

City of Keene
New Hampshire

FINANCE, ORGANIZATION AND PERSONNEL COMMITTEE
MEETING MINUTES

Thursday, February 12, 2015

5:30 PM

Council Chambers

Members Present:

Mitchell H. Greenwald, Chairman
Kris E. Roberts
Terry M. Clark
Thomas F. Powers
Randy L. Filiault

Kendall Lane, Mayor

Councilors Present:

Sheryl A. Redfern
James P. Duffy
Manwaring
Bettina Chadbourne
Emily Hague

Staff Present:

City Manager, John MacLean
City Attorney, Thomas Mullins
Human Resources Director, Beth Fox
Airport Director, Ed Mattern
IMS Director, Rebecca Landry
City Engineer, Jim Donison
City Clerk, Patty Little
Finance Director, Steve Thornton
Public Works Director, Kurt Blomquist
Fire Chief, Mark Howard
Police Chief, Ken Meola
Purchasing Agent, Jeffrey Titus
Planner, Michele Chalice
City Clerk, Patty Little
Library Director, Nancy Vincent
Parks and Cemeteries Director, Andrew Bohannon
Asst. Public Works Director, Donna Hanscom
Wastewater Treatment Facility Manager, Aaron Costa

Chair Greenwald called the meeting to order at 5:30 PM

1. PRESENTATION: Melanson, Heath & Company- Financial Statement and Audit

Mr. Scott McIntyre of Melanson Heath & Company stated that he was before the committee to address the City's financial statements of June 30, 2014. Mr. McIntyre stated that they found the City's financial documents to be in good working order and no significant audit entries were required. There were no significant deficiencies or material weaknesses and the financial statements were in accordance with general accounting principles.

Mr. McIntyre referred to page 16, unassigned fund balance, which is just under 6.5 million dollars as of June 30, 2014. This reflects an increase by about half a million dollars, which is a modest increase from the prior year and reflects 20% of the City's general fund expenditures for FY14.

Page 20, indicates revenue performance compared to the budget; Mr. McIntyre noted that there a short fall indicated here, but this is because of a timing issue in that the City had anticipated selling bonds but that did not happen in FY14.

He continued that also on page 20 there is a reference to expenditures versus budget, here again it is indicated as 6.2 million under budget and the same issues of not selling bonds comes in here again and transfer those dollars to the capital funds. Mr. McIntyre continued the bottom line is a 1.3 million dollars favorable operating result from a budgetary standpoint and from this amount if the fund balance was to be deducted there is a net positive of \$300,000, which does not add up to the half million, but that number has been reconciled, but he would not go into the details of that reconciliation this evening.

Mr. McIntyre in closing stated that they have made some recommendations to staff about doing some internal audits and added that he is aware of an internal committee that was set up, but that the committee has not been able to achieve its goals. Mr. McIntyre encourage the City try to achieve these internal audit goals.

Councilor Powers stated that last year Mr. McIntyre alluded to the change in government practices that were coming up allowing for retirement liabilities and asked for clarification. Mr. McIntyre explained that presently and through June 30, 2014 if the City was to pay what it is required to pay to the NH Retirement System there is no liability presently as either a short term or long term liability, but a year from now will be the first time the City will see the long-term liability and will be required to capture that into their financial statements.

Councilor Roberts asked what the impact this would have on rating agencies. Mr. McIntyre stated that the rating agencies have known that this unfunded mandate does exist. Most governmental entities are not able to fully fund this liability but some can put a good amount away towards this liability. Some communities are only able to put aside \$30,000 - \$100,000 which is taking a bite into the liability and this is tangible item that a community can point to and are seen as positive attributes by rating agencies.

Councilor Clark made the following motion, which was seconded by Councilor Powers.

On a vote of 5-0, the Finance, Organization and Personnel Committee recommends accepting the report on the City's financial statements and audit as informational.

**2. MEMORANDUM: Parks, Recreation and Cemeteries Director -
Donations for Mural at Recreation Center**

Parks, Recreation and Cemeteries Director Andrew Bohannon stated his department has received a donation from C&S Wholesale Grocers for \$1,000 towards the mural at the Recreation Center which brings the current total to \$1,500. They are still seeking an additional \$1,500. The total for the project is \$3,000. Mr. Bohannon noted that next Wednesday there will be an informational session about this project.

Councilor Powers made the following motion, which was seconded by Councilor Roberts.

On a vote of 5-0, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept a donation of \$1,000.00 from C&S Wholesale Grocers to create a mural in the multipurpose room at the Recreation Center.

3. MEMORANDUM: Recreation Programmer - Donations Received for Snowshoe 3K

Mr. Bohannon stated that the Recreation Department had its first snowshoe 3K at Wheelock Park, which was a great first event and many contributed to the project. He listed the supporting agencies outlined in the memorandum.

Councilor Roberts made the following motion, which was seconded by Councilor Filiault.

On a vote of 5-0, the Finance, Organization and Personnel Committee recommends accepting the report on donations received as informational.

4. CONTINUED DISCUSSION: City Owned Hangar/Office Space

City Manager John MacLean was the first to address the Committee. Mr. MacLean stated that there has been a lot of confusion regarding the request for proposal for this item. The turnaround provided was two weeks and there was confusion about the extension; one party understood the timeframe but the other missed it by a day. In reviewing the matter and talking to various staff, the Manager decided it would be prudent to start the process again.

Chair Greenwald clarified that the RFP was open to everyone, the timeframe caused some confusion and the matter has been forwarded from the MSFI recommending that the one proposal be reviewed and acted upon. The question is whether the Finance Committee wants to go with the one proposal or go with the suggestion made by the City Manager.

