

CITY OF KEENE
PLANNING, LICENSES, AND DEVELOPMENT COMMITTEE
MEETING MINUTES

Wednesday, September 23, 2015

7:00 PM

Council Chambers A

Members Present:

David R. Meader, Vice-Chair
Emily P. Hague
Bettina A. Chadbourne
Carl B. Jacobs

Staff Present:

Medard Kopczynski, Asst. City Manager
Chief Brian Costa, Keene Police Department
Chief Mark Howard, Keene Fire Department
Kurt Blomquist, Public Works Director
John Rogers, Inspection Manager

Members Not Present:

David Richards, Chair

Others:

Councilors Present:

Vice-Chair Meader called the meeting to order at 7:00 PM welcoming the viewers of Cheshire TV, Channel 10.

1. COMMUNICATION: Thomas Key – Requesting Permission to Discharge Pyrotechnic Salutes – KHS Football Games

Vice-Chair Meader advised that Chief Mark Howard would be standing in for the applicant who is out of town on business.

Chief Howard reported the Fire Department and the New Hampshire Fire Marshal's Office has been working with the applicant who is trying to support the Keene High School Booster Club Committee for their home games by providing a pyrotechnics solutes at games. Chief Howard noted the letter in the packet addresses the three remaining dates; he also noted should the team make the playoff those dates are not included as they are unknown. Indicating this would require coming back to the Committee for additional approval; Chief Howard reported they would also have to go through a secondary permitting process with the Fire Department. Continuing, Chief Howard said we'd like to try to streamline this process for them for next year by projecting some dates. Chief Howard noted the applicant is in the process of submitting his paperwork to the state Fire Marshal's Office, and when that comes back we will issue a permit.

Councilor Jacobs referred to the playoffs and asked Chief Howard how the applicant would get through the permitting process in that time period. Chief Howard replied the paperwork has to be to the state four days prior to the event; ours would be almost immediate, procedurally the rules could be suspended and

go directly to City Council. Discussion continued with Chief Howard suggesting the motion could state the specific dates and any potential home games as long as any required permitting is accomplished at the state and local level. This would prevent the applicant from having to come back to the City, but not the state for any permits.

Councilor Jacobs and Vice-Chair Meader both agreed this sounded more appropriate. Chief Howard reported he has suggested to the applicant that they use this same language next year; alternately they could list the Friday and Saturday nights for the first couple of weeks immediately following the season to allow for the playoffs.

Vice-Chair Meader noted a conversation with the City Clerk today indicating this would be a permit for the season. Chief Howard replied the applicant's letter and the prepared motion is what was provided to him; adding the applicant's letter does not specifically address the playoffs.

Mr. Blomquist suggested the motion as prepared with an addition inclusive of any playoff games, and subject to licensing and permitting requirements. Mr. Blomquist explained his reasoning citing other instances the Committee has done this for, such as rain dates for which the applicant does not have to come back before the Committee.

Councilor Hague asked if it was a permit or license obtained from the state. Chief Howard responded noting there are licensing requirements in order for them to get the permit; there is a permit issued by the state Fire Marshal's Office and a Class B permit issued by the Fire Department. Chief Howard also noted this is not the usual ornamental fireworks we see.

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

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

On a vote of 4-0, the Planning, Licenses and Development Committee recommends that Key Drilling & Blasting Services, Inc. be granted permission to discharge pyrotechnic salutes for touchdowns at the Keene High School Home Varsity football games on October 9th, October 16th and 23rd, and potential home playoff games this year, conditional upon obtaining a Class B fireworks from the State of New Hampshire; the signing of a revocable license and indemnification agreement, providing a certificate of insurance with the City of Keene listed as an additional insured in the amount of \$1,000,000; and complying with any recommendations of City Staff. The petitioner shall absorb charges for any City services if provided.

Councilor Chadbourne recommended allowing the City Clerk's office permission to wordsmith this motion when received if she finds it necessary to make it a little smoother or if anything has been missed.

