the \$16,989 was what was moved from the 2015 infrastructure project account and staff is asking that this amount be allocated to the Main Street bridge project; this is technically more than what they would need – what is required is only \$13,315. The additional \$3,000 is to cover any change orders that could happen in the future under the City Manager's authority. If there is a change order of about \$15,000 it could be covered under the Manager's authority without having to come before the Finance Committee.

Councilor Jacobs asked when the disruption would take place. Mr. Lussier stated the contractor is planning on mobilizing the site early to mid-May but the real disruption would happen around the 1st of June.

Councilor Clark made the following motion which was seconded by Councilor Jacobs.

On 3-0 vote, the Finance, Organization and Personnel Committee recommends that the City Council allocate \$16,989.20 from the Bridge Capital Reserve to the Main Street Bridge Replacement Project (90151).





City of Keene, N.H.  
*Transmittal Form*

September 28, 2017

**TO:** Mayor and Keene City Council  
**FROM:** Finance, Organization and Personnel Committee  
**ITEM:** D.6.

**SUBJECT:** Professional Services Contract - Flood Management - Public Works Department

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**RECOMMENDATION:**

On 3-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to negotiate and execute a professional service contract with McFarland Johnson, Inc. for engineering and technical services for the Ralston Street / Winchester Street Flood Management Project for an amount not to exceed \$135,000 with funding from Project Cost Center 90298.

**BACKGROUND:**

Mr. Lussier stated this item is in reference to the selection of a professional services consultant for the Ralston Street/Winchester Street drainage improvement project. This project was approved in the 2018 CIP. Four proposals from known consultants were received, the list was narrowed down to two consultants who were brought in for interviews. The selection was difficult, as they were both qualified and are currently doing work for the City. The selection committee went with McFarland Johnson, Inc. over Dubois King who had a better explanation as to how they want to address alternatives to storm water infrastructure.

Councilor Clark asked whether they are going to be designing swales to address the water before it goes into the stream. Mr. Lussier stated they are going to be looking at alternatives first; rain gardens, treatment swales etc.

Councilor Jacobs made the following motion which was seconded by Councilor Clark.

On 3-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to negotiate and execute a professional service contract with McFarland Johnson, Inc. for engineering and technical services for the Ralston Street / Winchester Street Flood Management Project for an amount not to exceed \$135,000 with funding from Project Cost Center 90298.



City of Keene, N.H.  
*Transmittal Form*

September 27, 2017

**TO:** Mayor and Keene City Council

**FROM:** Municipal Services, Facilities and Infrastructure Committee

**ITEM:** G.1.

**SUBJECT:** Mayor Lane – Requesting that the Council Consider Adopting an Ordinance for Disorderly Residences

---

**RECOMMENDATION:**

On a vote of 4-0, the Municipal Services, Facilities and Infrastructure Committee placed the request that the Council consider adopting an ordinance for disorderly residences on more time.

**BACKGROUND:**

Chair Manwaring welcomed Councilor David Richards, standing in for the Mayor who brought this request forward. Councilor Richards reported that Mayor Lane asked for an ordinance to be drafted for disorderly residents; this was attempted by the City Council in the past but did not pass because landlords worked with KSC and the City to ensure safe and clean housing was available. However, that agreement did not solve the problem of the PD being called repeatedly to multiple disruptive apartment buildings. In essence, he said, the PD is managing those properties instead of the landlords. He said being a landlord is not a charity or public service; it is a business and should be managed as such. Repeated visits from the PD for disruptive behavior misuses City resources to manage private property. He said in general, if someone called the Fire Department multiple times for false alarms, they would get charged a fine after so many calls. Yet the PD is responding to calls at the same properties six times per month or 15 times per year. This ordinance would ask landlords to take responsibility for their properties and prevent this behavior from happening. It would likely be a simple system – if the PD is called to the same property more than three times per year they will be fined. He said this is a request to draft the proposed ordinance to bring back for City Council debate.

Councilor Filiault said, with all due respect to Councilor Richards for standing in, that this idea has come through Council multiple times over the last 20 years in various forms. He said his problem is that Mayor Lane wrote this request but was not at the meeting to address it. He said Councilor Richards cannot answer questions verbatim for the Mayor. While this issue could be addressed at this meeting, it will have to go on more time; despite the fact that landlords were present, this is a serious issue in the City and the petitioner should be at the meeting. Councilor Filiault stated he was disappointed Mayor Lane was not at the meeting.

Chair Manwaring recognized Councilor Mitch Greenwald. He said that Council has heavily discussed this issue several times at the expense of a great deal of staff time and work by the City Attorney. He said this Committee and the Council need to think carefully before deciding to go down this road. He described some reasons not to draft this ordinance:

1. He asked the Committee to consider if this is really needed. When he first saw this on the agenda he thought Mayor Lane was just trying to reinforce to landlords the need to enforce good behavior. However, Mayor Lane was serious and Councilor Greenwald would like to know why now. He said nothing terrible is happening, the

voluntary inspection program continues, and the competitive nature of renting properties to high quality tenants demands well-managed properties. He said this is not just about college students but also an issue of third party responsibility for what people do in your home – guests, sublets, family housesitting, etc. He does not want to leave that ambiguity to a cop to use their judgement. He said if writing something into legislation, it has to be specified and unambiguous.