Councilor Powers referred to other recently approved RFPs one which had only 12 days and another that five or six bids that were complicated and that bid had only 25 days to respond. He continued that the airport hangar/office space issue has been discussed for the past two years. Councilor Powers stated that he understands that the Manager wants to start this process again, but if the City was going to reject it on timing it has to be consistent for all proposals.

Mr. MacLean stated that the difference is rather than go out to look for qualified provider of services that have yet to do business with the City, they are talking about the airport where both operators already exist. The question about timing could put one operator out of business and it becomes incredibly important. The Manager continued when we find out notice was interrupted by a holiday or a proposer was not properly noticed, then it seems appropriate to start the process over again.

Councilor Roberts stated that he can go along with the recommendation as long as everyone can agree on an exact date.

Councilor Clark felt the process was followed, but the noticing was faulty and hence he felt the process should be restarted.

Chair Greenwald asked what the City's stated policy for RFP's is. The Manager referred this question to the Purchasing Agent Jeff Titus.

Mr. Titus stated that the process that is used is set up in a way that it is electronically driven. It is then posted to the city website under a project specific site. It is then sent electronically to interested parties who are registered in the vendor database specific to the project. In this case 532 emails were sent out. This database is updated by the vendors themselves.

Chair Greenwald asked who is responsible to make sure the vendor contact information is correct. Mr. Titus stated that this would be the responsibility of the vendor. Mr. Titus added that there is also an advertisement in The Keene Sentinel for the initial issuance of the RFP. Addendums are not published in the newspaper and are noticed exclusively through the database and the website. He further stated that Keene does not accept submissions by electronic means but a date and time is set to bring the submission to the purchasing office.

Councilor Roberts stated that the language that concerned him is said the reference about "a week" and the question is whether this means a six-day week or a seven-day week. He added that if there was going to be an addendum then it needs to be date certain. Mr. Titus stated that from the perspective of the purchasing office communication is exclusively done by electronic means and documents. In this case the communication happened between the Airport Director and vendor and there seems to have been two sets of communication that happened which seems to have added to the confusion.

Councilor Powers noted that according to City policy everything needs to be published and there were two addendums that accompanied this RFP that were published; one was the extension which had the day, date and time specific so any verbal conversations that happened is not what is being discussed today. Councilor Powers noted that he believes the process was followed "to the letter" as it had been done for the other 250 RFPs issued for this year alone. The Councilor indicated he would like to see the discussion focus on the process.

Councilor Filiault stated that this is an extremely simple process which has gone on for six weeks. He expressed his frustration with staff. He felt enough work has been done on this issue and the two people who were supposed to have been notified were notified. He felt it was necessary for the Finance Committee to uphold what the MSFI Committee recommended.

Councilor Duffy stated that originally the MSFI Committee had a tie vote as two Committee members felt two weeks was too short of a time period. He added that this issue is based on the Finance, Organization and Personnel Committee's recommendation to issue a RFP from a year ago because there was an issue with the lease. He felt it was important to note that 532 notices were sent out, but there was only two weeks given as a turnaround time.

Mr. Bob Bergevin of 29 Surry Dam Road, Surry stated that he has been with the airport for 30 plus years. Mr. Bergevin stated although a member of the AAC he was present representing himself. Mr. Bergevin referred to a situation that for many years he has sold trucks to the City and on one occasion he went to a bid opening late by half hour and the appeal to the City Manager at that time was not successful either. He was never late again and felt that if there is a date and time given proposers need to adhere to that. It was clarified that John MacLean was not the City Manager at that time.

Attorney Mike Bentley representing Green River Aviation was the next speaker. Attorney Bentley stated that Green River Aviation simply made a mistake and felt it should be recognized as such. Attorney Bentley stated that he relies on what the Airport Director says about airport business and he does appreciate the existence of the airport. If this was to be rebid the City will still only have two bids. Attorney Bentley stated he doesn't think the process should be rebid and the City should accept the Green River bid as being timely received and decide is what is best for Keene.

The Manager stated that the reason for his recommendation is the possibility of one of the proposals being compromised because it was made available. The proposal from Monadnock Aviation came into the City and was originally supposed to have made the agenda packet, but was later retracted. The proposal from Green River was delivered door to door but not everyone looked at it. Chair Greenwald clarified that Monadnock Aviation's sealed bid was opened somewhere within City Hall and Green River's late submission was stuffed under the doors of Councilors' residences. The Manager continued that it seems appropriate for both parties to reconsider their proposals and resubmit.

Mr. Titus agreed that Monadnock Aviation's proposal was opened by the Purchasing Office and logged into the project summary sheet which summary sheet is then posted on the website. A project summary sheet has basic information about the project, who submitted the bid and the bid price. The proposals that include all the terms are sent to the Airport Director for his review. Green River's proposal was not opened and was returned to the proposer.

Ms. Beth Bendell of 80 Airport Road, reiterated that she is interested in the hangar at the Dillant Hopkins Airport. She felt the RFP was well communicated and fair and she too was given some unspecified dates but she took it upon herself to look up the date on the City website and that's why her proposal was submitted on time.

Ms. Bendell stated that she wanted to clear up some misinformation, in that her bid was openly discussed at the MSFI Committee and later published in The Sentinel. It might not have been discussed under specific terms but it was discussed at a level where aeronautic professionals would understand. The Manager noted that he doesn't recall being at this meeting. In talking with the City Attorney and others his understanding is that while the total was available the specifics were not discussed. Chair Greenwald asked what the Manager meant by total.