2. MEMORANDUM: Fire Chief – 2015 Annual Fire Prevention Parade (October 4, 2015)

Chief Howard addressed his request noting the Fire Department requests permission for use of City property and City streets for the Fire Prevention Parade annually. The parade kicks off Fire Prevention Week activities. This year we are requesting the use of the parking lot in the area of Fleet

Services located at 350 Marlboro Street for the parade line-up. The parade will start at 1:00 pm at 350 Marlboro Street and proceed westerly along Marlboro Street to Main Street to Vernon Street where the parade will disperse. Following the parade there will be an awards ceremony at the Central Fire Station on Vernon Street. Chief Howard noted all Committee and City Council members are invited to participate. Chief Howard also noted the dinner on October 8, 2015 beginning at 6:30 PM (RSVP requested). Chief Howard also recommended those wishing a tour should come early.

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

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

On a vote of 4-0, the Planning, Licenses and Development Committee recommends that the Fire Department be granted permission use of City property for the 2015 Annual Fire Prevention Parade to be held on October 4, 2015.

3. DISCUSSION: Pro-active Code Enforcement Update

Vice-Chair Meader summarized the events leading to this update; the request by Councilor's Hague and Duffy for an update of the 2002 Pro-Active Code Enforcement report earlier this year. He stated that in May 2015 Mr. Kopczynski provided an update to this Committee, agreeing to come back in September pending the hiring (replacement) of two Housing Enforcement Officers.

Mr. Kopczynski explained that in May he and Captain Costa (now Chief Costa) did provide an update as to where we were based on a couple of previous reports. He pointed out there were some ambiguities as to where we were on some issues due to staffing and direction. Mr. Kopczynski also noted there has been a lot of traction on issues attendant to this discussion (Marlboro Street, College/City Commission). Mr. Kopczynski reported what we have right now is an extremely close working relationship with the Fire Department, Police Department, Health/Code Department, and the College. Mr. Kopczynski recommended hearing from the departments involved.

John Rogers, of Code Enforcement expanded on Mr. Kopczynski's comments regarding communication between the different departments and Keene State College. He reported on the formation of the Coalition Committee last year and its membership. Mr. Rogers noted the Committee meets monthly. With regards to the Housing Inspector positions, Mr. Rogers reported one position has been filled and a job offer was made for the second position. The inspectors and the Fire Prevention Officer will also be members of the Coalition Committee. Mr. Rogers continued noting the second inspector will be required to work Thursday/Friday/Saturday which will provide coverage six days a week versus five days a week with one person. We are also working with our inspectors to improve the use of technology (smartphones and tablets) to record data in the field without having to come back to the office. Mr. Rogers noted the desire to expand working on housing standards beyond trash and parking; he also added the inspectors will be working with Parking Enforcement further out from the downtown area.

Beyond this Mr. Rogers noted additional things we're working on are Human Services, expanding our public outreach, and more coordination with both the Police and Fire Departments in some of the

inspections we do. Mr. Rogers pointed out there has also been an RSA change allowing us to take some of our City Ordinances (violations) to the District Court if we have to as a last resort.

Vice-Chair Meader noted he is pleased with the open lines of communication between departments, and the second inspector working on Saturdays.

Councilor Chadbourne referred to Mr. Rogers' comments about the RSA 31:39 changes and asked if this implied that up until recently you couldn't take someone to court. Mr. Rogers indicated he was unsure noting this went into effect on January 1, 2015. Councilor Chadbourne continued pointing out it seemed in the past that Code Enforcement was complaint driven and if you had a different complaint it went to the other departments. She clarified with the open communication now, if a Code Enforcement person received a complaint, they would pass it on to the other department. Mr. Rogers agreed, and illustrated if a Code inspector discovered a Life Safety issue more appropriately covered under the Fire Code it would be communicated to the Fire Prevention Officer and vice versa. Mr. Kopczynski also pointed out there is a lot of training and cross-training going on; the intention is to communicate issues and do more things jointly.

Councilor Jacobs asked if only college related neighborhoods were being looked at. Mr. Rogers clarified the City Ordinances are citywide they are not for just one neighborhood.

Vice-Chair Meader exercised his prerogative as Chair to recognize the efforts of Councilor Hague as the Co-Chair of the College/City Commission, and the compilation of its initial report and findings.

Chief Costa, of the Keene Police Department reiterated the communication between the departments commented on earlier; noting the program was set up in 2004 to address problems in neighborhoods heavily populated with student housing as it relates to being intermingled with year round residents. Continuing his comments Chief Costa said our goal is not to write as many tickets, noise complaints, or unlawful possession of alcohol arrests; the goal is to change unwanted behavior. Chief Costa noted the methodology employed by the Police Department is presence, positive educational contacts, and consistent enforcement of expectations of behavior that have been communicated. Continuing his comments he also noted the continuation of sharing knowledge between the College and the Police Department, and acknowledgement from Keene State College that students behavior off-campus is not just the City's problem, but rather both the City's and the College's.

Chief Costa reported he was invited to speak at one of the College/City Commission meetings and was asked what steps the Police Department takes to inform the students what the expectations are when they live in a neighborhood. He noted previously two additional officers were hired with the goal of enforcing the Noise Ordinance and unwanted types of behavior. As the off-campus area expanded over the years it seemed like two officers weren't enough. Chief Costa reported he also attended a different meeting with officials from the College, after being asked the same question and providing the same response he was asked to put together a proposal that would have the most impact for setting those expectations. Chief Costa explained his proposal called for nine officers. For the first three weekends of college students returning this year (Thursday/Friday/Saturday nights) there was an additional 378 hours that the College paid for. Chief Costa noted this was a very significant step on the College's part. Commission members were in agreement they were happy Chief Costa shared this information. In response to Vice-Chair Meader, Chief Costa reported the lines of communication with the College are excellent.

Darryl Masterson, of 44 Willow Street commented the presence of additional officers didn't go unnoticed. He added it is nice to know why, and he will pass this information along. Mr. Masterson also agreed it was a quieter start to the school year.

Councilor Hague asked Chief Costa if during those nine extra days any trends were noticed in terms of communication with the students relative to his prevention work. Chief Costa replied in the affirmative, noting the mandatory training put on at the College this year for those students wishing to live off-campus. He also noted there was a fine imposed on those students who did not attend. Chief Costa also reported the additional work details started earlier in the night which afforded opportunities for positive interactions with the police officers. Chief Costa added there were summons issued, and noted the expectations of receiving only a warning. He indicated the statistics would be posted at the end of the year.

Mark Howard, Fire Chief made additional comments noting it is critical to understand there has been a transition of staff within the Fire Department, the Fire Prevention Bureau, and Code Enforcement. Chief Howard commented on the planning that was taking place between the departments and the College last year prior to the Pumpkin Festival. He pointed out the acknowledgement of the benefits these interactions provided by the departments and the College. Chief Howard said the departments before the Committee tonight, and the College continues to meet regularly providing a unified approach.

Chief Howard pointed out part of the Fire Department's mission is to provide fire prevention, public safety, and public education. He stated it is his commitment as Chief to improve what we've done in the past. Chief Howard continued if we looked at what worked 10 years ago; that won't necessarily work today. He added if we look at only today and we do not look ahead that may not work either, noting this needs to be a dynamic process.

Chief Howard continued today the Fire Prevention Division works closely with the Building Code/Health Enforcement staff along with the Keene Police Department to improve the safety of our buildings and structures citywide. He reiterated those relationships have been improved by having regularly scheduled meetings to help take our efforts to the next level. Chief Howard provided an update on what the Fire Prevention Division does today and what they will be expanding to do in FY16. Today we inspect all educational facilities, places of assembly, residential board and care, tenant fit-ups, new residential/commercial buildings, Hazmat material storage tanks, special events, and all life safety complaints. Chief Howard noted the collaboration with other City departments and the sharing of information. He also noted public complaints as the last avenue of complaints processed. Chief Howard addressed the question where will we be going in FY16. He continued the above workload won't change or stop, and he won't be asking for new personnel. Over the next three to six months there will be some internal training to expand our roles; like Code Enforcement is doing with Parking. Chief Howard outlined a citywide inspection program that includes both residential and commercial properties, which he suggests will take three to four years to complete.

Referring to the citywide inspection program Councilor Chadbourne asked if other cities are doing this and what prompted it. Chief Howard explained the Fire Service has changed over the years; he noted the United States doesn't devote the assets that other countries do from a Fire Prevention standpoint. Chief Howard pointed out we are trying to change this, and it will be "all hands on deck" not just one or two

people. He cited Bedford as an example of a city that has developed these programs over the last five to ten years.

Councilor Chadbourne continued referring to the rental units and working with the Assessing Department when doing inspections. She gave the example of doing an inspection in a unit the assessing records states has two units and upon entry you discover it has three units. Chief Howard clarified when he said they would be working with the Assessing Department it would be primarily for the database of what is listed as a rental; whether it is one to fifty is irrelevant to us. However, if we go in and determine that it's four units compared to three we may share that information with Code Enforcement and assessing may want that information as well. He further clarified we are not there for that enforcement responsibility; but we would share the information. Chief Howard also pointed out the code requirements are very similar regardless of the number of units. Mr. Kopczynski commented we share that information now across the departments and we occasionally find we don't have records of the changes that have been made to the buildings. Mr. Kopczynski noted the constant updating that takes place adding there are some places we don't get into for years. He explained we will probably find places that say one thing on paper, but in reality are very different. Chief Howard also explained how the Fire Department or Code Enforcement may find an unidentified living space (attic) and issue a vacate order thus eliminating that space.

Vice-Chair Meader noted the timeframe for the project and asked Chief Howard how we are gaining access to all properties, suggesting an educational process may be needed. Chief Howard noted there would be a public relations campaign up until June/July 2016 for this joint department program.

Councilor Jacobs noted that Chief Howard mentioned the budget and clarified the things he was talking about were prevention types of things that in the end will provide a return on investment for the taxpayers. Chief Howard commented he could not place a value on keeping civilians safe and firefighters returning home safely every day. Mr. Kopczynski added additional comments explaining that everything we're talking about has some benefit to the public and the overall health and safety of the community.

Councilor Hague thanked Mr. Kopczynski for bringing up the issue of sustainability. She asked Chief Howard if he saw any opportunity to look at trends and/or incentives in the future. Councilor Hague mentioned the databases discussed, suggesting there may be places for spatial information. Chief Howard replied in the affirmative noting he projects the Fire Department would probably be one of the data sources in addition to Code Enforcement and other departments. Mr. Kopczynski commented one of the things we are going to try to do a bit better is talk about all the things that are going on. He noted that the IT Department is looking into data integration including the GIS system. Mr. Kopczynski commented he thinks what we're seeing now is a joint intent which is very significant.

Vice-Chair Meader referred to the original report and its recommendations noting what has been presented this evening is excellent. Vice-Chair Meader then asked the departments present what they would like the Council to do to support these efforts. Mr. Kopczynski replied he would have to give the same recommendation he gave at the last report. He continued we are evolving quickly and there may be things that we need to come back and ask the Council for. Continuing Mr. Kopczynski noted some of the things in the Marlboro Street Initiative may be related to this; there were also other issues unrelated to zoning or land use that were discussed and should be taken up in some context, along with elements

coming out of the College/City Commission. Mr. Kopczynski also pointed out the public's ideas need to be brought forward and discussed. Mr. Kopczynski concluded the City Council, staff, and the public need to have some discussion about those points and take some direction.

Vice-Chair Meader asked Councilor Hague how the College/City Commission plans to move forward. Councilor Hague reported the College/City Commission released its first report earlier this week, which is available online. The report covered two specific issue areas; 1) citizenship, and 2) norms and expectations. Councilor Hague noted the report will come before this Committee in the future. She continued the report has three main issue areas and three timelines for the recommendations (short, medium, and long-term) for both the City and the College. Councilor Hague reported the Commission was surprised to learn how much is already happening. She pointed out a lot of the short-term tasks have to do with completing tasks that are already underway. Councilor Hague continued this report is probably the first of two or more in the future; the Commission still has two issues to address 1) parking/infrastructure, and 2) tax base. She noted it is the intention of the Mayor and President Huot that this Commission be a standing Commission and be the avenue for communication to address issues in the community.

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

On a vote of 4-0, the Planning, Licenses and Development Committee recommends this update be accepted as informational.

There being no further business Vice-Chair Meader adjourned the meeting at 8:18 PM.

Respectfully submitted by:
Mary Lou Sheats-Hall, Minute-taker
September 24, 2015