2. He thinks there are enough ordinances at this point and the City should focus on enforcing those.

3. He said there is an issue with PD enforcement – property owners are not notified in a timely manner when there is an issue on their property. As a landlord, he may never hear about issues from the PD, instead he finds out from neighbors. He thinks this is an operational issue that needs to be addressed.

4. He is concerned about things being left to the judgement of a police officer. He said if something is enacted, start with something simple that makes sense (good behavior) and let Council amend it later to be more impressive.

Councilor Greenwald concluded saying he hopes the MSFI Committee will discuss this, hear wisdom from the landlords, and accept this as informational for a full Council vote. He said the landlords got the message to tighten up operations but the ordinance process is wrong.

Councilor Richards said most of the other third party circumstances Councilor Greenwald referred to are one-time events, as opposed to multiple calls throughout the year. He said Councilor Greenwald is right that the last ordinance attempt was too complicated. As he understands it, the new draft will be for three strikes for a list of particular behaviors before a fine. He said renting property is a business; if a bar served someone underage, for example, they would get fined. If someone owns a house that cops are called to repeatedly then the taxpayers are paying for it; this is what cops are for but it is an abuse of the system when it is repeated.

Councilor Filiault said a similar ordinance did not pass several years ago; he asked what specifically the Mayor is looking for that is different. Councilor Richards replied he did not know, a draft was requested that in theory will be much simpler than the last. Councilor Filiault said Committee meetings are to ask questions and they cannot get answers without the petitioner; he said this will go to more time.

Councilor Greenwald said to also consider the issue of neighbor harassment of property owners and asked how that would fit in to this ordinance. He said Councilor Filiault is right about the Mayor not being present, but he cautioned against putting this on more time because many landlords traveled to be at this meeting. He said this issue has played out and the landlords get the message. Councilor Richards said most landlords in the room are from Keene and are not causing the problem; the problem is absentee landlords that live out of town and allow properties to fall apart. Councilor Greenwald said another issue is the drug houses; there are several in the City that the PD responds to often and he thinks that should be an issue of greater focus for the Mayor. He recommended enforcing the ordinances and building codes already in place. Councilor Richards agreed drug houses should be on the list; if there are enough issues the DEA can be called to have the home seized.

Councilor O'Connor asked if the PD currently responds to a loud party more than twice per shift and if there is any ordinance that addresses this problem right now. Chief Russo replied officers will respond the first time and on the second call can issue a summons for violating the Noise Ordinance. He said he cannot state that every officer follows that procedure; he can only read what is in the log but summons should be issued. He said they get calls everywhere, from the college to west Keene. Chair Manwaring asked about officers who do not issue summons; she has had a lot of complaints from constituents about disorderly behavior and there should be a consequence. She assumed landlords were notified about students/tenants but she is unsure that is occurring. Chief Russo said landlords are notified, they get the police log, but there is controversy over what information they can legally be given. He said there is nothing in City code saying the PD has to call landlords; the PD does not have the personnel capacity for that. He said that also goes to the issue of how much the PD is running properties for landlords. Any landlord can call the PD and ask if something happened at their property but the City does not have a contact list for all of them. The PD responds to 18-22 of these calls per weekend and he asked who will make all of those calls.

Chair Manwaring said it was her sense this should go on more time because the Committee has not heard from the Mayor and normally decisions are not made without the petitioner present; Councilor Hooper and Councilor O'Connor agreed. Chair Manwaring said she was happy to hear from the landlords present but made them aware this would happen again. Councilor Filiault said it should not have been discussed at this meeting and wasted everyone's time and he does not like wasting taxpayer's time.

Chair Manwaring recognized Trevor Grauer, 25 Winchester Court, who asked if the public will be able to speak when this is heard in more time. Chair Manwaring replied yes, the most important time to speak will be the next meeting, hopefully in two weeks.

Chair Manwaring recognized Bill Beauregard, a landlord in Keene who now lives in Chesterfield. He said he is amazed at the concept that the Council would be charged with drafting an ordinance, it is usually a serious issue to be addressed. He said this was just a request to draft an ordinance, which does not tell him the issues to be addressed and if the concerns are significant. Many are still uncomfortable about the last attempt at such legislation; if this is addressed in a City-wide fashion he will be very opposed and does not understand why Council would go down that road with the bad history. He said Mayor Lane did not provide sufficient background or incidences; it is a waste of the Council and Committee's time to just draft an ordinance. He understands what Chief Russo said, but thinks there should be a technological system to notify landlords. Landlords want to address issues quickly and such a system would help deal with concerns.

Chief Russo noted there is also an online map of the City that corresponds to the PD log and responses; it is not always updated daily but the information is available.

