

A regular meeting of the Keene City Council was held Thursday, March 17, 2016. The Honorable Mayor Kendall W. Lane called the meeting to order at 7:00 PM. Roll called: Carl B. Jacobs, Janis O. Manwaring, Terry M. Clark, Jay V. Kahn, Randy L. Filiault, Thomas F. Powers, Robert B. Sutherland, George S. Hansel, Gary P. Lamoureux, Stephen L. Hooper, Bettina A. Chadbourne, David C. Richards and Mitchell H. Greenwald were present. Councilors Robert J. O'Connor and Philip M. Jones were absent. The Mayor took a moment to recognize newly elected Councilor Hooper's service. The Mayor stated that Councilor Hooper retired from his position as staff photographer at the Keene Sentinel. The Mayor continued that Councilor Hooper has been on the Council since January 2016 serving as a Ward One Councilor and was appointed to serve on the Municipal Services, Facilities and Infrastructure Committee. He expressed his appreciation to Councilor Hooper for his willingness to serve the community. Councilor Hooper led the Pledge of Allegiance. A motion by Councilor Greenwald to accept the minutes from the March 3, 2016 meeting was duly seconded. The motion passed with a unanimous vote in favor.

#### PUBLIC HEARING – TIF DISTRICT – LIBRARY PROJECT

The Mayor called the public hearing to order at 7:03 PM. The Notice of Hearing and Certificate of Publication were read. Mayor Lane explained this public hearing is for the purpose of considering the expansion of the tax increment financing district downtown, which currently extends only up to the Court House. The expansion will make possible tax increment for the expansion of the Keene Public Library as well as to utilize new market tax credits to offset the cost of the expenses for the expansion. With that the Mayor introduced City Planner Tara Kessler.

Ms. Kessler stated she would like to turn the presentation over to Kathleen Packard, President of the Library Board of Trustees who will be joined by the Board's Vice President Paul Henkel. She noted the City's Finance Director, Steve Thornton will also comment on the proposed expansion of the district.

Ms. Packard stated she was present this evening to provide a brief explanation relative to the planned Keene Public Library renovation and expansion project. She continued that the Library renovation project will update the Library Annex to make this property safe and accessible for the public's use. A two-story connector will link the annex to the library providing additional public space and a hallway to connect the two properties. Heberton Hall will also be refreshed and would be used in the same manner as it is being used today.

The second floor of the annex will be used by Cheshire TV and the rest of the area will be used for public space, which would include a hall approximately the same size as Heberton Hall for performances, workshops and other such gatherings. There is also space for a classroom for library and community use. At the street level, the connector will provide a West Street entrance, which will be ADA accessible and which would be close to the bus stop and parking lots on Gilbo Avenue. This project recognizes the community's need for spaces conducive to learning and collaboration. Most importantly, this project will create more space in the community for activities and programming, makerspace, access to technology, and provide a facility to meet the

21st century needs of the library.

Mr. Paul Henkel stated he would like to go over the funding and tax increment financing. Mr. Henkel stated this plan relies on a private campaign drive, the City's capital improvement program and new market tax credits. The campaign started with contributions from the Trustees, the Friends of the Keene Public Library, and the Campaign Committee itself. He noted the drive is in the quiet phase now and is slated to begin its public phase late this summer or early fall. With reference to new market tax credits, the City has entered into an agreement with Monadnock Economic Development Corporation (MEDC) to apply for these tax credits, which has already been done. This is a Federal program to provide assistance to qualifying projects. The library's location qualifies. The same funding mechanism was used for the Court House project as well. Mr. Henkel stated the new market tax credits, together with the fund drive, will greatly reduce the cost of the project to the tax payers. In order to take advantage of the new market tax credits the current tax increment financing district needs to be expanded.

Finance Director Steve Thornton stated in 1982 the City adopted RSA 162-k relative to municipal development and revitalization districts, which is also referred to as TIF Districts or tax increment financing districts. The purpose of a TIF district is to provide a mechanism to pay for constructing public infrastructure by capturing the incremental value within a geographical area created by a public improvement. Mr. Thornton stated the City has had three TIF Districts, one that helped build the parking deck behind City Hall, the Black Brook TIF District and the Wells Street TIF District. In 1997, the City created the Wells Street TIF District which has been modified three times to date. Each of these modifications has expanded the District. The first expansion was to support construction on the Railroad property, the second expansion was to provide parking facilities in the downtown area and the third expansion was for the purpose of reconstructing the Court House. Mr. Thornton referred to Exhibit E which explains the various activities in this District overtime. Currently there are two potential new uses for this District. The first is the Library connector and Annex project and the other one is a place holder (FY23) for a parking facility in the downtown area.

Today's proposal for the fourth modification of the TIF District will allow the City to make use of the new market tax credits. The properties to be considered are located at 60 Winter Street and 76 Winter Street (Library and Library annex). Mr. Thornton stated staff looked at the assessed value of the property, the current obligations, and made some projections for debt service on the Library property beginning in FY17 as well as projections for a new parking deck starting in FY23. Mr. Thornton stated the point of this is to look at the fiscal capacity of the TIF District. Mr. Thornton referred to Exhibit F, which was the result of this review and what it says is there is sufficient capacity in the TIF District to support the Library project as well as a parking project should that project move forward in the future. He noted the County and School District have been informed of this proposed modification. This concluded Mr. Thornton's remarks.

The Mayor asked for public comments on this item. With no comments, the Mayor closed the public hearing at 7:19 PM. He explained that the public hearing will remain open until Tuesday March 23, 2016 at 1:00 PM for written public comments. Written comments need to be signed and submitted to the City Clerk by that date. The Mayor explained this item is currently before

the Finance, Organization and Personnel Committee and it will appear on their agenda for March 24, 2016 as a Resolution. The Mayor stated he anticipates the item being placed on more time until April 14, 2016.

A true record, attest:

City Clerk

#### PRESENTATION – GREEN INITIATIVES – KEENE ICE

The Mayor recognized Parks, Recreation and Facilities Director, Andrew Bohannon. Mr. Bohannon stated Rich Beard; a member of the Keene ICE Board of Directors will be making a presentation tonight. Mr. Beard has served on the Building and Grounds Committee and on the Construction Committee for the project. Mr. Bohannon stated Mr. Beard has been a tremendous asset to the project.

Mr. Beard invited Tim Fisher, President of Keene Ice to join him for the presentation. Mr. Beard stated he was before the Council to talk about the energy efficient features at Keene ICE. Mr. Beard stated he is a licensed mechanical engineer in the State of New Hampshire. Mr. Beard explained that he joined the Keene ICE Board in December 2013 at which time the design work was complete but the selection of the refrigeration system was not finalized. Through a vetting process, the waste heat reclaim option was selected. He explained that this system sends the waste heat into the ground and the heat continues to stay in the building to offset the heating cost.

He then highlighted the features of the refrigeration system. The system has ice cube heat pumps. and there are five of these pumps at 21 tons of cooling each to provide the cooling necessary while providing system redundancy. He also showed the Council the cold floor pumps to keep the ice cold and the Glycol loop pumps to circulate water through the heat reclaim systems. He noted these pumps are very energy efficient.

Mr. Beard then talked about the heat rejection from the heat pumps and the compressors are the source of the waste heat in the reclaim and serve the building heat load. The waste heat system also warms the water to 85 degrees for use in the Zamboni. He also referred to the snow melt pit, which is located on the roof and the coils on the bottom of these pits helps cool the waste heat.

Mr. Beard thanked the two consulting groups for their work with this design: Scully Architect and the MacMillan Company. Mr. Beard then referred to the Energy Conservation Measure Analysis from the Resilience Building Group. He noted this was presented to the Keene Ice Board, and as a result of the data collected in the report, the roof insulation was increased from four inches to six inches and a better lighting system was provided. The report affirmed an electric Zamboni was a better option than a propane Zamboni. The report also affirmed the radiant system with the roof top unit was a better option than going with a straight heat system for the HVAC. The consultant also provided data relative to the optimum temperature for the rink and it was advised the rink should remain at 45 degrees throughout the year to maintain the

highest possible energy efficiency. Mr. Beard also showed the Council a picture of the lighting system which is going to be used in the rink. He indicated the lighting fixtures were donated by Groom Energy and the success of this work is also because of Hamblet Electric which has a lot of experience in this area.

Mr. Beard then referred to the Real ICE Vortex which is a system that prevents the need to heat the water for the Zamboni to 140 degrees but instead the water can be used at 85 degrees, which is a huge energy saving on the refrigeration plan.

There were additional energy conservation recommendations which were also provided. The first was to make sure there is someone on site reviewing the installation. Pressure testing the building for infiltration, making sure there was a commissioning of the mechanical system and the electrical system. Mr. Beard then talked about the Blower Door Testing – there was a target set by Eversource to make sure as to what the leakage rate would be and how tight the building shell was going to be. The benchmark number provided by Eversource was .13 cfm, and the rink hit 0.12 which is a very high goal for an ice rink. Mr. Beard commended Bob King for all his help with the energy efficiency of this building. Mr. Beard talked about the leaks which were found between the existing building and the new building, noting these have been successfully filled in.

The vortex device which Mr. Beard referred to earlier was coded at \$27,000 but the rink was able to receive a rebate. The expected electric savings is about \$26,000 per year and the expected propane savings is about \$50,000, which is a \$75,000 savings on an \$80,000 operating cost per year. Mr. Beard felt this was a very impressive energy savings.

Mr. Beard then talked about the water efficiency. City water, at a temperature of approximately 50 degrees, enters the rink thru the water meter at the front of the building. From here it flows through the pre-heaters on the ICE Heat Pumps as it is warmed to 85 degrees. It is then stored in the Zamboni Fill Water Tank at the same temperature and is transferred into the Zamboni. The Zamboni transfers this water onto the ice which is then cooled to 25 degrees so the ice surface is ready for use. When the Zamboni is done resurfacing, the shaved ice is dumped into the snow melt pit where it is melted back into water. Water from the snow melt is sent up to the Fluid Cooler on the roof to cool the reclaim heat loop. In the Fluid Cooler the water either evaporates or goes back into the ice melt pit.

Mr. Beard stated they are expected to use between 400,000 to 500,000 gallons of water annually, and about half of that is sent back through this cycle. Mr. Beard expressed his appreciation for the energy efficiency to Scully Architects, the MacMillan Company, GWR Engineering, Preferred Mechanic, Resilient Building Group, and GDS Group.

Mr. Fisher talked about the grand opening scheduled for April 3rd. He stated this rink would not be possible without the support of the Council, Mayor and City Managers (past and present) and he stated they would like to see everyone at the grand opening. The Mayor will cut the ribbon at noon and the Fire and Police Departments will play a game of hockey. There are other activities being planned for this day as well. The Mayor expressed his appreciation as well and encouraged Councilors to attend the grand opening of the rink.

## PRESENTATION – BROADBAND AND ITS ROLE IN ECONOMIC DEVELOPMENT

IT Director Rebecca Landry stated she will not be talking about where fiber is needed in the City or what blend of technology is going to be used or what the cost is going to be. Instead this presentation will focus on highlighting the need for broadband as it relates to economic development in the City. She continued the City will want to also start thinking about broadband as an important infrastructure, the same as we plan for and fund other infrastructure projects. She added that hopefully the City can encourage community partnerships.

Ms. Landry continued that in 2010 the City released its Comprehensive Master Plan. She noted there is a section in the Master Plan related to broadband; however, there are other priorities throughout the Plan that would benefit from this infrastructure. Ms. Landry went on to refer to the following excerpts from the Master Plan as it relates to broadband:

*New jobs should be a primary objective.* Ms. Landry noted that communities which have gigabyte based networks attract high waging paying employers. *High quality jobs which pay a living wage.* Ms. Landry commented that this is imperative for long term economic sustainability. *Fostering local startup companies;* and, *New business recruitment.* Ms. Landry stated small business growth is important to Keene’s economic development. *Keene is promoted to as New England region “Entrepreneur Center”.* Ms. Landry commented that this is attainable and is dependent on broadband.

She went on to read the following statements from the Master Plan: *Now is the time to assess and plan for the community’s neighborhoods. Our neighborhoods are the foundation for present-day Keene as well as for the Keene of the future.* Ms. Landry commented on the importance of broadband in meeting these goals and priorities.

Ms. Landry stated broadband is a quality of life driver, in residential settings it could be more than with things like children’s learning, the ability to access medical records online, the ability of parents to check on their children’s grades and homework online, and easy communication with family living around the country and the world. She added that the availability of broadband also increases property values.

Ms. Landry continued that in 2009, the Southwest Regional Planning Commission named broadband as one of their Community Economic Development Strategies and this is the same year the City partnered with Southwest Regional Planning Commission to develop a broadband plan.

Ms. Landry went on to review a few of their broadband goals. The first was to make broadband available to all businesses and residences, including a 100 MG plan for every doorstep, but no less than 50 MG. Next was to promote public/private partnerships. Ms. Landry commented that she would not suggest the City of Keene be the “end all” for broadband issues. Their goals further included an open network to promote competition – to build a highway and with certain licenses to have access. It was further identified as a goal to reduce vehicular traffic to metro centers so employees can work remotely from home. Further goals of the SWRPC were to

attract and retain a competent workforce and to support the digital transition of the local economy.

Ms. Landry noted there were certain problems identified as issues for this plan. They are the density of towns which is not high enough to draw broadband providers. She added the geography provides many challenges as we have more hills and valleys. Ms. Landry stated that the Chamber of Commerce has started a regional issue series and has identified broadband as one of the top issues. Their goal is to bring to light the economic challenges Keene faces.

Ms. Landry then talked about what is happening in some other communities using broadband, Chattanooga, TN is a recent example. Since implementing their broadband solution they now have a home serve call center which brought in 140 jobs. She noted that the Volkswagen headquarters, and an Amazon distribution center are now located in this community as well. The same is true for places like Bristol, VA, Lafayette, VA and Chanute, KS.

Ms. Landry then talked about NH Fastroads which paved the way for dark fiber. This was made possible by grant funding and noted she would hate to see this project go away. The largely grant funded infrastructure is there and is ready for connections. It is a fantastic opportunity that would be a shame to lose and expensive to recreate.

Ms. Landry went on to discuss some of the pros and cons we face in New Hampshire. One of the cons is that in NH the utility poles are not owned by the municipalities. In addition, New Hampshire still has issues with municipal bonding for broadband infrastructure, which is a hurdle other states have been able to overcome. However, one of the pros is that we have NH Fastroads as well as the potential for collaboration throughout the community to give broadband a boost.

Moving forward, the City needs to identify a vision and goals as well as look at City policies, standards and budgets which could prevent fiber development. In closing, Ms. Landry stated she looks forward to building relationships with existing providers and communities that have done this.

Mayor Lane stated as the City looks at economic development, broadband plays a critical role in this progress.

Councilor Sutherland asked whether the City would welcome any test pilot programs or proof of concept from any hybrid solutions that are available. Ms. Landry felt this is essential given our geography.

Councilor Kahn asked what schedule Ms. Landry had in mind to rolling out some concept plans. Ms. Landry stated it depends on some work that would need to be done first. For example, in Hanover they are looking to hire seasonal crews to dig up trenches to lay conduits for other providers to come in and install fiber. An approach like that could take two to three years and if it is done aeriaily it could take longer. The Mayor stated he plans on appointing an Economic Development Committee and this item would be part of their discussion. He ended by thanking Ms. Landry for her presentation.

## CONFIRMATIONS

A motion was made by Councilor Greenwald and duly seconded to confirm the following nominations: Terry Clark to serve as a regular member on the Cities for Climate Protection Committee for a term to expire December 31, 2017; Andrew Bohannon to serve as a regular member on the Planning Board for a term to expire December 31, 2017. On a roll call vote, with 13 Councilors present and voting in favor the motion carried. Councilors O'Connor and Jones were absent.

### COMMUNICATION – SARAH WILTON, SKYE STEPHENSON AND COUNCILOR CLARK – REQUESTING THE CITY COUNCIL TAKE A POSITION ON THE KINDER MORGAN'S PIPELINE

A communication was received from Sarah Wilton, Skye Stephenson and Councilor Clark, requesting the City Council take a position on the Kinder Morgan's Pipeline. The communication was referred to the Planning, Licenses and Development Committee.

### COMMUNICATION – WESTON LIU/NEW ENGLAND AEROBATIC CLUB – REQUEST TO USE CITY PROPERTY – DILLANT-HOPKINS AIRPORT

A communication was received from Weston Liu from the New England Aerobatic Club, requesting to use City property at the Dillant-Hopkins Airport. The communication was referred to the Planning, Licenses and Development Committee.

### COMMUNICATION – VIRGINIA CARTER/WALPOLE MOUNTAIN VIEW WINERY – REQUEST TO SELL WINE AT FARMER'S MARKET

A communication was received from Virginia Carter from Walpole Mountain View Winery, requesting to sell wine at the Keene Farmer's Market. The communication was referred to the Planning, Licenses and Development Committee.

### COMMUNICATION – COUNCILOR KAHN – FY 17 CAPITAL IMPROVEMENT PROGRAM

A communication was received from Councilor Kahn requesting to amend the CIP to limit the impact on property taxes to a 1% increase. The Mayor tabled this communication until the end of the agenda to be considered during the discussion on the 2016-2022 CIP.

### COMMUNICATION – COUNCILOR KAHN – FY 17 CAPITAL IMPROVEMENT PROGRAM

A communication was received from Councilor Kahn requesting to amend the CIP by reducing funding for Jonathan Daniels Trail Study to \$0 in FY17. The Mayor tabled this communication until the end of the agenda to be considered during the discussion on the 2016-2022 CIP.

Councilor Hansel was excused by the Mayor from the meeting at 8:15 PM.

#### MSFI REPORT – SIGNIFICANT ITEMS OF LEGISLATION

Municipal Services, Facilities and Infrastructure Committee report read recommending the City Council endorse City of Keene staff support of HB 1619 with an amendment to expand it statewide. 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 – SUGGESTED BAN ON SINGLE USE PLASTIC BAGS

Planning, Licenses and Development Committee report read recommending that Ms. Baudrand's letter regarding the banning of single use plastic bags be accepted as informational. A motion by Councilor Clark to refer the item back to Committee to discuss new information was duly seconded. The motion passed with 11 voting in favor and Councilors Greenwald and Sutherland opposed.

#### PLD REPORT – REQUEST TO USE CITY PROPERTY – SPRING STREET

Planning, Licenses and Development Committee report read recommending the City Council approve the request from the Red Devils Soccer Club Inc. to pass and repass City property at 41 Spring Street for a period from the date of issuance to December 1, 2016, subject to the signing of a revocable license and indemnification agreement and receipt of a certificate of liability insurance in the amount of \$1,000,000 with the City of Keene listed as an additional insured, and subject to any recommendations of City staff, and that City Council approve the request to use parking spaces in the City-owned lot at 41 Spring Street subject to the approval of staff. 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 – REQUEST TO USE CITY PROPERTY – FARMER'S MARKET

Planning, Licenses and Development Committee report read recommending the Farmer's Market of Keene be granted permission to use 22 parking spaces along Gilbo Avenue as well as 20 spaces on the other side of the median strip in the Commercial Street Parking Lot on Tuesdays and Saturdays from May 1, 2016 to October 31, 2016. In addition, the petitioner is granted use of the median area for placement of picnic tables with the understanding that the pedestrian path may not be obstructed. Said permission is granted subject to the following conditions: compliance with the customary licensing requirements of the City Council; the receipt of a total rental fee of \$1,200.00 (payable on the first day of every month at \$200.00 per month); obtainment of a city food license from the Health Department; and compliance with any recommendations of City staff. Access to City electrical shall also be provided at a fee of \$60.00 for the season. It is further recommended that the Farmer's Market of Keene be allowed to erect sandwich board signs on City property prior to the start of sales, subject to review and approval by City staff with respect to the number and location. The signs must be removed immediately after the sales have concluded. A motion by Councilor Richards to carry out the intent of the

report was duly seconded. A motion by Councilor Richards to amend the recommendation to include that the license may be suspended in the event that Gilbo Avenue is closed for City sponsored events was duly seconded. The motion passed with a unanimous vote in favor. Relative to the main motion on the floor, voted unanimously to carry out the intent of the report, as amended.

#### PLD REPORT – DISRUPTIVE BEHAVIOR OF LARGE GATHERINGS OF STUDENTS

Planning, Licenses and Development Committee report read recommending the communication regarding disorderly behavior be handled administratively with a report back on the research in April. 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 – MARLBORO STREET REZONING AND EASTSIDE REVITALIZATION

Planning, Licenses and Development Committee report read recommending the City Council direct staff to begin looking at neighborhood wide solutions for development and redevelopment in Ward 1 and Ward 2. 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 – SIGNIFICANT ITEMS OF LEGISLATION

Planning, Licenses and Development Committee report read recommending the City Council supports the staff's position on these legislative Bills. Councilor Richards moved to amend the motion to accept the report as informational since the Bills have already been acted upon. The amended motion passed with a unanimous vote in favor.

#### FOP REPORTS – ACCEPTANCE OF DONATION – CROSSING GUARD; ACCEPTANCE OF NH HIGHWAY SAFETY AGENCY S.T.E.P GRANT; ACCEPTANCE OF MONETARY DONATION – POLICE FUND; ACCEPTANCE OF DONATION – MLK/JD ANNUAL PROGRAMMING; ACCEPTANCE OF DONATION – KEENE RECREATION CENTER; AND ACCEPTANCE OF DONATION – LIBRARY INTERNSHIP

Mayor Lane noted that items 3A8 through 3A13, all related to donations and the reports, would be acted upon with one motion. Finance, Organization and Personnel Committee report read recommending the City Manager be authorized to do all things necessary: to accept a donation from the SAU 29 School District to cover 100% of the cost of a Crossing Guard at Fuller School for the rest of the school year; to accept a grant from the New Hampshire Highway Safety Agency to fund the Sustained Traffic Enforcement Patrol (S.T.E.P.) campaign; to accept a donation of \$100 from Jane Gobeil, a resident of Antrim, NH for use by the Keene Police Department; to accept a donation of \$750.00 from the St. James Thrift Shop and that the money is used by the City's Martin Luther King Jr./Jonathan Daniels Committee for its annual programming; to accept the donation of \$300.00 from the Monadnock Squares and that the money is used for any improvements needed at the Keene Recreation Center; and to accept a donation in the amount of \$4,000 from the Keene Public Library Board of Trustees to fund an Internship for the purposes of building a model of the Library Project. A motion by Councilor

Greenwald to carry out the intent of the reports was duly seconded. The motion passed with a unanimous vote in favor.

#### FOP REPORT – SAFE ROUTES TO SCHOOL – TRAVEL GRANT

Finance, Organization and Personnel Committee report read recommending the City Manager be authorized to do all things necessary to accept and execute a "Non-Infrastructure" \$7,338.00 grant from the New Hampshire Department of Transportation (NHDOT) to support the Safe Routes to School program at Symonds Elementary School. 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 – TAX DEEDS FOR UNPAID 2012 PROPERTY TAXES

Finance, Organization and Personnel Committee report read recommending to City Council to deed the following Properties below that are not considered a liability to the City:

270 Beaver Street  
9 Martin Street  
21 Allen Court  
74 Sparrow Street  
18 Blue Jay Court

The Committee report further recommended that a 30 day waiver be granted to 15 Cross Street and 334 Roxbury Street. A motion by Councilor Greenwald to carry out the intent of the reports was duly seconded. A motion by Councilor Greenwald to amend the recommendation to remove 74 Sparrow Street and 18 Blue Jay Court was duly seconded. The motion passed with a unanimous vote in favor. Relative to the main motion on the floor, voted unanimously to carry out the intent of the report, as amended.

#### FOP REPORT – 4<sup>TH</sup> GRADE WATER SCIENCE FAIRS – SOLICIT DONATIONS

Finance, Organization and Personnel Committee report read recommending the City Manager be authorized to do all things necessary to solicit and accept donations to be used as prizes for the Fourth Grade Water Science Fairs from local and regional businesses. 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 – PHASE 2 – INFLOW AND INFILTRATION EVALUATION – WASTEWATER COLLECTION SYSTEM

Finance, Organization and Personnel Committee report read recommending the City Council authorize the City Manager to do all things necessary to execute a professional services contract with Hazen and Sawyer, Environmental Engineers (H&S) to perform Phase 2 of an Inflow and Infiltration (I/I) Evaluation of the City's Wastewater Collection System on the east side of the

City for an amount not to exceed \$48,750. 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 – SIGNIFICANT ITEMS OF LEGISLATION

Finance, Organization and Personnel Committee report read recommending endorsing staff's position on the items of legislation in this report. 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 – FY 2016-2022 – CAPITAL IMPROVEMENT PROGRAM

Finance, Organization and Personnel Committee report read recommending to the City Council that \$28,390 slated for the Robin Hood Park tennis courts be moved from FY18 to FY17; and recommending the City Council approve the Capital Improvement Program 2016-2022 as amended. The Mayor tabled this report until the end of the agenda to be considered during the discussion on the 2016-2022 CIP.

#### CITY MANAGER – COMMENTS

The City Manager advised the Council that the Mayor has put together a committee to work with the Planning Department and a consultant that is coming in to do the first phase of land development code. The members being appointed to this committee are: George Hansel, City Councilor; Gary Spykman, Chairman of the Planning Board; Dave Bergeron, Brickstone Land Use Consultant; Rhett Lamb, Assistant City Manager/Planning Director; John Rogers, Acting Code/Health Director; Andy Bohannon, Parks and Recreation Director; and Tara Kessler, Planner. The first meeting is going to be on Monday, March 21, 2016.

#### MEMORANDUM AND ORDINANCE O-2016-03-A: ZONE CHANGE – LIBRARY PROPERTY REZONING – JOINT PLANNING BOARD/ PLANNING, LICENSES AND DEVELOPMENT COMMITTEE

A memorandum was received from Tara Kessler, Planner, on behalf of the Joint Planning Board and Planning, Licenses and Development Committee relative with Ordinance O-2016-03-A: Relating to Change of Zone – Keene Public Library Annex Parcel. The Ordinance was amended to exclude the 86 Winter Street and the 105 West Street properties from the rezoning proposal. The memorandum indicated that at their meeting of March 14, 2016, the Planning Board found the proposed Ordinance, as amended, to be consistent with the City Master Plan. Further, the Planning, Licenses and Development Committee requested the Mayor set a public hearing on the matter. The memorandum filed as informational. The Mayor set a Public Hearing for Thursday, April 7, 2016 at 7:00 PM.

#### MORE TIME

More time was granted by the Chair for the following item in Committee: Removal of Granite Curbing – West Side of Central Square – Sidewalk Café license.

03/17/2016

MEMORANDUM – COUNCILOR GREENWALD AND ORDINANCE O-2016-06:  
RELATING TO CHARTER OFFICERS – PERFORMANCE EVALUATIONS

A memorandum was received from Councilor Greenwald along with Ordinance O-2016-06: Relating to Charter Officers – Performance Evaluations. The memorandum was filed as informational. Ordinance O-2016-06 was read for the first time. The Ordinance was referred to the Finance, Organization and Personnel Committee.

FOP REPORTS AND RESOLUTION R-2016-02-A: RELATING TO FISCAL POLICIES

Finance, Organization and Personnel Committee report read recommending the memorandum from the Finance Director relating to ambulance service fees be accepted as informational. The report was filed as informational. A second report from the Finance, Organization and Personnel Committee was read recommending accepting the Mayor’s communication on fiscal policies as informational. The report was filed as informational. A third Finance, Organization and Personnel Committee report was read recommending the suggestions made by the Mayor be included, and that they be indexed by the City Clerk. The report further recommended adding the following language: “*Whereas this policy shall be reviewed and adopted annually by the City Council in July.*”. Finally, the report recommended including the recommendation from staff regarding ambulance service, and the adoption of R-2016-02, as amended. The report was filed as informational. Resolution R-2016-02-A: Relating to Fiscal Policies was read for the second time. The Mayor stated the fiscal policies are a policy of the City Council and are subject to the provisions of Section 37 of the Rules of Order. The Mayor continued that Section 37 states that the rules may be amended or new rules adopted by a two-thirds vote of all members elected. Any such alterations or amendments shall be submitted in writing at the preceding regular meeting of the City council and shall be referred to the appropriate committee. This requirement shall be waived only by unanimous consent, with a recorded vote of all members elected. Changes shall become effective upon passage. The Mayor continued that any further amendments to the fiscal policy needed to be submitted at the last City Council meeting. A motion by Councilor Greenwald for adoption of the Resolution was duly seconded. On roll call vote, with 12 Councilors present and voting in favor, the motion carried. Councilors O’Connor, Hansel and Jones were absent. Resolution R-2016-02-A declared adopted.

ADJOURNMENT FOR RECESS

At 9:18 PM, the Mayor took a three minute recess. The session reconvened at 9:21 PM.

TABLED ITEMS: FOP REPORT – CAPITAL IMPROVEMENT PROGRAM 2016-2022 ,  
*and* COMMUNICATIONS – COUNCILOR KAHN – FY 17 CAPITAL IMPROVEMENTS  
PROGRAM

Finance, Organization and Personnel Committee report read recommending to the City Council that on page 56, \$28,390 slated for the Robin Hood Park tennis courts be moved from FY18 to FY17. The report further recommended that City Council approve the Capital Improvement Program 2016-2022 as amended. A motion by Councilor Greenwald to carry out the intent of the report approving the Capital Improvement Program 2016-2022 as amended was duly seconded. .

03/17/2016

The Mayor took from the table the two communications from Councilor Kahn requesting to amend the CIP to limit impact on property taxes to a 1% increase; and requesting to amend the CIP by reducing funding for Jonathan Daniels Trail Study to \$0 in FY17. He also brought forward item 3A19, Finance, Organization and Personnel Committee Report relative to the Capital Improvement Program 2016-2022. Councilor Greenwald reviewed the development and background of the CIP process and the role of the City Council.

A motion by Councilor Kahn to reduce the Capital Reserve (fire) Apparatus Replacement (pg. 38) funded from the general fund from \$400,000 to \$100,000 in FY17 and FY18, and add a line for fire engine replacement (pg. 38) in FY18 for \$800,000 funded from bond funds was duly seconded. Lengthy discussion followed. A motion by Councilor Richards to move the question was duly seconded and passed with a unanimous vote in favor. Relative to Councilor Kahn's motion to amend the proposed CIP, the motion failed with 8 voting in opposition and Councilors Clark, Kahn, Hooper and Greenwald voting in favor.

A motion by Councilor Lamoureux to move the project, Overlay Gilbo East Lot (pg. 96) from FY19 to FY18 was duly seconded. The motion passed with 11 voting in favor and Councilor Kahn opposed.

A motion by Councilor Kahn to amend the proposed CIP by reducing funding for the Jonathan Daniels Trail Study to \$0 in FY17 was duly seconded. The motion passed with a 10 voting in favor and Councilors Clark and Chadbourne opposed.

On showing of hands, 12 Councilors were present and voting in favor. Councilors O'Connor, Hansel and Jones were absent. The Capital Improvement Program 2016-2022, as amended, was declared adopted.

ADJOURNMENT

At 10:25 PM, there being no further business, the Mayor adjourned the meeting.

A true record, attest:

City Clerk