



KEENE CITY COUNCIL  
Council Chambers, Keene City Hall  
May 3, 2018  
7:00 PM

Roll Call  
Pledge of Allegiance

MINUTES FROM PRECEDING MEETING

- April 19, 2018

**A. HEARINGS / PRESENTATIONS / PROCLAMATIONS**

1. Public Hearing - Sign Regulations
2. 2019 Walldogs Mural Festival - The Magical History Tour

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

1. Nominations  
Keene Housing Authority  
Heritage Commission
2. Appointments - Greater Goose Pond Forest Stewardship Plan ad hoc Committee

**C. COMMUNICATIONS**

1. Peter Poanessa & Judy Rogers/The Magical History Tour - Request to Endorse the 2019 Walldogs Mural Festival and Use of City Property
2. Part-Time Position - Energy and Facilities Manager

**D. REPORTS - COUNCIL COMMITTEES**

1. Presentation - Preliminary Design for Improvements to Woodward Pond Dam
2. Presentation - Flood Management Improvements Project
3. Monadnock Progressive Alliance - Notification of their "Ready for 100% Renewable Energy" Campaign
4. Monadnock Interfaith Project - Request for a Welcome Center with Public Toilets
5. The Future of the Wheelock Park Campground - Parks, Recreation and Facilities Department
6. Continued Discussion: Skate Park Update - Parks, Recreation and Facilities Department
7. Update on MSFI Committee More Time Items
8. Firstlight Fiber Request to Install Conduit in the Main Street Right-of-Way - Public Works Department

9. Acceptance of a Donation - K-9 Program - Police Department
10. Acceptance of a Donation - Police Department
11. Acceptance of a Donation - In Memory of Ted Dinkle - Fire Department
12. Acceptance of Donations to Library Renovation Project - Campaign
13. Deed Waiver Request for 2014 - Finance Department
14. Tax Deeding Request for 2014 Property Taxes - Finance Department
15. Sole-Source Contract for Water Main Cleaning and Lining - Public Works
16. Construction Change Order - Water Street Rehabilitation - Public Works
17. Construction Change Order - 2017 Road Spot Repair Project - Public Works

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

1. CITY MANAGER COMMENTS

**F. REPORTS - BOARDS AND COMMISSIONS**

**G. REPORTS - MORE TIME**

**H. ORDINANCES FOR FIRST READING**

**I. ORDINANCES FOR SECOND READING**

1. Relating to Specific Street Regulations  
Ordinance O-2018-06

**J. RESOLUTIONS**

1. Gilbo East Parking Lot Improvements  
Resolution R-2018-15
2. FY 2018-2019 Operating Budget  
Resolution R-2018-17
3. Health Insurance Renewal and Relating to Participation as a Member in a Pooled Risk  
Management Program  
Resolution R-2018-16

Non Public Session  
Adjournment

A regular meeting of the Keene City Council was held Thursday, April 19, 2018. The Honorable Mayor Kendall W. Lane called the meeting to order at 7:00 PM. Roll called: Carl B. Jacobs, Janis O. Manwaring, Thomas F. Powers, Terry M. Clark, Randy L. Filiault, Margaret M. Rice, George S. Hansel, Gary P. Lamoureux, Bettina A. Chadbourne, Stephen L. Hooper, Philip M. Jones, David C. Richards and Mitchell H. Greenwald were present. Bartolmiej K. Sapeta and Robert B. Sutherland were absent. Councilor Jones led the Pledge of Allegiance. A motion by Councilor Greenwald to accept the minutes from the April 5, 2018 regular meeting was duly seconded. The motion passed with a unanimous vote in favor.

#### ANNOUNCEMENTS

The Mayor announced that on Saturday, April 21<sup>st</sup>, from 8:00 AM to noon at Railroad Square, Green Up Keene will commence their activities to clean up the City of Keene. On Tuesday, May 1<sup>st</sup>, at 6:00 PM there will be a Planning & Zoning 101 Training for City Officials at The Hive in Hanna Grimes on Roxbury Street. On Thursday, May 3<sup>rd</sup>, the Council should expect a presentation on Walldogs Mural Project that is slated for June of 2019 and on Thursday, May 10<sup>th</sup>, Monday, May 14<sup>th</sup>, and Tuesday, May 15<sup>th</sup> at 5:30 PM, the Finance Committee will be having their Budget Review Meetings. On Thursday, May 17<sup>th</sup> there is a Public Hearing on Wells Street Discontinuance and Layout as well as the Public Hearing on Fiscal Operating Budget and a presentation on Marketing and Branding for the City of Keene.

#### CONFIRMATION

A motion was made by Councilor Greenwald and duly seconded to confirm the following nomination: Fire Captain Michael Burke to serve as a regular member of Planning Board with a term to expire December 31, 2019. On a roll call vote, with 13 Councilors present and voting in favor the nominations were confirmed. Councilors Sutherland and Sapeta were absent.

#### COMMUNICATION – PETER POANESSA – RESIGNATION – HISTORIC DISTRICT COMMISSION

A communication was received from Peter Poanessa resigning from the Historic District Commission. A motion by Councilor Greenwald to accept the resignation with regret and appreciation of service was duly seconded. The motion passed with a unanimous vote in favor.

#### COMMUNICATION - COUNCILOR GREENWALD – CONFLICT OF INTEREST – SHANA DAVIS – HOT HOGS

A communication was received from Councilor Greenwald regarding a conflict of interest due to being the property owner of 100 Emerald Street, which is the location of a food truck operated by Shana Davis. A motion by Councilor Richards to declare a conflict of interest and allow Councilor Greenwald to abstain from voting on matters related to the food truck was duly seconded. The Mayor clarified that this conflict does not extend to the Sign Ordinance that will be before the Council in the near future. The motion passed with a unanimous vote in favor.

COMMUNICATION – MONADNOCK INTERFAITH PROJECT – REQUEST FOR A WELCOME CENTER WITH PUBLIC TOILETS

A communication was received from Monadnock Interfaith Project requesting an opportunity to make a presentation regarding the necessity of addressing the need for a welcome center with public toilets that would be open seven days a week. The communication was referred to the Municipal Services, Facilities and Infrastructure Committee.

MSFI REPORT – UPDATE – PUBLIC ARTS GUIDELINES AND PROCEDURES – PARKS, RECREATION AND FACILITIES DEPARTMENT

Municipal Services, Facilities and Infrastructure Committee report read recommending acceptance of this item as informational. The Chair filed the report into the record as informational.

PLD REPORT – JANIS MANWARING/PATHWAYS FOR KEENE – REQUEST TO USE CITY PROPERTY – 4 ON THE 4TH

Planning, Licenses and Development Committee report read recommending that the City Council grant permission to Pathways for Keene to sponsor a running race on July 4, 2018, subject to the customary licensing requirements of the City Council. In addition, the Police Department shall identify Railroad Street immediately adjacent to Railroad Square as a No Parking zone from the hours of 6:00 AM to 11:00 AM. This license is conditional upon the petitioners providing an adequate number of volunteer race marshals to ensure runner safety along the course, and subject to 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 19 Community Events Budget. Said payments shall be made within 30-days of the date of invoicing. A motion by Councilor Richards to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

PLD REPORT – SHANA DAVIS – REQUEST TO DISPLAY BANNER SIGNS – FOOD TRUCK

An informational report was received from the Planning, Licenses and Development Committee. The Chair filed the report into the record as informational.

PLD REPORT – NEW ENGLAND AEROBATIC CLUB – REQUEST TO USE CITY PROPERTY – DILLANT-HOPKINS AIRPORT

Planning, Licenses and Development Committee report read recommending that the City Council authorize the use of the Dillant-Hopkins Airport by Chapter 35 of the International Aerobic Club from the date of issuance through December 31, 2018, subject to the execution of a Revocable License and Indemnification Agreement, the receipt of an insurance certificate in the amount of at least \$1 million dollars naming the City as an additional insured and all other requirements of the City staff including but not limited to the following restrictions: compliance with any requirements of the FAA, limit practice sessions to not more than 5 for the year, there

will be no Sunday practice sessions, aerobatic activity shall not occur below 1,500 MSL, limit aerobatic activity to the southern portion of the aerobatic box established by the FAA, restrict use of the aerobatics box until after 10:00 AM and before 5:30 PM, and not occur on the Labor Day and Memorial Day weekends, and that neighbors be invited to the mandatory safety briefings held on practice days. A motion by Councilor Richards to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

**FOP REPORT – ACCEPTANCE OF DONATION – SUMNER KNIGHT CHAPEL – PARKS, RECREATION AND FACILITIES DEPARTMENT**

Finance, Organization and Personnel Committee report read recommending the City Manager be authorized to do all things necessary to accept the donation of \$174.00 and that the monies be used for the upkeep of the Sumner Knight Chapel. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

**FOP REPORT – SPONSORSHIP UPDATE – BANNER PLACEMENT AT WHEELLOCK PARK – PARKS, RECREATION AND FACILITIES DEPARTMENT**

An informational report was received from the Finance Organization and Personnel Committee. The Chair filed the report into the record as informational.

**FOP REPORT – ACCEPTANCE OF DONATION – MONADNOCK SQUARES – PARKS, RECREATION AND FACILITIES DEPARTMENT**

Finance, Organization and Personnel Committee report read recommending the City Manager be authorized to do all things necessary to accept the donation of \$300.00 from the Monadnock Squares and that the money is used for any improvements needed at the Keene Recreation Center. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

**FOP REPORT – ACCEPTANCE OF DONATION – FRIENDS OF OPEN SPACE IN KEENE – PARKS, RECREATION AND FACILITIES DEPARTMENT**

Finance, Organization and Personnel Committee report read recommending the City Manager be authorized to do all things necessary to accept the donation of \$2,241.00 from the Friends of Open Space In Keene for the purposes of creating a pocket park at 238 Church Street. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

**FOP REPORT – ADVANCED LIFE SUPPORT INTERCEPT TRANSPORT AGREEMENTS – FIRE DEPARTMENT**

Finance Organization and Personnel Committee report read recommending the City Manager be authorized to do all things necessary to negotiate and execute the new one year Advanced Life Support Intercept Transport Agreements with Gilsum, Harrisville, and Stoddard, as well as a new 14 month agreement with the town of Sullivan. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

FOP REPORT – LIFE INSURANCE AND LONG-TERM DISABILITY INSURANCE –  
HUMAN RESOURCES DEPARTMENT

Finance Organization and Personnel Committee report read recommending the City Manager be authorized to do all things necessary to enter into a new multi-year contract renewing with Anthem Life Insurance Company to administer the City's Life and long term disability insurance. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

CITY MANAGER COMMENTS

The City Manager commented on her attendance at Creative Place Making for Brownsfield Properties, which she described as very informative. . The City Manager noted she had also attended the Regional Chamber of Commerce meeting in Jaffrey, where the Governor was the guest speaker. The City Manager discussed a recent meeting at the airport with the State Director of Travel and Tourism regarding how to integrate a regional marketing efforts and branding the region as a whole. The City Manager updated the Council about 169 Church Street, which is owned by a bank, but the City has had a court order for the removal of the hazardous building on the site. The Manager noted a recent windstorm accelerated their process of removal of the building with significant damage to the roof. A lien will be placed on the property for further recovery of the demolition expenses.

JOINT PB AND PLD REPORT & ORDINANCE O-2018-02-A: RELATING TO CHAPTER  
102 ZONING CODE ARTICLE VII SIGN REGULATIONS

Joint Planning Board and Planning, Licenses and Development Committee report requesting that the Mayor set a Public Hearing for Ordinance O-2018-02-A. The report was filed into the record. The Chair set a Public Hearing on Thursday, May 3, 2018 at 7:00 PM.

MORE TIME

More time was granted by the Chair for the following items in Committee: Skate Park Update –; The Future of the Wheelock Park Campground –; Keene Swampbats – Request to Discharge Fireworks; and First Light Fiber – Request to Install Conduit on City Right-of Way.

MEMORANDUM & ORDINANCE O-2018-06: RELATING TO SPECIFIC STREET  
REGULATIONS

A memorandum was received from the City Engineer along with Ordinance O-2018-06. The memorandum was filed into the record. Ordinance O-2018-06 was referred by the Chair to the Municipal Services, Facilities and Infrastructure Committee.

04/19/2018

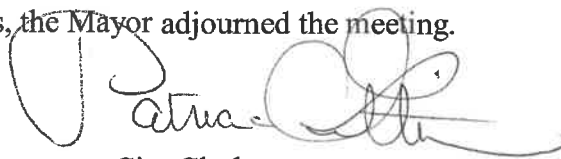
FOP REPORT AND RESOLUTION R-2018-14: RELATING TO THE AUTHORITY OF THE CITY MANAGER TO APPLY FOR AND ADMINISTER USDA RURAL BUSINESS DEVELOPMENT GRANT

Finance, Organization and Personnel Committee report read recommending the adoption of Resolution R-2018-14. The report was filed as informational. A motion by Councilor Greenwald for adoption of the Resolution was duly seconded. On showing of hands, 13 Councilors were present and voting in favor. Councilors Sutherland and Sapeta were absent. Resolution R-2018-14 declared adopted.

ADJOURNMENT

At 7:30 PM, there being no further business, the Mayor adjourned the meeting.

A true record, attest:

A handwritten signature in cursive script, appearing to read "Patricia", written over a faint circular stamp.

City Clerk



## PUBLIC HEARING

Notice is hereby given that a public hearing will be held before the Keene City Council relative to a request from the City of Keene to amend Article VIII Sign Regulations of the Keene Zoning Ordinance to be consistent with the United States Supreme Court ruling in Reed v. Town of Gilbert, Arizona, and to address sign regulations for the Business Growth and Re-Use, Neighborhood Business, and Residential Preservation Zoning Districts. Additional amendments are proposed to this Article at the recommendation of the Code Enforcement Department. Copies of Ordinance O-2018-02-A as well as staff report are available for review in the City Clerk's office.

HEARING DATE: May 3, 2018

HEARING TIME: 7:00 pm

HEARING PLACE: Council Chambers, Keene City Hall

Per order of the Mayor and Councilors of the City of Keene, this nineteenth day of April, two thousand and eighteen.

Attest:

City Clerk





# CITY OF KEENE

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

AN ORDINANCE ..... Relating to Chapter 102 Zoning Code Article VIII Sign Regulations .....

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

That the City Code of the City of Keene, New Hampshire, as amended, is hereby further amended by inserting the bolded text and eliminating the stricken text in Article VIII Sign Regulations of Chapter 102 entitled Sign Regulations as follows:

## ARTICLE VIII. - SIGN REGULATIONS DIVISION 1. - IN GENERAL

### AMENDMENT #1

#### Sec. 102-1282. - Definitions.

The following definitions shall govern this article:

*Building directory sign:* A wall sign composed of individual smaller panels which identify businesses, occupants, owner(s) and/or the property manager. ~~Such building directory signs may set forth the occupation or other address information but shall not contain any advertising.~~

*Building frontage:* That portion of a building used to calculate the allowable signage. There are three types of building frontage that are relevant for purposes of this article:

- (1) *Parking lot building frontage:* Frontage along a building wall facing a parking lot that conforms to an approved site plan or the City of Keene Zoning Ordinance (hereinafter "zoning ordinance"), said building wall having an entry to the building that conforms to all applicable building and fire codes.
- (2) *Primary frontage:* Frontage along the narrowest point of a lot or parcel where the building wall faces a street or right-of-way that is determined to be of primary importance ~~(for purposes of ingress and egress)~~ to the business establishment occupying the premises, ~~said street or right-of-way being the same as the street address.~~
- (3) *Secondary frontage:* Frontage along a point of a lot or parcel where the building wall is parallel to a street or right-of-way that is of secondary importance to the business establishment occupying the premises ~~for purposes of ingress and egress.~~
- (4) *Tenancy frontage:* A line parallel or facing the parking lot building frontage, primary frontage or secondary frontage and defined by an extension of the tenant separation walls.

*Bulletin board:* A sign used for the posting of bulletins, notices, announcements, or other messages, ~~by a noncommercial organization.~~

*Construction sign:* A sign advertising the architect, engineer or contractors, ~~donors or financial institution for a building or project,~~ when such sign is placed upon the site under construction.

~~*Primary sign:* In the case of a single business establishment, a primary sign is a sign that sets forth the name and nature of that business. In the case of a development, a primary sign is a sign that sets forth the name and nature of that development.~~

**Snipe sign: Means any sign, generally of temporary nature, made of any material, when such sign is tacked, nailed, posted, pasted, glued or otherwise attached to trees, poles, stakes, fences, or other objects not erected, owned, and maintained by the owner of the sign.**

AMENDMENT #2

**DIVISION 2. - APPLICATION PROCESS**

Sec. 102-1287. - Signs excepted from permit requirement.

The following signs shall not require a sign permit unless otherwise provided in this article. Such signs shall conform to all building, structural, and electrical codes and regulations of the city. Building permits may be required to erect such signs even though the signs do not require a sign permit.

- (8) ~~*Business signs.*~~ No sign permit shall be required for signs ~~displaying the name of a business establishment~~ when said sign is attached or otherwise affixed to the business frontage in a covered common walkway of a shopping center, provided the area of such sign shall not exceed four square feet.

AMENDMENT #3

**DIVISION 4. - PERMISSIBLE AND PROHIBITED SIGNS**

Sec. 102-1292. - Prohibited signs.

The following signs shall be prohibited:

- (18) ~~*Reserved.*~~ **Snipe signs**

AMENDMENT #4

**DIVISION 6. - SPECIFIC REGULATIONS FOR INDIVIDUAL SIGNS**

Sec. 102-1301. - Temporary signs.

- (a) *Permit requirement for temporary signs.* A permit shall be required prior to the erection, construction, relocation, alteration or maintenance of temporary signs on property located in every zoning district of the city, unless specifically excepted from the permit requirement as set forth below. Permits for temporary signs shall authorize the erection, construction, relocation, alteration or maintenance of said signs for a period not exceeding 14 days, at which time they shall be removed. A subsequent temporary sign permit in any one calendar year may be issued only after the previous temporary sign permit has expired and the sign has been removed for at least 30 days. Only four temporary sign permits shall be issued in any one calendar year to the same property owner or applicant. A single permit for a temporary sign shall include all such temporary signs on the premises. The signs must be in conformance with the provisions of this article as well as all applicable building, structural, and electrical codes and regulations of the city.
- (b) *Exceptions to permit requirements for temporary signs.* The following temporary signs shall be excepted from the sign permit requirement set forth above:

- (1) ~~Agricultural signs. No sign permit shall be required for the erection, construction, location, or maintenance of signs advertising the sale of agricultural produce that is grown, raised, and/or harvested on the premises where such sale is permitted. However, there shall be no more than four signs on said premises at any one time and each shall not exceed four square feet in area.~~ **One temporary sign with a sign face no larger than 6 square feet is allowed per lot in the agriculture, rural, low density, medium density, high density, office, residential preservation, neighborhood business, and central business districts. One temporary sign with a sign face no larger than 32 square feet is allowed per lot in all other districts not listed above.**
- (2) *Mobile vendor signs.* No sign permit shall be required for the erection, construction, relocation, or maintenance of temporary mobile vendor signs provided said vendors are properly licensed, and actually selling merchandise on the premises. No permanent mobile vendor signs are permitted. The total aggregate area of all such signs shall not exceed 12 square feet.
- (3) *Business relocation signs.* No sign permit shall be required for the erection, construction, relocation, or maintenance of temporary business relocation signs advertising the relocation of a business enterprise from the premises to a new location within the city, provided the area of any such sign shall not exceed 24 square feet, and shall be removed within 45 days after the business has been relocated.
- (4) *Construction signs.* No sign permit shall be required for the erection, construction, relocation, or maintenance of one sign with any development when building permits have been issued, provided the area of any sign shall not exceed 48 square feet, and shall be removed within 20 days after the last structure has been initially occupied or upon expiration of the building permit, whichever is sooner.
- (5) *Temporary event signs.* No sign permit shall be required for the erection, construction, relocation, or maintenance of temporary event signs, subject to the following conditions or limitations:
- a. Zoning districts. Temporary event signs are only permitted in commerce and central business limited districts of the city.
  - b. Setbacks. Temporary event signs shall not be placed in or within ten feet of any travel lane or driveway, nor within the sign setback lines established in this article.
  - c. Illumination. Temporary events signs shall not be internally or externally illuminated.
  - d. Multiple sites for periodic events. Temporary events signs shall be separated from other sites containing other actively permitted periodic event signs by a 1,000 foot separation as measured from property line to property line.
  - e. Size limitations. Temporary events signs shall be a maximum of four feet by eight feet and shall comply with all applicable codes and regulations.
  - f. Duration of signage display. Temporary events signs may be displayed for up to two weeks prior to the event plus the duration of the event, but shall be removed within 24 hours after the event concludes.
- ~~Sign permit required for erection of sign structure and replacement of sign face. A sign permit shall be required, but no permit fee will be assessed, for the erection of a sign structure and/or the replacement of a sign face for a periodic temporary events sign. Written permission of the property owner where the sign is to be located must be submitted to the department in conjunction with a sign permit application.~~
- g. Signs for street fairs or community events. Please refer to chapter 46, licenses and permits, article XVIII, street fairs or community events, which governs the permitting process, approval of uses, registration, and participation and permit fees for street fairs and community events.
- (6) Posters, bulletins, banners, notices. No sign permit shall be required for the display of posters, bulletins, banners, notices inside windows, and other similar temporary signs displayed inside

windows, provided the sign is not otherwise prohibited by this article and provided the total area of such sign does not exceed ten percent of the total window area of any building elevation of any building, up to a maximum total area of ten square feet on each building elevation.

- (7) ~~Real estate signs. No sign permit shall be required for the erection, construction, relocation, and maintenance of real estate signs, provided such signs are removed within 14 days after the sale, lease, or rental transaction has been completed. Temporary real estate signs shall be located on the property that is for sale or for lease, and only one such temporary real estate sign shall be permitted per property. Temporary real estate signs for the sale, lease, or rental of residential property, shall not exceed 6 square feet. Temporary real estate signs for the sale, lease, or rental of commercial property shall not exceed 32 square feet. In the central business district, all temporary real estate signs for the sale, lease, or rental of any property shall not exceed six square feet. Off-site open house signs are permitted but must be removed by the end of the day of the open house.~~

#### AMENDMENT #5

##### Sec. 102-1304. - Development signs.

All development signs shall be subject to the following provisions in addition to any limitations or conditions set forth elsewhere in this article:

- (1) *Location.* One development sign shall be allowed for every access road to a development as defined in this article. If more than one access road to a development exists, the development signs for said development shall be a minimum of 300 feet apart. The development sign(s) shall be located at the intersection of a state numbered highway and the street or access road which provides access to the development. The development sign may be located on the side of the road or in an island if the road is divided. The sign shall be located either on public land or private land owned by the developer. If a development sign is located on private land, said land must be owned by and a part of the development. If the development sign is located within a city right-of-way, city council permission shall be required prior to the erection and construction of said sign.
- (2) *Lot ownership.* If a development is owned by more than one person, the application for a sign permit shall be signed by all persons that represent more than 80 percent of the land of the development.
- (3) *Sign copy.* All sign copy for a development sign shall be a minimum of eight inches in height and a maximum of 18 inches in height. ~~The development sign shall only contain the name of the development.~~
- (4) *Height.* Development signs shall not be more than ten feet in height.
- (5) *Temporary signs.* No temporary sign shall be affixed to, attached to, or otherwise hung from a development sign or any part thereof, including the sign structure.
- (6) *Sign area.* No development sign shall exceed 50 square feet.
- (7) *Type of sign.* All development signs shall be freestanding signs.
- (8) *Illumination.* Development signs may only be externally illuminated.

#### AMENDMENT #6

##### Sec. 102-1306. -~~Education signs.~~ **Reserved.**

~~Educational signs shall only be approved for degree granting post secondary colleges or universities and must be issued by the city council under such terms and conditions as it may reasonably require.~~

AMENDMENT #7**DIVISION 7. - DISTRICT REGULATIONS****Sec. 102-1310. - Signs in office district, neighborhood business district, and legal non-conforming commercial property in any district.**

Unless otherwise provided in this article, a sign permit shall be required for all signs erected, constructed, or relocated in the office district, **neighborhood business district, and legal non-conforming commercial property in any district** of the city. All such signs shall conform to the provisions specified herein in addition to any other conditions or limitations set forth in this article. Signage ~~in for these districts the office district, neighborhood business district and legal non-conforming commercial property~~ will be calculated at one square foot of signage per linear foot of primary building frontage. On secondary building frontages, signs are calculated at 0.5 square feet signage per linear foot. On parking lot building frontages, signs are calculated at 0.25 square feet signage per linear foot. In multi-tenant buildings, the aforementioned calculation of the maximum allowable area shall be based on the tenancy frontage.

(1) *Parallel signs.* Parallel signs shall be subject to the following restrictions:

- a. Area. The total area of a parallel sign shall not exceed 12 square feet per business, with a maximum of 36 square feet per building.
- b. Limitation of placement and area. No parallel sign shall cover any portion of any building wall opening or project beyond the ends or top of the wall.
- c. Maximum height. A parallel sign shall not extend above the bottom windowsills of the second story above grade plane of any building.
- d. Minimum height. No parallel sign shall be permitted at a height of less than seven feet above the grade.
- e. Projection. No parallel sign shall project more than 12 inches from the face of the building wall to which it is attached and shall not project beyond the end or top of the building wall.
- f. External illumination. Externally illuminated parallel signs shall not be illuminated until the start of business or 8:00 a.m., whichever is later, and shall cease to be illuminated at the end of the business day or 9:00 p.m., whichever is later.

(2) *Freestanding signs.* Freestanding signs shall be subject to the following restrictions:

- a. Number. Only one freestanding sign structure may be permitted per frontage. At no time shall there be more than two freestanding signs per lot.
- b. Area. The area of any freestanding signs shall not exceed one square foot per five linear feet of lot frontage. The total area of any freestanding sign shall not exceed 20 square feet in area.
- c. Height. