

City of Keene
New Hampshire

PLANNING, LICENSES AND DEVELOPMENT COMMITTEE
MEETING MINUTES

Wednesday, May 11, 2016

7:00 PM

Council Chambers

Members Present:

David C. Richards, Chair
Philip M. Jones, Vice-Chair
George S. Hansel
Bettina A. Chadbourne
Robert B. Sutherland

Staff Present:

Tom Mullins, City Attorney
Rhett Lamb, Asst. City Mgr./Planning Director
Med Kopczynski, City Manager
Kurt Blomquist, Public Works Director
Steve Stewart, Police Captain

Members Not Present:

Other Councilors Present

Terry Clark

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

**1) COMMUNICATION: Clarence DeMar Marathon – Request to Use City Property
– Community Event**

Rudy Fedrizzi of Court Street introduced his daughter Elaina before addressing his request. The Keene Elm City Rotary Club respectfully requests an event permit for their official Community Event; the annual Clarence DeMar Marathon and DeMar Half Marathon to be held on Sunday, September 25, 2016. A part of the event includes the Kids DeMar Marathon and Super Senior DeMar Marathon programs.

As there were no questions/comments from the Committee, Chair Richards asked if all City requirements had been met.

Kurt Blomquist, Public Works Director, reported a protocol meeting was held and this looks like another successful year for them. Staff recommends moving forward. Chair Richards asked about the signboards. Mr. Blomquist advised the signboards will be out; he also commented this is a growing event with several thousand people attending last year. Mr. Blomquist said he really appreciated being able to meet with them in advance, as there has been quite a change over in staff.

Councilor Jones addressed Elaina Fedrizzi asking if she knew Clarence DeMar was probably the most famous athlete to come out of Keene. Ms. Fedrizzi nodded in the affirmative.

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

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

On a vote of 5-0, the Planning, Licenses and Development Committee recommends that The Elm City Rotary Club be granted permission to sponsor the Clarence DeMar Marathon on September 25, 2016, subject to the customary licensing requirements of the City Council, and compliance with any recommendations of City staff. The Petitioner agrees to absorb the cost of any City services over and above any amount of City funding allocated in the FY 17 Community Events Budget, and agrees to remit said payment within 30-days of the date of invoicing.

Chair Richards advised the Petitioner this would go before the full City Council next week and he anticipates a unanimous vote.

2) COMMUNICATION: Kevin Dremel – Request to Use City Property – Keene Music Festival – Community Event

Kevin Dremel of 257 Beaver Street addressed the request noting the Keene Music Festival, in association with the Keene Downtown Group wishes to sponsor the 16th Annual Keene Music Festival on Saturday, September 3, 2016. The scheduled hours for performances and other activities are 9:00 AM until 10:30 PM. Mr. Dremel said people usually start requesting to become part of this event in September every year. He reported this event will be slightly smaller than normal with most of our venues on Main Street.

Chair Richards asked for questions/comments from the Committee.

Councilor Chadbourne asked staff if the City charges for parking spaces numbers 164, 166, 168, 170, 172, and 174 as mentioned in the letter. Mr. Blomquist said he thinks that is part of the Community Events budget.

Councilor Chadbourne addressed her concern with waiting to put up the barriers; she suggested in the past the barricades were up from the beginning. Her concern is if we wait and determine mid-way through the event that the parking spaces need to be barricaded someone will be barricaded in. She is also concerned about the organizers being the ones to actually move those gigantic barriers. Councilor Chadbourne recommends barricading the area from the beginning. Mr. Blomquist advised they would be getting together for a protocol meeting; he suggested language could be added for staff to close the street if staff felt it necessary. Based on the description of what is intended, we do not see the need at this point and time. Mr. Blomquist continued if you do not want to add the language, certainly

between the he and the Police Chief they do have the authority to do a temporary closure for the day if we feel it is necessary. Chair Richards stated you anticipate whatever occurs will occur before the event starts. Mr. Blomquist said if we felt a barricade was necessary we would close the area before the event starts. Councilor Jones clarified the motion does say the applicant is permitted to close off a portion of Church Street. Mr. Blomquist agreed he thought the language was in the motion. Councilor Chadbourne said she was aware of that language; the point she was making was she felt the determination should be made in advance and to do it one way or another rather than leaving it open. Her suggestion would require changing the motion. Mr. Blomquist responded there is no parking on the area of Church Street we are talking about so it would not be an impact if we needed to close the area; he referred to the language in the motion that does allow them to close it.

Councilor Sutherland pointed out a typo in the motion; he noted the time should be 9:00 AM to 10:30 PM, not 9:00 AM to 10:30 AM. Councilor Sutherland also asked if this event complies with the current Noise Ordinance. Councilor Jones advised all City functions are outside the realm of the Noise Ordinance. Councilor Sutherland then asked if this was typical of the times in the past. Mr. Dremel replied in the affirmative adding we say 9:30 AM so we can setup, and we say 10:30 PM so we have some time to shut down. Mr. Dremel added by tradition we shut down by 10:00 PM.

There being no questions/comments from the Committee or members of the public Chair Richards asked for a motion.

Councilor Jones thanked Mr. Dremel for all he does for the community; he added he does not think the Chapel up in the cemetery would exist if it was not for Mr. Dremel.

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

On a vote of 5-0, the Planning, Licenses and Development Committee recommends that The Keene Music Festival be granted a street fair license to use downtown City rights-of-way for purposes of conducting merchant sidewalk sales and music venues, as well as use of City property on Central Square, Railroad Square, and designated parking spaces on Main Street to conduct the Keene Music Festival on Saturday, September 3, 2016 from 9:00 AM to 10:30 PM. In addition, the applicant is permitted to close off a portion of Church Street from Main Street to the entrance of the Vision Financial parking lot. This permission is granted subject to the customary licensing requirements of the City Council, submittal of a signed letter of permission from City Tire for use of their property, and compliance with any recommendations of City staff. In addition, the petitioner is granted use of the requested parking spaces free of charge under the provisions of the Free Parking Policy. The Petitioner agrees to absorb the cost of any City services over and above the amount of City funding allocated in the FY 17 Community Events Budget.

Chair Richards said he anticipates the same vote at City Council next week.

3) COMMUNICATION: Patrick Lagace/KHS Student Council Advisor - Request to Conduct Homecoming Parade – Keene High School

Patrick Lagace of Stage Road, Chesterfield, stated that he was approached by Chris Coates and other Alumni members who indicated they would like to see the parade restored to downtown like it had been in the past. Mr. Lagace said last year they did the parade around the school; they decided it would be best served to involve the school and the community, and that is why we are making this effort again.

Chair Richards asked for staff comments.

Mr. Blomquist, Emergency Management Director, advised staff is asking this go on more time as it has been a number of years since the Alumni Parade has been back to its original route. He pointed out one of the reasons they went to the shorter route was due to the concerns of the Emergency Management folks. Mr. Blomquist noted he and the Police Chief would like to meet with the organizers to see what the impact would be on the proposed change. He also noted at this time this is not a Community Event so the School District would be responsible for any associated costs and we want to make sure the Committee understands that. Chair Richards asked Mr. Lagace if he was okay with that. Mr. Lagace replied in the affirmative. Mr. Lagace agreed with the staff's recommendation.

Councilor Jones addressed Mr. Blomquist suggesting the reason the parade stopped running downtown was because Public Safety was concerned with students riding in open trucks back to the school after the parade. Mr. Blomquist's understanding is there may be several issues and that may well be one of them. Another is the number of side streets that have to be closed off as the parade progresses through its route which requires more City resources versus the shorter route they have used over the past several years. Councilor Jones suggested this was a Community Event in the past. Being new to the position of Emergency Management Director Mr. Blomquist advised he did not know. Chair Richards agreed there are clearly unanswered questions here and this should go on more time.