Chair Manwaring recognized Rick Grauer, landlord of 25 Winchester Court. He said he is unsure of the percentage but thinks Keene has a high proportion of rentals over owner occupied properties. This situation is trying to take the personal responsibility of tenants and place that on the landlord. Landlords operate under landlord-tenant laws so how does a landlord have greater authority over a tenant than the PD. He asked when an individual is responsible for violating the law. When the PD has responded to student parties on his property they did not issue summons; it is not up to a third party to regulate a tenant's behavior. The City Attorney suggested that Mr. Grauer consult legal counsel with regard to his relationship with tenants.

Councilor Filiault said this was a waste of time because everyone will have to say these things again. Councilor Greenwald suggested if a petitioner is not present the Committee make a decision without their input. He suggested accepting this request as informational and moving on. Councilor Richards disagreed stating this should be placed on more time; Mayor Lane had a conflicting City meeting tonight. Councilor O'Connor said he does not think it is a waste of time because people are upset about this. He thanked everyone for coming to share.

Councilor O'Connor made the following motion, which was seconded by Councilor Filiault.

On a vote of 4-0, the Municipal Services, Facilities and Infrastructure Committee placed the request that the Council consider adopting an ordinance for disorderly residences on more time.



City of Keene, N.H.  
*Transmittal Form*

September 29, 2017

**TO:** Mayor and Keene City Council

**FROM:** Kurt D. Blomquist, PE, Public Works Director/Emergency Management Director

**THROUGH:** Elizabeth Dragon, City Manager

**ITEM:** H.1.

**SUBJECT:** Relating to Snow and Street Maintenance Periods

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**RECOMMENDATION:**

That Ordinance O-2017-18, Relative to Snow and Summer Maintenance Periods, be referred to the Municipal Services, Facilities and Infrastructure Committee for consideration and a recommendation back to City Council.

**ATTACHMENTS:**

Description

Ordinance O-2017-18

**BACKGROUND:**

The Municipal Services, Facilities, and Infrastructure Committee heard a request from a resident on Middle Street requesting the allowance of on street parking during the summer maintenance period of Sunday through Saturday, 2:00 AM - 6:00 AM. The Committee requested City staff to review the current restrictions and develop an ordinance to amend the current practice if appropriate.

The Public Works Department along with the the Police Department reviewed the current locations in which the summer maintenance parking restrictions apply. In the review, it was determined that there are two levels of maintenance activities. Central Square and Main Street from Central Square to the Main, Marlboro, Winchester Street Roundabout has significantly more maintenance activities that include street sweeping, pavement markings, landscaping, and other work. The commercial and business areas, just outside the core downtown area, receive a lower level of maintenance to maintain their current appearance. As a result, it was determined that the central core of downtown will continue with the summer maintenance restrictions for all seven (7) days and other commercial and business areas would only have the restrictions for two (2) days a week.

Finally, as streets were reviewed, several streets were removed as not being necessary to have the restriction and several other streets were added.



# CITY OF KEENE

O-2017-18

Seventeen

In the Year of Our Lord Two Thousand and .....

## AN ORDINANCE Relating to Snow and Street Maintenance Periods

AN ORDINANCE .....

*Be it ordained by the City Council of the City of Keene, as follows:*

That the City Code of the City of Keene, New Hampshire, as amended is hereby further amended by removing the stricken text and inserting the bolded text to the following provisions in Article III, "Parking", of Division 2, "Specific Streets", of Section 94-95 "Snow and Street Maintenance Period" in Chapter 94, entitled "TRAFFIC, PARKING AND PUBLIC WAYS" as follows;

### Sec. 94-95. – Snow and Street Maintenance Period.

- (a) **Snow Maintenance Period.** No vehicle **or trailer** shall be left standing or **unoccupied** upon any of the public ways or bridges in the city and owners of all vehicles **or trailers** so standing between the hours of 1:00 ~~a.m.~~ **AM** and 6:00 ~~a.m.~~ **AM** shall be deemed in violation of RSA 262:31 et seq. and shall be towed as provided for in section 94-154 pertaining to enforcement practices. The prohibition described in this subsection shall **apply during the period each year from November 1 to April 30.** ~~not apply during the period each year from May 1 through October 31. "summer period", except in the Central Business District in the following streets:~~
- (b) **Summer Maintenance Period.** **To provide for maintenance in the City's downtown, business, and commercial streets, no vehicle or trailer shall be left standing or unoccupied upon any of the public ways or bridges in the areas specified and owners of all vehicles or trailers so standing between the hours of 2:00 AM and 6:00 AM as specified shall be deemed in violation of RSA 262:31 et seq., and shall be towed as provided for in section 94-154 pertaining to enforcement practices. The prohibition described in this subsection shall apply during the period each year from May 1 to October 31:**

- (1) **The Summer Maintenance Period shall apply to the following streets on Wednesday and Thursday of each week:**

Center Street.

~~Central Square.~~

Church Street from Main Street to Roxbury Plaza **Wells Street.**

Commercial Street.

Court Street from Mechanic Street to Central Square.

Cypress Street.

Eagle Court.

Elm Street from Vernon Street to Mechanic Street.

Emerald Street from Main Street to School Street **Ralston Street.**

Federal Street.

Gilbo Avenue.

Lamson Street.