Attorney Mullins added that bids are different than proposals and there is some mixing of the terms. He continued his recollection of the meeting was that there was some discussion about the proposal but he doesn't recall exactly what any of that discussion entailed. He stated that he was not trying to influence the Committee one way or the other, but this was just his recollection. Ms. Bendell noted that no numbers were discussed but the big picture of the scope proposal and what she wanted to do was discussed and then included in articles in The Sentinel. Ms. Bendell noted she believed the two-week timeframe along with the extension was appropriate giving the lack of minimum level of complexity required. She stressed that the Committee uphold the process as it was open and fair and if the City was to disregard the process and start again, she would be very disappointed.

Councilor Clark stated that his understanding was that one of the proposers did not do business electronically and asked for confirmation that both had electronic information available to the City. Mr. Titus stated that Monadnock Aviation is registered in the database but that Green River is not. The information in the RFP would have informed them that registering in the database is something they needed to do.

Ms. Bendell noted that it says in the RFP that it is the respondent's responsibility to know the deadline date.

Councilor Chadbourne reminded the Committee that each Councilor was given hardcopies of an email from Ed Mattern to Ed Appel, which had date certain information. She indicated that in the business world, a week is considered to be five days and when someone asks for an extension they should have the application in as soon as possible.

The Manager stated that Mr. Appel has stated that he did not receive the electronic communication, he respects both applicants and because he feels there is enough confusion that is the basis of his recommendation that starting this process over would be prudent.

Councilor Manwaring stated that she was the one who questioned why this proposal was coming before the MSFI Committee and this is when Mr. Mattern explained what it was and those brief remarks were included in the article published in The Sentinel. The Councilor expressed her regret for having questioned this item.

Councilor Powers stated that Attorney Bentley's suggestion to accept the Green River proposal as timely was interesting and not going out to bid and it was an option. Practically, he won't vote to restart this process until there is a process in place by the City. If that was to happen this item won't be approved for another two or three months until the City Code and the administrative directives are updated. The Councilor suggested that perhaps the Committee should consider how to deal with the situation in a timely fashion.

Mr. Richard Casper of Highland Circle Swanzey stated that if there is a question about process that needs to be resolved first. He indicated that Ed Appel has been at the airport for 14 years and he felt he was genuinely misinformed about the due date and coupled with the process, he felt it should be revisited. It has been said here, that there are only two proposers and if it goes to one company, then there is a monopoly at the airport in terms of all services. Mr. Casper stated that if the competitive process is eliminated then there could be abuse by either party. Although a member of the AAC, Mr. Casper noted he was representing his personal opinion.

Mr. Bergevin stated that he has a lot of respect for the City Manager but felt he was putting a lot of pressure on the Finance Committee.

Ms. Bendell stated that she has a lot of respect for Mr. Casper who does have a lot of experience in the aviation field, but she disagrees with the comment regarding competition at the airport. Sometimes competition can lead to two starving businesses who can't survive. She added that there is competition; they fly hundreds of miles and there are about six airports within 40 minutes of this airport and competition does not necessarily have to be at this airport.

The Chair identified the choices before the Committee, which included moving forward on the recommendation by the MSFI for the one proposal; recommending that the other bid be accepted as late but acceptable or reopening the entire process and rebid.

Councilor Filiault stated that Monadnock Aviation are the ones who will be punished here and they are the ones who did everything they were supposed to do and submitted the proposal on time.

Councilor Filiault made a motion that the Finance, Organization and Personnel Committee accept the MSFI Committee's report and that the City Manager be authorized to negotiate with Monadnock Aviation and report back to the City Council if an agreement was reached. The motion was seconded by Councilor Powers.

Councilor Roberts pointed out that the City Manager gives him the best advice and leaves the decision up to the Councilor. The Councilor continued that he is a stickler for the rules almost to a fault. He referred to the minutes from the City Council meeting of January 15th:

"A one week extension was offered, indicating that it would be adequate for the purposes of both of those who proposed. Then the question became what was the notice relative to that process because what we had was a reference to a week, but a

extension was not for a week. The Purchasing Department, because of the City's holiday schedule, shortened it by a day. In shortening it by a day, normally an addendum would be sent out electronically to those who previously signed up. One proposer, who signed up, saw the electronic addendum and one did not”.

The Councilor stated that he wasn't sure the first proposer saw the addendum.

“Another issue, was in the RFP it stated you would contact the Airport Manager for information. The airport manager trying to do the best for his customers, and knowing that he had 2 proposers, did make a phone call to advise that the week extension would be granted. The Airport Manager did admit that he did not give a specific date and time during that phone call”.

The Councilor noted that at this point there seems to be a lot of ambiguity and he could not move forward with this process and say that this was a fair process.

Councilor Clark stated that six weeks ago when this item came before the City Council he asked whether the Council could accept both proposal, he was told they couldn't because one proposal was sent back. He asked whether this can be done now.

The City Attorney stated he would prefer not to have that discussion in a public forum. Councilor Powers inquired whether the Committee could adjourn for legal advice. On a vote of 5 – 0 the Committee adjourned for legal advice.

The session adjourned at 6:40 pm for legal advice. The session reconvened at 6:50 pm.

Chair Greenwald pointed out that this has not been the City's finest hours in dealing with a particular item, but it is a clear that there is a lot of confusion. Ultimately a decision will be made whether it is now or in two weeks.

Councilor Filiault withdrew his motion and Councilor Powers withdrew his second.

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

That the Finance, Organization and Personnel Committee recommends that the City Council reject all proposals and authorize the City Manager to reopen the process.

Mr. Ed Appel of 610 Court Street stated that he agrees with the Committee's decision and has always looked at the City as a good landlord.

The motion made by Councilor Filiault carried on a 4-1 vote with Councilor Powers voting in opposition.

5. COMMUNICATION: Ruth Sterling/Let It Shine, Inc. - Financial Responsibility for Events Occurring at the 2014 Pumpkin Festival and Considerations for Future Event Funding

Chair Greenwald began by asking Ms. Sterling whether she is asking that the City void the bill that was presented to Let it Shine (LIS). Ms. Sterling answered in the negative and added that she would like to read the entire letter she had previously sent.

The Chair added that as he had said previously stated because the length of the agenda he had asked that everyone keep their comments to five minutes. Ms. Sterling asked whether she should come back another night when she could have everyone's full attention. The Committee stated that she had their full attention today.

In response to the question as to whether Let It Shine wanted the invoice to be voided; Ms. Sterling responded that they were certainly not.

Ms. Sterling read her letter into the record and offered additional remarks:

The 2014 Keene Pumpkin Festival revealed the strengths and weaknesses of current organization of the festival. By all accounts, management of the festival footprint has improved to the point where misbehavior is not a major problem. This improvement came from four years of identifying issues and addressing them.

Ms. Sterling referred to a picture of a jack o lantern on Railroad Square on Thursday, October 9th and then on Friday October 17th the pumpkins were still sitting there with no damage which is an indication how much progress has been made within the footprint.

There is still a blatant problem with misbehavior outside of the festival's footprint in the neighborhoods near Keene State College (KSC) which grows exponentially on occasions including the festival. Ms. Sterling showed the audience and Committee what the outside of the footprint is made up of and that the footprint is defined by 110 jersey barriers with 11 entrances to the City. There is a lot of goings on outside the footprint. Let it Shine, Inc., (LIS) and event managers Sterling Design & Communications (SD&C) have accepted responsibility for this neighborhoods issue for four years. We have researched the situation through our 18-25 team and uncovered several opportunities for improvement, which we have shared through the "Don't Lose your Head" campaign, the "Face-off Forums," and the "Pumpkin Dump Derby."

Ms. Sterling noted that they have also uncovered the seven deadly sins of Pumpkin Festival, individuals could be arrested for, one of which is public urination and she felt that the solution to that is providing more portalets but felt this is not something LIS can address because they can only be responsible for what happens within the footprint.

One of the first revelations uncovered was that visitors to college-age students should be limited to ONE--students can expect good behavior from their best friend but after that, things deteriorate quickly. LIS went to the student government in 2011 to get this provision in place. Ms. Sterling stated that she had attended a meeting this year where the police chief had indicated that Keene State had voluntarily limited their guests to one and noted that this was not voluntary, LIS fought for this limitation.

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We didn't win any popularity contests but it was the right step. With industry sponsorship, we introduced the "Don't Lose Your Head" campaign offering suggestions for safely navigating the celebratory weekend. It is absolutely possible to have fun without being arrested or ending up at the Emergency Room. These are the thresholds established through our efforts—attainable targets, all would agree.

In 2014, LIS sounded the alarm for many months that the 2013 misbehavior was the largest threat to safety of the 2014 festival. We reached out to KSC and Mayor Lane to get festival precautions included in new student orientation in August. We reached out to KSC administration for months, eventually meeting two days before the festival. (two days is not enough time). We reached out to City Council asking for implementation of ordinances and other measures recommended through research by attorney John Hayes and others. We identified 14 target constituencies needed to contribute to the solution of the misbehavior problem: parents, landlords, students, alum, faculty, substance abuse experts, administration, UNH system, neighbors, various authorities, the Governor, and presented these to City Council. We contacted Governor Hassan asking for reciprocity between state schools so visiting students would face consequences at their own schools. We recorded video messages asking for student help in warding off the anticipated trouble. LIS appointed an 18-25 liaison to focus specifically on this program. This person researched the "Rage" organization and provided information to KPD about the planned Pearl Street location.

Ms. Sterling stressed that it was LIS that did the research and provided the information to Chief Meola. We asked to be included on the agendas and membership of the College/Community commission, and were repeatedly told "This is not about Pumpkin Festival."

Suffice it to say, Let it Shine/Sterling Design & Communications have worked very hard to provide safety in the neighborhoods. All without endorsement from either the City of Keene or Keene State College. Our input has at best been unwelcome.

We understand that as a volunteer organization we haven't the authority to offer suggestions to the City or College. We have no official role in dealing with these issues.

Although this seemed regrettable at times, it now demonstrates quite clearly where responsibilities belong.

We are not allowed to help solve the issues so we can no longer be held financially responsible for the issues.

It makes sense to have the College and City jointly tackle the problems and assemble the resources to do this. (Where there is city and college overlap, it can be handled by both entities).

LIS can focus on the festival issues. As an organization, we have a 4-year history of

innovation, determination and success.

LIS would ask that the City and College take responsibility for the neighborhood misbehavior problem.

Ms. Sterling then went over some of their accomplishments noting that in 2013 LIS brought home the world record.

As an act of good faith, beginning with the 2014 overages, we ask that the City and College and others take responsibility for funding the solutions. In return, also in good faith, if the responsible organizations underwrite the prevention and enforcement costs, LIS would refrain from asking for City funding as a community event in 2015 and possibly thereafter. These two improvements put the planning and execution of the safety and security program for the neighborhoods in the realm of responsibility where it belongs.

Ms. Sterling felt that this would actually solve the neighborhood issues having all the resources concentrated on where the problems reside. LIS will take care of the footprint and the City can make sure that the neighborhoods are safe, not only for that weekend but for all other weekends as well.

Keene Police Chief Ken Meola has assured us he can develop a safety plan for the neighborhoods as effective as the brilliant, comprehensive safety plan for the festival footprint.

Ms. Sterling felt that September 11, 2001 should have been the end of the Pumpkin Festival but people in this town said no and developed a comprehensive safety plan. I am sure this came with a cost. Then it was the Boston Marathon in 2013 other than for the fact that the Fire Chief telling her that the bad guys cannot win. She questioned whether the City can now allow what happened on Winchester Street dictate this event.

Ms. Sterling further stated that she has been told that Chief Meola has not developed a safety and security plan for the neighborhood and added that perhaps four months should have been ample time to create such a plan. Chair Greenwald stated that he has given Ms. Sterling twice as much time to discuss the good and bad. Councilor Powers raised a point of order and indicated that the Committee was here to discuss the Pumpkin Festival not the responsibilities of the Chief Law enforcement officer who has not been given an assignment by the City Manager.

Chair Greenwald stated that his first question was how the invoice to LIS was going to be addressed and then a conversation about next year if there was going to be such an event. The Chair questioned the amount owed to date. The balance owed is \$31,647 and this includes the \$250 pledged by Greenwald Realty toward the Pumpkin Festival. Chair Greenwald asked again what Let It Shine's position was for this bill. Ms. Sterling stated that the plan is to discuss how this can be handled this bill was received just before Christmas. Ms. Sterling noted that \$59,000 paid out of \$90,000 shows good faith.

Councilor Roberts felt staff should have a procedure about how bills should be paid. Mr. MacLean stated that in the past the process has been that the bill would be paid when the new application is made. This year LIS has paid the estimated portion and they have started talking in the community about how the balance is going to be paid but this has not been brought to the City yet.

Ms. Sterling stated that they are in a catch 22 situation; they can't plan an event unless they know the neighborhood can be kept safe. Will the City Council take responsibility for what happens outside the footprint?

Councilor Filiault asked whether Ms. Sterling was asking the taxpayers to pick up the tab and added that the taxpayers have already paid that bill and are now just waiting to be reimbursed.

Councilor Powers asked what Ms. Sterling means when she says LIS will take care of security within the event footprint. Ms. Sterling stated that LIS will pay for the event footprint security.

Councilor Roberts noted that we need to have some sort of plan that if students come to Keene and riot there will be consequences, such as expulsion. We have let the students be unaccountable for too many years. He added that the Chief can't come up with any plan until the University system gets involved and holds their students accountable. The three entities, the City, the college and LIS staying separate won't make the Pumpkin Fest return.

Councilor Clark pointed out that there has been reference that partying happens and this is the reason he asked the Chief to put together a report which shows a breakdown of the crime that occurs. Whenever there is a Pumpkin Fest there is four times as much crime in the City compared to any other weekend. He stated that unfortunately the Pumpkin Fest has a virus attached to it, which is a shame. He felt that tinkering around the edges won't fix the problem but he does applaud LIS efforts to calm the situation but nothing has worked, nor have the measures the City and college have taken and he felt this was a societal problem. He indicated that you can't unlink the Pumpkin Fest from the events that occurred.

Chair Greenwald asked Chief Meola to provide comments on the report he provided. Chief Meola stated that relative to the data, Councilor Clark asked for a breakdown of what occurs on Pumpkin Fest for the past three years. He indicated that the City sees a dramatic spike in criminal activity during this event and this has been consistent for the past few years, the criminal activity has increased at least by five times.

Chair Greenwald asked whether the Chief could compare the cost of safety measures within the footprint versus outside the footprint. Chief Meola stressed that at this point there is no plan but he was asked to come up with the estimates. Within the footprint there is no need to change anything. Last year officers had to be pulled from the footprint

to address issues on Winchester Street. The Chief stated that he would like to boost the number on Winchester Street; last year there were 48 officers assigned to that area, this year he would like to increase that number to 116 so officers can be posted in strategic locations.

As far as the cost - \$45,000 was the cost for the footprint and this wouldn't change by much. Winchester Street would look at a cost of about \$86,000 for a grand total of \$131,000. The Chief stressed this is a loose estimate with no plan set in stone. Chair Greenwald asked about the cost of the helicopter. Chief Meola stated that he doesn't know the cost of the helicopter but for a 12-hour event there might be a need for two pilots. He also wasn't sure how the ER would handle increases to their staff either.

Chair Greenwald noted that Keene Police and Fire Departments are mandated to appear at this event, but the adjoining towns come on a voluntary basis. Chief Meola agreed that these individuals work on an over-time basis. The Manager pointed out that this sounds like we are planning the next event. He stated that he was under the impression that the letter that came forward was going to address how LIS was going to pay the bill, but LIS seems to have coupled the two issues together.

The Manager indicated the matter before the Finance Committee is not so much the permit, but how LIS is going to pay the bill and he felt these two items should be decoupled. Chair Greenwald stated that this was his intent but the items have been linked by the promoter of the event.

Councilor Powers clarified that the estimate provided by the Chief was for police only. Chief Meola answered in the affirmative and added that he cannot comment on the Fire Department.

Councilor Filiault stated that there is no way the City Council will approve \$130,000 and he felt Ms. Sterling should be so advised.

Chair Greenwald asked for public comment.

Mr. David Curran of 16 Prospect Street stated that if the City forgives the bill and moves forward, he will figure out the portion he owes and take it off his tax bill. He felt that nothing should happen until LIS pays the bill.

Mr. Claire Oursler of 21 Roxbury Plaza stated that he knows the issue is about money, but unfortunately you can't control everyone's behavior. He indicated that this is a family event and is not all about the money. He indicated that he is not a taxpayer, but has lived in the community for 20 years and felt fear can't rule this event. He suggested that perhaps taking a break from this event for a year might be a way to solve this problem.

Ms. Susan Thielen of 25 Kelleher Street stated that this event has gotten worse over the years. She felt that LIS should not have gone to the police for a plan; it should have been done through the Manager, Council or Mayor. Ms. Thielen felt that you can't just look at

the footprint the entire area needs to be looked at. She also suggested that a hiatus for a few years was in order. Ms. Thielen expressed her disappointment at Keene State College for not taking more responsibility in this community. She indicated that bigger cities know of Keene because of these riots and LIS should tell the city how they are going to pay the bill and not expect someone else to cover it.

Chair Greenwald stated that he still has not heard about paying the outstanding bill. He understands from staff that they will endeavor to collect the bill. The Manager agreed and added that the process they have is to come back and advise the Council and this will happen automatically when the bill goes unpaid after 60 days. He added that their relationship with LIS has always been good but if it comes to a point that they can't pay it, the Council can authorize the Manager to begin negotiation with LIS.

Ms. Sterling stated that she does not enjoy coming before the Council and getting kicked around. She stated that the reason she keeps doing this is because it gives people something to believe in. She stated that she doesn't plan on coming back; this is a community event, if the community wants it she asked that they contact her.

Councilor Powers made the following motion, which was seconded by Councilor Filiault.

On a vote of 5-0, the Finance, Organization and Personnel Committee recommends accepting the letter from Let It Shine as informational.

6. DISCUSSION: CIP Review - Planning Department and Municipal Development Services

(Page 64) Flood Management Plan – Public Works Director Kurt Blomquist stated this project focuses on doing limited improvement to the existing system. The department has been identifying areas that have had reoccurring problems with flooding and about eight areas have been identified. The recommendation for FY16 is the Sullivan Street area and the list on this page goes through FY22. He noted that the request is for about \$50,000 per year to complete some spot improvements.

Mr. David Hicks Jr. of Swanzey Factory Road stated that Depot Road that runs along his property has some drainage problems and the temporary fix the City put in place was to cut a culvert and dump water into his property. He indicated that he owns close to three acres, of which two acres are under water and can't be used and he would like to see this fixed.

Ms. Laurie Wilber of Swanzey Factory Road added that they have problems with stagnant water causing rodent and insect problems and is also ruining much of their crop. She noted that there was no paperwork to allow the City to put in this culvert. A lot of property they are paying taxes on cannot be used.

Mr. Blomquist noted that this is the second project on the list slated for FY17. The project is set to go out to bid this spring and pending on funding, work could begin this summer.

Mr. David Hicks, Sr. stated that if this problem prolongs they would have no choice but to seek legal assistance. City Engineer Jim Donison stated that the project is currently being advertised for bid and is dependent upon funding available after July 1.

The discussion of the CIP will continue at the next Finance Committee meeting.

Councilor Roberts left the session.

7. MEMORANDUM: Planner- SRTS- Road Diet- RFQ 03-14-34

Planner Michele Chalice stated that the City has received a grant from NHDOT. She indicated that staff is asking permission to move forward with this project. She explained that the term road diet means the experimentation of tools to slow down traffic and allow for safer pedestrian and bicycle travel. This project is for the Pako Avenue neighborhood. The plan is to sign the contract with Dubois & King which was the selected firm from the RFQ process.

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

On a vote of 4-0, the Finance, Organization and Personnel Committee recommend the City Manager be authorized to do all things necessary to negotiate and execute a professional engineering services contract with Dubois & King, Inc. for the engineering services of the Road Diet - Painted, Pedestrian & Bicycle Facilities for the adjacent Maple Acres neighborhood to the Jonathan Daniels Elementary School (JDES). In the event that a satisfactory contract and fee cannot be agreed upon, the City Manager is authorized to proceed to the second and then the third designated firms and repeat the negotiation and execution process.

8. MEMORANDUM: City Manager - Proposed Policy - Requests for Proposals and Requests for Qualifications

Mr. MacLean stated that this item was discussed with the Committee during the fiscal policy workshop and is the result of the concerns expressed by the Committee regarding the RFP and RFQ process. He indicated that there are things that have been outlined in this document that could be tightened up or added in to avoid the kind of issues that arose with the airport. Councilor Powers stated that he would not like to have a section of the City Code that is so specific that when the City wants to do something different, there is a requirement to go through the Committee process. He suggested taking the existing Chapter 2 of Article 9 and revising it for purchasing, RFQ's and RFP's. The only difference could be when the City is offering real estate to others, this could perhaps be a separate section.

Councilor Powers made the following motion, which was seconded by Councilor Roberts.

On a vote of 4-0, the Finance, Organization and Personnel Committee recommends the City Manager be authorized to develop amendment to the City Code that will develop a contemporary procedure for purchasing RFP's, RFQ's and the leasing of city property and the subsequent Administrative Directives that could be used internally each time one of those conditions come about.

9. MEMORANDUM: Police Chief- Local Emergency Operations Plan Update - NH Emergency Management Performance Grant

Chief Meola stated that the City of Keene has an emergency operations plan to respond effectively to local disasters and it is necessary to update these plans regularly. The last update was done in 2007. There is an Emergency Management Performance grant that has been made available to the City in the amount of \$2,495 and this item is for the purpose of requesting the Council to accept said grant. This amount will be payable to South West Regional Planning Commission who will help update this plan and Keene's contribution is for key staff personnel to attend the meetings to help update the plan; it would be an in-kind contribution towards the plan.

Councilor Clark made the following motion, which was seconded by Councilor Filiault.

On a vote of 4-0, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept an Emergency Management Performance grant from the State of New Hampshire Department of Safety, Homeland Security and Emergency Management in the amount of \$2,495.00.

10. RESOLUTION: R-2014-34-A: Establishment of a Municipal Transportation Improvement Fund

The Finance Director stated that this is a continued discussion from a public hearing regarding Resolution R-2014-34-A, which would create a capital reserve to fund transportation improvements funded from a \$5 charge from motor vehicle registrations. The City has about 20,000 vehicles registered each year, which will bring in about \$100,000 towards this capital reserve annually. This will help with capital projects related to roads, bridges, sidewalks, bicycle paths etc. and other forms of transportation needs. Chair Greenwald clarified that this money will only be used for major projects and not to fix things like potholes.

Councilor Powers noted that a withdrawal from a capital reserve requires a public hearing and the public will be well informed when money is spent from this capital reserve. Mr. Thornton agreed.

Councilor Filiault applauded Mr. Redfern for thinking outside the box but this one item he could not vote for. The Councilor compared this to the resident tax the City had, which was eliminated in 1988 and there was a petition to bring in back in 1992. He felt that if

\$100,000 is necessary for a project it should be done transparently through the general fund but not raised when there is no particular project attached to it.

Councilor Chadbourne stated that she just heard on NPR that Governor Hassan was proposing to raise the fee for registering motor vehicles. The Councilor went on to say that she heard mentioned that if this money was raised the City will have available matching funds when applying for grants but added that the City has always had funds available for such grant applications and asked how this was any different. Mr. Thornton stated that when there is need for work related to a bridge project property taxes are raised to cover such a cost and added that this is another way to raise funds to cover such expenses. He added that grants can be matched depending on how much taxes the Council wants to raise. Mr. Thornton noted that the City's budget is highly dependent on property taxes (over 60%) and this would just be another way, so property taxes don't have to be raised.

Mr. MacLean stated that if money was not raised in this fashion, not that it has to be raised in this manner, it would be raised through property taxes and fewer of the City's residents would be paying for it. The method being proposed today would involve at least 35% of those who are currently not contributing towards property taxes.

Councilor Clark stated that he is glad that Councilor Chadbourne brought up what Governor Hassan is proposing which is something that has been ignored by the State for many years which is infrastructure and getting back to a user fee.

Councilor Powers stated that he sees a value in this \$5 fee and does involve a lot of discussion. He noted that our roads are falling apart and we have no way to fix them because the State took 1.1 billion dollars away from us.

Chair Greenwald stated that if this was all about the users he would be more in favor of it. The users who are paying for it are those who have cars and trailers, while the users of the pedestrian and bicycle facilities are getting the benefit of it.

Councilor Clark made the following motion, which was seconded by Councilor Powers.

On a vote of 2-2, the Finance, Organization and Personnel Committee failed to recommend adoption of R-2014-34-A. Chair Greenwald and Councilor Filiault voted in opposition.

11. MEMORANDUM: Project Manager- Parking and City Engineer - Multi Space Meters to be Installed in the Commercial Street Parking Lot

Parking Project Manager Gary Lamoureux addressed the Committee and stated that at the last Finance Committee meeting there was some discussion about some increased scope of work that was going to be done at the Commercial Street Parking lot. One of those

discussions was the kiosk meter system. A few years ago there was a trial system put in place in the downtown which did not go well because there were some issues with the system. Mr. Lamoureux stated that this new system will enable coin, credit card payment and park/mobile options. The existing meters are becoming a thing of the past and maintenance of the meters is becoming difficult.

He indicated that staff has spoken with three of the larger companies about these kiosk systems; the technology is greatly improved and it is also a secured system which will help the auditing program.

There are three different payment options attached to these meters: 1. Pay and Display which gives you a tag when payment is made, that can be left on your dash. 2. Pay by System, in which each parking space will be numbered and money and the number of the space is entered. 3. Pay by Plate, allowing the user to put in the time and their license plate number.

Staff's recommendation is Pay by Plate which has a better technology and there are tags the companies will provide that people can have on their key chains. This system is being used by many communities around the country and the reason for that is because drivers don't have to go back to their cars and hence fewer systems are required. As a result, the Commercial Street lot will only require two systems. If you go with the Pay and Display system, about eight to ten units are being required with each unit carrying a monthly fee for the software charges.

Mr. Lamoureux stated that staff is anxious to introduce these systems and will be providing training while the public gets accustomed to them. There was also a question as to whether these systems can be introduced to the downtown and the answer is that they can be.

Chair Greenwald asked how the parking enforcement officers will handle the license plates. Mr. Lamoureux explained that the parking will be in different zones and when these officers walk into a particular zone, their hand held systems will bring up every license plate that has been paid and those will be listed alphabetically and numerically. The systems will also register different types of digits, such as "&," etc.

Mr. Chuck Redfern stated that the only concern he has is winter conditions for the elderly. He stated that he does understand the convenience for the City but it does put a burden on the public. Mr. Lamoureux stated that the convenience to get to the existing meters have been difficult for Public Works staff as well as for the public. Once these are removed it would be easier to plow the area. He went on to say that they did look at the convenience of the customer versus the city and they are proven to be much more convenient for the public. Chair Greenwald asked whether these new systems will take credit cards. Mr. Lamoureux answered in the affirmative but the only thing they won't add is the dollar changing system because this system does get affected by the weather.

Mr. MacLean clarified that this will be an experiment and that these will be a cost saving measure. Mr. Lamoureux stated that one of the companies has agreed to do a pilot program but that will require base installation.

Councilor Filiault made the following motion, which was seconded by Councilor Powers.

On a vote of 4-0, the Finance, Organization and Personnel Committee recommends that the report regarding multi-space meters be accepted as informational.

12. MEMORANDUM: Project Manager - Parking and City Engineer - Additional Information Requested for Commercial Street Lot Rehabilitation

Mr. Lamoureux addressed the Committee again and stated that at the last Finance Committee meeting, additional scope of work for the Commercial Street lot was presented, such as the placement of underground conduits. Councilor Powers had asked for additional information regarding this work. Staff originally looked at getting assistance from Public Works but after reviewing the work and the time period the work would be done (spring and summer) logistically it would not work for Public works to assist with this additional scope of work.

The required work has been broken into two sections:

Option 1 - while parking lot is under construction all underground utilities, handholes will be installed and the installation of the bases for the light poles. This does not include the wiring or the ornamental lights. It would be at a cost of \$90,435.

Option 2 - cost to install the lighting, pulling the wiring from the terminal. The cost would be \$95,700. This work can be done at a later time.

Councilor Powers felt it would make sense when the work is happening at the lot to get the underground work done. He asked where the money for this work is coming from. Mr. Lamoureux stated that there is money in the downtown capital reserve fund for this work to be done.

Councilor Hague asked rather than take money from the downtown capital reserve fund whether a transportation improvement fund can't be set up and a surcharge be attached to vehicle registration as this does relate to transportation. It was indicated that \$100,000 previously discussed can't be used for this type of work as it relates to parking.

Councilor Filiault made the following motion, which was seconded by Councilor Powers.

On a vote of 4-0, the Finance, Organization and Personnel Committee recommends that additional improvements be made to the Commercial Street Parking Lot by installing underground conduit, handholes, concrete light posts and concrete manholes during the rehabilitation in the spring of 2015 as outlined in Option 1. And further, direct staff to

prepare a resolution to appropriate funding from the Downtown Infrastructure Capital Reserve fund in the amount of \$90,435.

13. MEMORANDUM: R-2015-03: Relating to an Appropriation from the Downtown Infrastructure Capital Reserve for the Rehabilitation and other Capital Improvements to the Commercial Street Parking Lot

Mr. Lamoureux stated that staff came before the Finance Committee regarding the additional scope of work and the Council approved this \$85,000 which was for additional granite paving, additional sidewalk (southwest corner) restriping and landscaping.

Councilor Powers asked about the property in question he had referred to at an earlier meeting. Mr. MacLean stated that it has been determined that this was private property.

Councilor Powers made the following motion, which was seconded by Councilor Clark.

On a vote of 4-0, the Finance, Organization and Personnel Committee recommends adoption of R-2015-03.

14. MEMORANDUM: R-2015-05: Fiscal Policies

Mr. Thornton stated that on February 4th the Council had its annual fiscal policy workshop and they were relatively unchanged except for the policy related to conservation purposes. Mr. Thornton referred to this language. He explained that the reason for this is because land use change tax has become very limited and there doesn't seem to be much land that could be developed coming up in the next few years so funds for conservation funds have decreased.

Councilor Powers stated that it is necessary to address our highest tax rates and felt this document will help with that. One of the limiting factors the City has put in place is tying this to the Boston CPI. Another item the Councilor said that concerned him was the mention that the Council does things without the public knowing about it. He felt it is up to the Council for instance to properly address the capital improvement plans that are in place.

Mr. MacLean stated that some of the projects are difficult to address; for instance the Court House project or the Ice Rink project were not City projects but the City was invited to participate in the cost of these projects. He added that most all projects got through the CIP process but these other projects are looking to partner with the City and at that point the City is essentially amending the CIP, which the Council always has the right to do. Councilor Powers noted that the ice rink project has been around for a while and it is going to cost the City close to a million dollars and felt this should be incorporated into the CIP so that the public is aware of how City money is being spent.

The Manager asked the Finance Director why the City is not adding projects like this in, during the following year. Mr. Thornton stated that it has happened in the past and used the library project as an example.

Councilor Filiault made the following motion, which was seconded by Councilor Powers.

On a vote of 4-0, the Finance, Organization and Personnel Committee recommends adoption of R-2015-05.

15. COMMUNICATION: Councilor Richards - Addition of the Marlboro Street Reconstruction to the CIP Budget as Part of the Redevelopment of East Side Keene

Councilor Richards stated that most people are aware that there is a rezoning process underway for portions of Marlboro Street which will hopefully set the stage for the redevelopment and revitalization of this area. The intent is for the south of Marlboro Street to consist of one and two family homes and on the other side nice storefronts as well as improvement to the streetscape. The Councilor noted that zoning sets the stage for a developer to want to build. By adding this item to the CIP, the careful planning for the long term development can begin.

He noted that there is room for everything on Marlboro Street. If we look at other areas in the City that have been redone in the past few years, those areas would include, Main Street, Court Street, Washington Street, and Winchester Street up to Ralston Street but unfortunately Marlboro Street has been ignored. He felt this might be the time to include this project into the CIP.

The City Manager stated that staff appreciates the Council making any directive to the CIP. He felt that by next year staff should be able to show the Council how this item could be folded into the CIP and whether projects need to be moved out to accommodate this project or whether there is sufficient money to accommodate this project. The Manager stated that there could be some grant opportunities that could become available and will report back as the process moves forward.

Councilor Filiault made the following motion, which was seconded by Councilor Powers.

On a vote of 4-0, the Finance, Organization and Personnel Committee recommends staff to include in the planning process the Redevelopment of East Side Keene.

The meeting adjourned at 9:25 PM.

Respectfully submitted by,
Krishni Pahl, Minute Taker

Additional Edits by,
Terri M. Hood, Assistant City Clerk