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

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

On a vote of 5-0, the Planning, Licenses and Development Committee recommends the request for the KHS Homecoming Parade be put on more time to allow for protocol meetings with City staff.

Chair Richards requested a note be made for the City Clerk to inform Mr. Lagace when this issue comes back to Committee.

4) CONTINUED DISCUSSION: Materials to Consider for a Ban on Single Use Plastic Bags

Chair Richards deferred to the City Attorney to hear his findings.

Attorney Mullins reiterated the Committee's last charge for him to act as a clearinghouse for the information to be submitted with respect to the proposed ban on plastic bags. He noted he did not include every last scrap of information provided to him in the packet. Continuing, Attorney Mullins noted he did want to provide information provided by the proponents that gave a good overview. He also included in the packet a letter submitted by Portsmouth's Mayor on behalf of their City Council to the Department of Environmental Services on April 21, 2016. This letter essentially raised the question Attorney Mullins raised with this Committee which is the authority of municipalities in New Hampshire to go forward and take this kind of action. Attorney Mullins also included two memoranda; 1) from an outside Attorney to the City who concludes it is *likely* permitted under RSA 149-M, and 2) a competing memorandum prepared by Portsmouth's in-house Counsel who believes it would not be permitted under RSA 149-M. Attorney Mullins continued through the list of materials both pro's and con's included in the packet (Pages 6 through 72).

Attorney Mullins noted his role is not to take an advocacy position with respect to the legislative matter that you may decide, but to try to give you the information you need to make that decision. Attorney Mullins said his position with respect to authority has not really changed; it is very unclear under RSA 149-M, if the Council wanted to proceed with a ban, it would have to be located in that Chapter (reduce, reuse, and recycle).

Attorney Mullins said it is important to understand that Portsmouth is a little ahead of us on this, and hopefully they will be receiving some kind of answer from the Department of Environmental Services. Attorney Mullins also reported contacting the Department of Environmental Services, albeit not as formally as Portsmouth and the Department basically said it is not permitted and it is not prohibited. At this point Attorney Mullins turned the floor over to the proponents of the ban.

Danielle Baudrand of 19 Bridge Court said she was aware of the letter and was advised she could speak to City Council. She was also advised that Attorney Mullins had sent a letter asking for a recommendation. Ms. Baudrand continued ultimately she is still told her group has the authority to move forward with this.

Chair Richards asked the City Attorney if the Department of Environmental Services was going to weigh in on this. Attorney Mullins said if they have, he has not heard; he added the last information he received was a week ago Friday. Chair Richards commented to Ms. Baudrand that someone is asking so at least they will give us an answer to that one point of the debate whether they think it is or is not, authorized. Ms. Baudrand noted she still feels we should move forward with this pointing out all the efforts put forth to this point. Ms. Baudrand reiterated comments from previous testimony. She said she does not understand why we cannot go forward and let the full Council and the public speak.

Councilor Terry Clark referred to the court case North Country Environmental Services v. Town of Bethlehem (2004) noting findings that the intention of RSA 149-M does not conflict with a town banning plastic bags because it is in the interest of the town to do

away with litter. Councilor Clark also noted the Attorney's conclusion that a ban does not conflict with the law. Councilor Clark noted his research did not reveal any other case to override this case law. Councilor Clark said he believes there is authority to do this; he also agrees it is time to ask the Council if they want to move forward with this. He also suggested we might want to wait until Portsmouth gets a response from the Department of Environmental Services; Councilor Clark feels this is important enough to ask Council whether or not they want to move forward.

Chair Richards said he agrees with Councilor Clark's assessment and that we should get Council to weigh in on whether or not they want us to proceed. Chair Richards noted he is in favor of this and pointed out the Committee has not been behind him on this one. Pointing out staff's workload with other issues already, Chair Richards said it really is important to gauge the Council's support.

Chair Richards asked for questions or comments from the Committee.

Councilor Sutherland said there are two sides to this coin noting he previously expressed his concerns. He also addressed the consequences previously expressed by Councilor Jones. Councilor Sutherland pointed out we have not heard from the local businesses; referring to fossil fuels, he suggested our largest employer in town would not exist if we got rid of fossil fuels. Councilor Sutherland suggests that RSA 149-M:17 clearly denotes the town's responsibility and authority, and nowhere in that section is the authority granted to towns to ban anything. Councilor Sutherland reiterated comments from his previous testimony adding he feels we find ourselves at somewhat of an impasse. Councilor Sutherland advised he did read a good deal of the materials. He reiterated his comments saying he does not feel this is something we can do and we should not be an activist Council.

Councilor Chadbourne thanked Ms. Baudrand for bringing this forward, being caring, and thinking about the coming generations. She also thanked the City Attorney for providing all the information to give the Committee a more balanced approach to the issue. Councilor Chadbourne would like to see a community conversation engaging Keene State College and Antioch University on a bag initiative where they create a bag to sell and promote. This might get people talking and trying to change it without having an ordinance which is problematic with no way to regulate or enforce. Councilor Chadbourne noted the community concern with economic development; she also noted speaking to several businesses who claim this would be a burden. She provided information from Richard French of the Works Café and his efforts to go green along with the additional costs he has incurred. Councilor Chadbourne referred to the article "Bag the Ban" comparing energy and costs for plastic versus paper bags; she pointed out this might have a large impact on a small business owner. She noted her concerns with the timing of this issue adding she would prefer to start with a soft-sell and get a community conversation going.

Ms. Baudrand commented that Keene High School is one of the proponents of this issue; she noted they collected several hundred signatures on a petition. Ms. Baudrand suggested the conversation is already going on in the community. She also noted being in touch with Keene State College who is trying to ban plastic bottles on campus.

Councilor Clark commented this has only been brought to court once; this is the only case law and it favors a ban. Councilor Clark made reference to ordinances in Massachusetts noting he sent these links to Committee members. He noted these ordinances exempt small businesses and provide for a buyback. Councilor Clark commented this is a local issue here and to only apply economic reasons to this is very shortsighted.

Councilor Sutherland piggybacked on some of Councilor Chadbourne's earlier comments. He said if we were to get a movement going in the City keeping in mind the intent to reuse/recycle it would not be just about plastic bags; it would also include paper bags. Councilor Sutherland thinks this would be a great project for someone from the High School or Antioch University.

Councilor Clark pointed out the City of Keene does recycle paper bags, but they do not recycle these plastic bags. He also pointed out the big recycling boxes at the grocery stores (plastic bags) are dumped at the Keene landfill. Councilor Clark suggested perhaps they are not aware that Keene does not recycle those things.

Councilor Hansel also echoed Councilor Chadbourne's comments; he also suggested perhaps we should look at the Recycling Center if that is the problem. He commented let us find a way to recycle the bags. Councilor Hansel shared the questions he asks himself when Council is taking a hard look at something; is this business friendly and would this action have any unintended consequences that might inhibit or diminish our economic development efforts and initiatives. Continuing, Councilor Hansel said looking at all this information he is unable to support a ban on plastic bags.

Chair Richards said he would make a couple of comments before opening the floor to the public because he feels we would have this same debate next week. Chair Richards agreed with the City Attorney the legal questions are murky; he noted we have made motions in the past where they were murky and we won. He also commented you do not know what the courts will do. After additional comments Chair Richards said he does not think this leads to a ban on all plastics; we are not going to stop making pacemakers or automobiles. Chair Richards pointed out one cost; he noted we had to put two million dollars in an account so we could monitor the landfill for the next 20 years. He added filling landfills has unbelievable costs between opening and closing them. Addressing Councilor Sutherland's comment regarding an "activist Council", Chair Richards commented some Councilors think we should stay local. Chair Richards believes we should set the standard and lead on these things. Chair Richards agreed we should have a more general conversation about recycling. Chair Richards reiterated he does support this and agreed we do need to know whether the full Council is onboard or not.

Chair Richards asked for comments/questions from the public.

Darryl Masterson of 44 Willow Street said he does not necessarily oppose the idea of getting rid of the plastic grocery bags. Mr. Masterson suggested the term "single use plastic bags" is way too broad and he does not think City Council should be painting with a huge brush. He

said if you want to ban grocery bags then ban grocery bags. Mr. Masterson agreed with comments by Councilor Sutherland in that one thing leads to another; where will it stop. Chair Richards commented this is another reason why he wants this to go to full Council for discussion. Mr. Masterson also suggested talking with Hannaford's pointing out that he recently shopped at one in Maine where plastic bags are banned.

Bridgett Hansel of 61 Bradford Road commented she hopes the Committee knows that Keene is a leader in sustainability in this country which is an important thing to think about. Ms. Hansel also advised there was a very good article in the New Yorker (May 2, 2016) that addresses the movement to ban plastic bags in New York City which did succeed. Ms. Hansel also addressed the landfill noting plastic will be there forever; she added that is not true of paper bags.

Karrie Kalich of 420 Main Street said she wanted to take us back to why this is important; suggesting it turns into will this be a hassle. She said this issue is important to us because we care about the environment and the beauty of our community; most importantly we care about what the world will look like for future generations. She suggested we have no choice but to act and be responsible. Ms. Kalich agreed with Chair Richards comment about setting the bar in Keene. Ms. Kalich indicated she had spoken to local vendors and Hannaford's who said they would support whatever the community wants to do. She concluded noting she is happy there is at least some support for this concern.

Georgia Cassimatis of Swanzezy referred to Councilor Sutherland's comments about the breakdown of fossil fuels. She stressed the point that this is a renewable resource that will live as long as we are here; she added we can count on the trees. Ms. Cassimatis' next point was all she sees as the number one point with plastic bags is convenience. She finds this point very uneducated and just does not get it. Ms. Cassimatis suggested it will take the Council doing something for us that will create the paradigm shift. She also suggested the overwhelming resources for banning plastic is evident; pointing out the Committee only provided one resource in opposition. Ms. Cassimatis is not in favor of an everything plastic ban; she considers this an extreme and not what the proponents are trying to do. She does agree with involving the Main Street businesses.

Councilor Hansel said he sees this as two issues; 1) you have the vision and argument against plastics and plastic bags, and 2) then you have the vehicle to get you there. Councilor Hansel commented he sees a lot of positive energy here and agrees seeing the stores voluntarily stop using plastic bags would be a positive method to get to the vision being talked about. The vehicle to the ban, the logistics, enforcement, ramifications, and costs are big things that are kind of behind the scenes. He suggested continuing with the grassroots efforts will have the most effect and get you (the proponents) closer to the people you are trying to educate. He continued an ordinance does not educate the people, it tells them what to do. Councilor Hansel hopes this can move forward without some sort of mandate from the City.

Councilor Chadbourne advised Mr. Hansel there was information in the packet regarding the efforts to ban plastics in New York City. Councilor Chadbourne acknowledged that Keene is

a green city. She reiterated her previous suggestions/concerns 1) the timing, and 2) she prefers the soft sell and getting businesses involved. After additional comments Councilor Chadbourne said she does not see this as a stopping point, but as a beginning.

Councilor Sutherland clarified earlier comments noting he thinks the laws we have on the books in New Hampshire are with good intent. He addressed solid-waste suggesting it includes everything. His understanding after reading and researching is that vendors went to thicker bags after a ban was imposed; it is also his understanding that paper uses more energy and more water to produce and to recycle, which was his point. Councilor Sutherland also agreed recycling of plastic bags is something the City should consider or direct to occur. Councilor Chadbourne referred to previous testimony from Councilor Clark regarding it taking a year to gather enough plastic bags at the Recycling Center to create a bale that they then could send off/sell. She noted this is one of the reasons why we do not recycle them at this time. Councilor Clark affirmed this to be true.

Chair Richards asked the City Attorney if the Committee should ask for a draft Ordinance in order to gauge Council support. Attorney Mullins said the Committee could make a recommendation to City Council to direct City staff to draft an Ordinance with respect to the ban on single use plastic bags.

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

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

On a vote of 4-1, the Planning, Licenses and Development Committee recommends this be accepted as informational. Chair Richards voted in opposition.

Chair Richards noted he will call this back up at Council. Attorney Mullins recommended talking to the Mayor about the process. Chair Richards asked for confirmation that this is possible. Attorney Mullins replied in the affirmative. Chair Richards advised this will go to full Council next week where the debate will continue.

5) CONTINUED DISCUSSION: City Manager – Permission to Negotiate

Mr. Kopczynski reported there is nothing in the Charter or the Code that requires leases to come before City Council for approval; he added it is a custom more than anything. In regards to the airport, we see it as a reluctance of people to go through a process. He noted the last land lease he was able to track was the C&S hangar. We have a number of entities interested in potential land sales and leases. Continuing Mr. Kopczynski we are seeking any opportunities that might be at the airport for land leases. We will also seek any potential land sales that are also advantageous to the Airport.

Mr. Kopczynski continued that you have to understand the Airport has three governmental entities that are involved in anything that takes place there; the Town of Swanzey, the City of Keene, and the FAA. Mr. Kopczynski explained that any land leases where someone would put a substantial structure would probably be a fairly long-term lease. He added any land

sale is somewhat permanent. Mr. Kopczynski suggested that when we are going to have this type of permanence and when the land lease is ready, that is when it should come before the City Council.

Chair Richards clarified Mr. Kopczynski is really saying he wants the authority to get it to that point. Mr. Kopczynski replied in the affirmative. Chair Richards said he agrees with this because we do have to move quickly on things like this.

Councilor Hansel said he does not have a problem with the request. He noted he was curious about general inquiries and how they are handled. Mr. Kopczynski replied that when it comes to the Airport, those things have been funneled to the City Manager. Continuing Mr. Kopczynski said now that Jack Wozmak is there he has taken the lead on direct contact. Mr. Kopczynski shared the two conversations taking place there now; adding when the prospect is ready to put the request on paper we would then bring it to City Council.

Councilor Chadbourne asked if this includes the leasing of the fuel farms. Mr. Kopczynski replied in the negative. Councilor Chadbourne said with that clarification she would fully support Mr. Kopczynski's request.

Councilor Sutherland asked Mr. Kopczynski if he could clarify details on any of the leases we have presently. He said it is his understanding that the City draws money from any number of the properties out there and over a period of time those leases expire. What happens to those properties; are they still retained by the original owners? Mr. Kopczynski replied the one he would have to review in that regard, because he thinks he knows where Councilor Sutherland is going, is the C&S lease. In Mr. Kopczynski's experience, what happens at the end of the lease if the lessee does not continue the lease, is that the City ends up with the building. Mr. Kopczynski suspects that is the case with the C&S lease. Mr. Kopczynski also noted he cannot think of any other properties that have that particular setup at the moment. He mentioned the condominium of hangars. Councilor Sutherland said his concern was for any private owner that leases the land and wishes to transfer that land. Mr. Kopczynski said he would have to ask the City Attorney to weigh in, but his understanding is that the leases are assignable right now. Attorney Mullins advised generally the leases are not assignable without the permission of the City. Attorney Mullins also advised keeping in mind the FAA rules and regulations that apply to the Airport settings.

Councilor Sutherland noted his other concern and his understanding that there are actually two fuel farms out there; one of which is owned by C&S. Mr. Kopczynski said this is correct. Councilor Sutherland said that is fuel the City draws no income from. Chair Richards disagreed indicating C&S still gives the eight cents per gallon. Councilor Sutherland said his concern is that any sale the City is considering not be core to the operations of the Airport. Mr. Kopczynski verified Councilor Sutherland was speaking about land sales. Mr. Kopczynski said the best way to phrase it is you have what is within the fence line and what is in the fence line would never be an issue; it would not be sold. Outside of the fence line there is no access to the Airport. Mr. Kopczynski continued the one inquiry is not strictly aviation related and would not be a conflict with those operations. In response to Chair Richards Mr. Kopczynski said we want to have the flexibility to seek

lessees out, put together a document, and then bring it to the Council without having to go back and forth.

As the discussion continued Chair Richards noted we do have a reputation for being hard to deal with and this is one thing that will help to dispel that notion.

Councilor Hansel addressed new businesses coming to Keene saying he would like to see them met by a welcoming committee. Mr. Kopczynski said that is pretty much what we are doing at the moment. Councilor Hansel also recommended in addition to City staff, bringing in people who will make things happen.

Chair Richards clarified we are talking about the Airport here. Mr. Kopczynski agreed adding, however, a lot of those entities have tentacles for potential development within the City. Mr. Kopczynski said one of the things we are trying to realize is that the Airport has a regional effect. In response to comments from Chair Richards, Mr. Kopczynski reported the Economic Development Committee is going to be looking for ideas.

Chair Richards said he thinks the Committee is all in agreement with the Airport leasing issue, and we need to figure out wording for the other leasing and how to give that approval. Mr. Kopczynski said you could put suggestions on more time and have staff bring back some ideas or simply just have ideas in your background notes to bring it back.

Councilor Hansel asked Mr. Kopczynski if it was in his administrative purview to do that or does the City Manager need an official structure to just decide that he handles new prospects and brings in the needed people to make it happen. Mr. Kopczynski said he would have to research that noting the duties of the City Manager are not economic development per say.

Councilor Chadbourne commented she thinks giving the City Manager the authority accelerates the process and is the right thing to do (for the Airport). She suggested it would be premature to bring it back to the Committee at this time and recommends going back to the Economic Committee that has been established and have them bring ideas forward to this Committee. She also recommended starting with the Mayor as he is the one who spearheaded this. Councilor Chadbourne does not recommend making a motion at this time regarding this Committee.

Councilor Sutherland noted his understanding that time is of the essence in this particular case. Mr. Kopczynski asked if he meant with the Airport. Councilor Sutherland replied with anything. Mr. Kopczynski replied he would not say it is completely dependent on the decision of this group, however, the sooner he has a clear run at it the better.

Councilor Jones said the City Manager is just being a nice guy; he is just asking us to approve something that is already in his purview. Mr. Kopczynski agreed. Attorney Mullins asked for clarification. Chair Richards replied the authority to negotiate, not execute.

Chair Richards asked do we even need a motion or do we just send a message? Attorney Mullins said what the City Manager is asking for is appropriate; it is to give him the authority

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to negotiate but not execute. Attorney Mullins added clearly only the City Council has authority to buy or sell property.

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

Chair Richards made the following motion which was seconded by Councilor Jones.

On a vote of 5-0, the Planning, Licenses and Development Committee recommends to the City Council that the City Manager be given the authority to negotiate leases and purchase and sales agreements at the Airport only for further review and approval by the City Council.

Chair Richards advised he would reach out to the Mayor on the other issue.

There being no further business Chair Richards adjourned the meeting at 8:30 PM.

Respectfully submitted by,
Mary Lou Sheats Hall
May 14, 2016