Main Street from Marlboro Street **and Winchester Street Intersection to Central Square. NH Route 101.**

Marlboro Street from Main Street to Adams Street **Grove Street.**

Mechanic Street.

Middle Street.

**Norway Avenue.**

Railroad Street.

**Ralston Street.**

Roxbury Plaza.

Roxbury Street from Central Square to Norway Avenue.

St. James Street.

School Street **from West Street to Emerald Street.**

Spring Street from Washington Street to Town Street.

Summer Street.

Vernon Street.

Washington Street from Central Square to Mechanic Street.

**Water Street from Main Street to Grove Street.**

Wells Street.

West Street from Central Square to Ashuelot Street. NH Route 9/10/12.

**Winchester Street from Main Street to NH Rt 101.**

Winter Street.

93rd Street.

- (2) **The Summer Maintenance Period shall apply to the following streets on Sunday through Saturday of each week:**

**Central Square.**

**Main Street from Central Square to Marlboro Street and Winchester Street Intersection.**

- (3) **Nothing in this section will prohibit the Public Works Department from closing all or parts of any listed streets at any other time periods then listed for maintenance, as long as the public is notified of the closing at least three (3) calendar days prior to the closing.**

~~During the "summer period" only, the prohibition in the Central Business District shall be between the hours of 2:00 a.m. and 6:00 a.m.~~

~~(b)~~ (c) The prohibitions described in subsections (c) through (f) of this section shall not apply during the period from May 1 through October 31, except that no vehicle shall be left continuously in any city-owned parking lot for longer than five days. Any vehicle that is left in any city-owned parking lot and/or that is unregistered may be towed as stated in section 94-154 pertaining to enforcement practices. Nothing in this exception to parking prohibitions will prohibit the public works department from closing all or parts of any parking lot for maintenance, as long as the parking lot has been signed to notify users of the parking lot of the closing at least five days prior to the closing of the parking lot for maintenance.

~~(c)~~ (d) No vehicle shall be left standing on the city-owned Elm Street parking lot between the hours of 12:01 a.m. and 6:00 a.m. in the morning on Tuesday, Thursday, and Saturday. Exceptions: This Elm Street lot prohibition shall not pertain to the spaces specifically designated for overnight permit parking.

~~(d)~~ (e) No vehicle shall be left standing on the city-owned Gilbo Avenue parking lot west of St. James Street and Commercial Street parking lot between the hours of 12:01 a.m. and 6:00 a.m. in the morning on Monday, Wednesday, Friday, and Sunday; and no vehicle shall be left standing on the Gilbo Avenue parking lot east of St. James Street between the hours of 12:01 a.m. and 6:00 a.m. in the morning on Tuesday, Thursday, and Saturday. Exception: This prohibition shall not pertain to the space rented to Vermont Transit or its successor organization or the spaces specifically designated for overnight permit parking. This exception shall terminate



automatically upon the termination of the monthly rental by Vermont Transit or its successor organization.

~~(e)~~ **(f)** No vehicle shall be left standing on the city-owned Wells Street parking structure between the hours of 12:01 a.m. and 6:00 a.m. in the morning on Tuesday and Thursday, except in the spaces specifically designated for overnight permit parking.

~~(f)~~ **(g)** Except for authorized city vehicles and validly permitted vehicles, no vehicle shall be left standing on the upper deck of the city hall parking garage and the Library/Heberton Hall parking lots between the hours of 12:01 a.m. and 6:00 a.m.

~~(g)~~ **(h)** The prohibitions described in subsections ~~(h)~~ **(i)** through ~~(i)~~ **(j)** of this section shall apply throughout the year. Any vehicle that is left in any city-owned parking lot and/or that is unregistered may be towed as stated in section 94-154 pertaining to enforcement practices. Nothing in this exception to parking prohibitions will prohibit the public works department from closing all or parts of any parking lot for maintenance, as long as the parking lot has been signed to notify users of the parking lot of the closing at least five days prior to the closing of the parking lot for maintenance.

~~(h)~~ **(i)** *Reserved.*

~~(i)~~ **(j)** No vehicle shall be left standing on the public ways or bridges of the city in such a manner as to impede the plowing or removal of snow and ice or the application of sand and/or salt to the roads and the cleaning of the streets.

~~(j)~~ **(k)** Exceptions. Vehicles parked on the following city streets and rights-of-way listed shall be exempt from this section:

Elliot Street, south side, from a distance of 120 feet from Main Street.

Oak Street, east side.

The owner of the vehicle shall be a resident or guest at the property contiguous to the listed street and shall assume all responsibility for moving the vehicle should it become snowbound. The city will not plow a space or travel path for vehicles parked under this exception. The city council may add, by ordinance, additional streets or areas to this list when, in the opinion of the police and public works departments, such exceptions do not unreasonably affect street maintenance or public safety. In particular, the city council will use the following criteria when evaluating such requests:

- (1) One-way street configuration.
- (2) Limited number of driveway obstructions.
- (3) The right-of-way is of sufficient width to accommodate the parking.
- (4) The requesting parties agree that they will be responsible for snow removal if required.

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Kendall W. Lane, Mayor



City of Keene, N.H.  
*Transmittal Form*

September 27, 2017

**TO:** Mayor and Keene City Council

**FROM:** Municipal Services, Facilities and Infrastructure Committee

**ITEM:** I.1.

**SUBJECT:** Relating to Driveway Permits and Standards

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**RECOMMENDATION:**

On a vote of 4-0, the Municipal Services, Facilities and Infrastructure Committee recommends the adoption of Ordinance O-2017-15 Relating to Driveway Code Update.

**ATTACHMENTS:**

Description

Ordinance O-2017-15

**BACKGROUND:**

The City Engineer provided background on this ordinance. Last November staff presented options for updating the driveway code because Council had to hear an appeal for an exception to the code. Staff addressed their concerns about the process for appeal not being well defined, including abutter notification. There was concern about a legislative body having to adopt a different way of doing business and acting in a quasi-judicial way. Staff provided the following options:

1. Address the public notice issue.
2. Develop a more formal process of what is already in the City code.
3. Reorient the existing code to remove City Council from the appeal process and have a better defined ordinance process for both the applicant and abutters with concerns – Staff recommended this option.

At that time, Council followed staff's recommendation and a part of that was addressing abutter notification. This ordinance O-2017-15 does the following:

1. Grants the City Engineer authority to review driveway permits for duplexes, shared drives, and temporary drives; his office is only currently authorized to review single-family residences. The Planning Board will still retain authorization to review and grant driveway permits for multi-family, commercial, and industrial driveways.
2. Creates a more defined process for receiving requests for exceptions, notifying abutters, considering the request, and make a determination.
3. Addresses the issue of temporary driveways, creates a mechanism for granting them, and to ensure they are removed and restored back to normal.

The City Engineer noted a typo in the draft ordinance presented to the Committee but the City Attorney said this is a Scribner's Error that will be corrected in the form approved or denied by Council.

Chair Manwaring asked what happens if the person wanting a driveway disagrees with the City Engineer's decision. The City Engineer replied his decision can be appealed to the Planning Board in all cases.

Councilor Hooper said he appreciates this ordinance going through and he supports it.

Chair Manwaring recognized Darryl Masterson, 44 Willow Street. He asked if there was any consideration of driveway construction as many properties are converting backyards to parking lots. He thinks residential parking lots should be required to have as much greenspace as commercial lots. The City Engineer replied the section of the ordinance that addresses exceptions begins saying, “except for any standard or requirement arising under City Code Chapter 102,” i.e. the Zoning Ordinance. The Engineer’s office does not have the ability to counter anything already in the zoning code; that is outside his purview for review by the Planning Board. Section 70 of the code deals with street standards and he only has access to property from the public right of way. Once an issue is on private property, it is in the domain of the Planning Board and Code Enforcement. This ordinance does not address any of Mr. Masterson’s concerns.

Chair Manwaring noted a discrepancy in the driveway size in the ordinance. The City Engineer replied the existing driveway standards have widths at curb line and at the property line. This standard allows the curve out of the ends of a driveway to the gutter line of the street.

Councilor Hooper made the following motion, which was seconded by Councilor O’Connor.

On a vote of 4-0, the Municipal Services, Facilities and Infrastructure Committee recommends the adoption of Ordinance O-2017-15 Relating to Driveway Code Update.



# CITY OF KEENE

O-2017-15

Seventeen

In the Year of Our Lord Two Thousand and .....

AN ORDINANCE Relating to Driveway Permits and Standards

AN ORDINANCE .....

*Be it ordained by the City Council of the City of Keene, as follows:*

That the City Code of the City of Keene, New Hampshire, as amended is hereby further amended by adding the bolded text to the following provisions in Article I, "In General", Section 70-1 "Definitions" in Chapter 70, entitled "PUBLIC IMPROVEMENT STANDARDS" as follows;

Sec. 70-1. - Definitions.

The following words, terms, and phrases shall have the meanings ascribed to them below when used in this chapter, except where the context clearly indicates a different meaning:

*Abutter* means Abutter, as that term is defined in Sec. 102-2.

*Driveway* means the travel surface that provides vehicular access to the public way.

*Duplex* means Duplex/Two-Family Dwelling, as that term is defined in Sec. 102-2.

*Earth-Disturbing Activity or Earth-Disturbing Events* means actions taken to alter the existing vegetation and/or underlying soil of a site, such as timber harvesting, clearing, grading, site preparation (e.g., excavating, cutting, and filling), soil compaction, and movement and stockpiling of top soils.

*Multi-family* means Multi-Dwelling Structure, as that term is defined in Sec. 102-2.

*Single-family* means Single Family Dwelling, as that term is defined in Sec. 102-2.

*Temporary Driveway* is a driveway created for discrete event or activity and will be in place for a period exceeding seven days but less than six months.

Further, that the City Code of the City of Keene, New Hampshire, as amended is hereby further amended by deleting the provisions in Article III, "Design and Construction of Streets and Utilities", Division 3, "Standards", Sections 70-135 "Driveway permit and standards" and Section 70-136 "Driveway permit exceptions", in Chapter 70, entitled "PUBLIC IMPROVEMENT STANDARDS" and replacing the deleted sections with the following bolded text;

Sec. 70-135. - Driveway permit and standards.

- (a) **A driveway permit must be obtained from the city prior to the construction or alteration (which changes grade, length or width) of any driveway, entrance, exit or approach within the right-of-way of any city street, including temporary driveways, except when the driveway or its alteration is approved as part of a subdivision or site plan by the city planning board.**

- (b) An application for a permit to construct or alter a driveway shall be submitted on forms provided by the City and shall include payment of an application fee, as established by planning board.
- (c) Issuing Authority:
  - (1) The city engineer or his designee shall have the authority to review, and approve or disapprove driveway permit applications for single-family or duplex residential driveways, single family shared drives, single-family or duplex residential second driveways, agricultural driveways, or temporary driveways.
    - a. The city engineer may refer a driveway permit application to the planning board for review if, in his sole discretion, the city engineer determines that the facts and circumstances warrant such referral.
  - (2) The planning board shall have the authority to review, and approve or disapprove all driveway applications for, multi-family, industrial, and commercial driveways.
    - a. The planning board shall consult with the city engineer prior to rendering a decision on any driveway permit application.
    - b. The planning board shall consult with the city engineer prior to acting upon any driveway proposals that are included on a subdivision or site plan.
  - (3) The Issuing Authority shall issue a driveway permit whenever an applicant has demonstrated compliance with all standards listed in Sec. 70-135(e).
- (d) It is the intent of these standards to:
  - (1) Promote the safe passage of bicycles, pedestrians and vehicles;
  - (2) Locate driveways so as to ensure adequate sight distances;
  - (3) Avoid disruption of existing drainage systems;
  - (4) Ensure that drainage from new driveways is properly channeled;
  - (5) Avoid the creation of hazardous traffic conditions;
  - (6) Ensure that city sidewalks are preserved; and
  - (7) Ensure that roadways and intersections are not overly burdened by improperly located or excessive numbers of driveways.
- (e) The following standards shall apply to all driveways installed or modified after April 28, 1989, as determined by the city engineer based on a review of aerial photographs of the City of Keene taken on that date:
  - (1) If the installation of a driveway requires disrupting an existing sidewalk, the sidewalk must be restored or replaced in compliance with section 70-127.
  - (2) Driveways must be placed so as to ensure that vehicles entering and exiting the driveway have an all season safe sight distance in all directions not only of the road, but also of bicycle and pedestrian traffic on the sidewalk. For purposes of this section, an all-season safe sight distance shall be at least 200 feet in all directions within which there are no visual obstructions.
  - (3) For commercial and industrial activities, the use of service roads and/or common driveways is encouraged.
  - (4) There shall be no more than one driveway access for each residential lot.
  - (5) No more than two single-family homes can share a common driveway.
  - (6) Driveways must not block the flow of drainage in gutters or drainage ditches or pipes.

- (7) Driveways must not direct stormwater across sidewalks or onto city streets, except that the portion of a driveway within the public right of way may drain towards the street.
- (8) Driveways for single-family homes and duplexes, including shared drives, shall not be more than 20 feet wide at the property line and 30 feet wide at the curbline.
- (9) Industrial, commercial, agricultural, multifamily residential or temporary driveways shall not be more than 25 feet wide at the property line and 50 feet wide at the curbline, unless additional width or lanes are required as the result of a traffic study and/or geometric analysis prepared by an engineer licensed in the State of New Hampshire.
- (10) New driveways must be placed so as not to conflict with existing driveways.
- (11) Driveways on opposite sides of the street shall be aligned or offset sufficiently, so as to avoid turning conflicts.
- (12) Driveways with a slope greater than 15 percent shall be prohibited. Driveways longer than 300 feet must meet the following standards:
  - a. Driveway width shall be limited to ten feet, in order to minimize site disruptions.
  - b. Every 300 feet there shall be an improved turnout, which is eight feet wide and 15 feet long.
  - c. Every driveway of more than 300 feet in length shall include at its terminus a vehicular turnaround as described for dead-end streets in Sec. 70-124(3) & (4).
  - d. For driveways with a slope greater than ten percent, the first 20 feet from the public road must be at a slope of five percent or less.
  - e. For driveways located in or crossing prohibitive and precautionary slopes as defined in section 102-1401 of the Keene Code of Ordinances the following standards shall apply:
    1. Driveway route shall follow the natural contours of the existing slope to minimize disturbance of vegetation and soils.
    2. Cutting and filling of slopes to construct a driveway shall comply with applicable grading standards of section 102-1408.
    3. Shared driveways shall be used to avoid entering into or crossing precautionary slope areas and to reduce grading, paving and site disturbance.
- (13) All driveways shall be constructed to standards approved by the city engineer. Portions of a driveways lying outside of the public right-of-way shall additionally comply with the design standards described in section 102-794.
- (14) When the installation of a driveway requires the cutting of trees or the disturbance of stone walls which are within the public right-of-way, separate permission for such cutting or disturbance must be obtained, in accordance with sections 82-158 and 82-187 of this Code, section 472:6 of New Hampshire Revised Statutes Annotated, or other applicable law.
- (15) Temporary Driveways used for earth-disturbing activities or events shall be constructed with a temporary construction exit complying with the requirements of the New Hampshire Stormwater Manual, Volume 3, as may be amended.
- (16) Temporary Driveways shall be restored to original condition at the conclusion of the activity or event for which they are installed.

- (a) Except for any standard or requirement arising under City Code, Chapter 102, requests for exceptions shall be made in writing to the permit issuing authority, as defined in Sec. 70-135(c), which shall have authority to approve or disapprove a requested exception of the standards listed in section Sec. 70-135(d)1 through 12..
- (1) A written request for exception shall be accompanied shall include the following:
- a. A typed or neatly printed narrative explaining the purpose, need and justification for the proposed exception.
  - b. A plan or figure depicting the proposed driveway location in relation to existing driveways, drainage features, visual obstructions, sidewalks and the road network.
  - c. A list of abutting properties, including the property owner's name and address. This list shall include the tax map number and address of each abutter, and must be current to within ten days of submittal.
  - d. Payment equal to the cost of notification, as determined by the issuing authority.
- (2) In determining whether to approve or disapprove an exception request, the issuing authority shall evaluate the exception request using the following criteria:
- a. Issuance of the exception will not adversely affect the safety of pedestrians, bicyclists and vehicles using adjacent streets and intersections.
  - b. Issuance of the exception does not adversely affect the efficiency and capacity of the street or intersection.
  - c. There are unique characteristics of the land or property which present a physical hardship to the requestor.
  - d. In no case shall financial hardship be used to justify the granting of the exception.
- (3) It shall be the responsibility of the requestor to demonstrate compliance with these criteria.
- (b) Within 7 days of the receipt of a written request for an exception as provided above, the issuing authority shall notify abutting property owners of the requested exception.
- (1) Such notice shall include the address of the request and the standard(s) to which an exception is requested
  - (2) The notice shall instruct potentially affected property owners to submit comments in writing to the issuing authority.
- (c) The issuing authority shall wait a minimum of 14 calendar days following the issuance of abutter notification before making a final determination.
- (1) If, after reviewing all submitted comments, the issuing authority finds that the requestor has met all criteria in subsection (a), the requested exception shall be granted.
  - (2) Otherwise, the requested exception shall be denied.
- (d) An applicant or abutter may appeal any decision of the city engineer relative to a driveway permit application.



- (1) Appeals shall be submitted in writing to the planning board within 30 days of the decision of the city engineer or his designee. The planning board shall have final jurisdiction over all such appeals

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Kendall W. Lane, Mayor

In City Council September 21, 2017.  
Referred to the Municipal Services, Facilities and Infrastructure Committee.



City Clerk



City of Keene, N.H.  
*Transmittal Form*

September 28, 2017

**TO:** Mayor and Keene City Council

**FROM:** Finance, Organization and Personnel Committee

**ITEM:** J.1.

**SUBJECT:** Relating to an Appropriation for the Police Communications System Replacement

---

**RECOMMENDATION:**

On 3-0 vote, the Finance, Organization and Personnel Committee recommends adoption of Resolution R-2017-33.

**ATTACHMENTS:**

Description

Resolution R-2017-33

**BACKGROUND:**

Police Chief Russo was the next speaker. Chief Russo stated he was before the Committee asking to move up a CIP project scheduled for FY20. Chief Russo stated the issue is with the entire bay station of the Police Department which was installed in 2006 but some of the components pre-date 2006. There have been intermittent problems with this system. In 2015, there were parts that were replaced that are no longer available, parts purchased from E-bay which do not work and there were parts that were borrowed from the County.

Chief Russo went on to explain there are four components of the radio system; one that is located at the Police Department and three other stations. These are all supported by one primary unit. Chief Russo talked about the many issues officers were having with these systems and have been forced to use cell phones because reliable radio communication was not available. He talked about running on two repeater systems this summer, which he indicated was not a good option. He stated that he is unaware how much longer these systems will last and felt the safety of the public is at risk.

Chief Russo added the department put in for a grant in 2016 which was not approved because we are a stand-alone police department.

Councilor Jacobs asked for clarification of what would be derived from this work. Chief Russo stated the plan is for three of the four points to be connected by fiber optics and the other would be a microwave transmittal receiver. The Councilor asked for the plan to maintain this system which is now going to be owned by the City. Chief Russo stated he was not sure about the fiber optics but the system itself will be maintained for the first year under the warranty and thereafter through Southwest Mutual Aid, the same entity the City is using now.

Ms. Landry stated the fiber optics would be the property of the City. There might be a need to install some hardware on non-city property and this would depend on the range this equipment needs and that might not be on city property.

Chair Greenwald asked where the \$353,000 being requested would come from and whether it would affect any fiscal policy ratios. Mr. Thornton stated this amount would come from unassigned fund balance and the City would still be within the ratio of 7.1% and added this was something that has been expected and was something that was built into the appropriation once the library project funding was complete.

Councilor Clark made the following motion which was seconded by Councilor Jacobs.

On 3-0 vote, the Finance, Organization and Personnel Committee recommends accepting this report as informational and recommend adoption of R-2017-33.



# CITY OF KEENE

R-2017-33

In the Year of Our Lord Two Thousand and ....Seventeen.....

A RESOLUTION ..... Related to an appropriation for the Police Communications System  
Replacement.....

*Resolved by the City Council of the City of Keene, as follows:*

That the sum of three hundred fifty three thousand dollars (\$353,000) is hereby appropriated in the 2017-2018 fiscal year for the purpose of funding the replacement of the Police Communications System.

Said appropriation to be funded by the General Fund unassigned fund balance (\$353,000).

\_\_\_\_\_  
Kendall W. Lane, Mayor

In City Council September 21, 2017.  
Referred to the Finance, Organization and Personnel Committee.

  
City Clerk



City of Keene, N.H.  
*Transmittal Form*

September 28, 2017

**TO:** Mayor and Keene City Council  
**FROM:** Finance, Organization and Personnel Committee  
**ITEM:** J.2.

**SUBJECT:** Relating to Reallocation of Funds - Black Brook Water Storage Tank Repair

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**RECOMMENDATION:**

On 3-0 vote, the Finance, Organization and Personnel Committee recommends the City Manager be authorized to do all things necessary to negotiate and execute a contract with DNC Concrete and Tank Services for an amount not to exceed \$83,385 for emergency repairs to the Black Brook Water Storage Tank subject to approval of funding.

On 3-0 vote, the Finance, Organization and Personnel Committee recommends the adoption of Resolution R-2017-34.

**ATTACHMENTS:**

Description

Resolutoin R-2017-34

**BACKGROUND:**

Operations Manager Aaron Costa stated he was before the Committee to talk about the Black Brook Storage Tank. This tank was constructed in 1996, the 380,000-gallon Black Brook water storage tank is a pre-cast concrete tank that provides water to the Black Brook pressure zone, including the Black Brook Industrial Park. According to State rules the tanks are require to be inspected and cleaned every three to six years. This is done by hiring a specialized group or divers.

In October 2015, it was reported that five of the six water storage tanks were in acceptable condition, but noted a significant increase in the deterioration of the interior coating in the Black Brook water storage tank because of ice formation. There was a need to drain the tank to inspect it thoroughly, which required the modification of the Black Brook Pumping Station to provide water supply 24 hours a day while the tank was offline.

City staff asked three firms to look at the tank and provide cost estimates for repair. DN Concrete came in as the lowest bidder at close to \$84,000. The repair work would consist of repairing interior walls, patching, two coats of water proofing, rust removal of pipes, cleaning the exterior of the tank and protective seal.

Staff is proposing funding for this work would come from two different sources: \$56,535 is available in a previous Water Storage Tanks Upgrade project. The remaining \$47,678 will come from the Infrastructure Capital reserve fund and will be offset by a reduction in spending on the Black Brook project in FY22. Mr. Costa stated because of the condition of the tank, staff does not want to wait until FY22 to complete this work, because cost will be reduced in the CIP from approximately \$97,000 down to about

\$35,000, leaving just the electrical work yet to be completed.

He added it was too late in the season to start this work but contracts will be issued and work is proposed to start sometime in early spring of next year.

Councilor Clark asked whether the reserve funds being advanced will be replaced next year. Mr. Blomquist stated in FY22 the \$97,000 will not be required - this amount will be reduced to about \$35,000, which balances out the funding.

Councilor Jacobs made the following motion which was seconded by Councilor Clark.

On 3-0 vote, the Finance, Organization and Personnel Committee recommends the City Manager be authorized to do all things necessary to negotiate and execute a contract with DNC Concrete and Tank Services for an amount not to exceed \$83,385 for emergency repairs to the Black Brook Water Storage Tank subject to approval of funding.

Councilor Jacobs made the following motion which was seconded by Councilor Clark.

On 3-0 vote, the Finance, Organization and Personnel Committee recommends the adoption of Resolution R-2017-34.

Mayor Lane asked how long this work will take and whether there was an alternative source of water supply for the Industrial Park. Mr. Costa stated the work will take about two weeks and the alternative water supply will be provided by the Black Brook Pump Station and an emergency pumping system the City will rent in case there is an issue with the pumping station.



# CITY OF KEENE

R-2017-34

Seventeen

In the Year of Our Lord Two Thousand and .....  
Relating to the Reallocation of funds from the FY07 Water Storage Tanks  
A RESOLUTION ..... Upgrade Project (05053) and from the Water Infrastructure Capital Reserve  
.....  
(05019) for repairs to the Black Brook water storage tank.

*Resolved by the City Council of the City of Keene, as follows:*

That the sum of fifty six thousand, five hundred thirty five dollars (\$56,535) be allocated from the FY07 Water Storage Tanks Upgrade Project Account (05053) and forty seven thousand, six hundred seventy eight dollars (\$47,678) from the Water Infrastructure Capital Reserve fund (05019) for repairs to the Black Brook water storage tank.

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Kendall W. Lane, Mayor

In City Council September 21, 2017.  
Referred to the Finance, Organization and Personnel Committee.

City Clerk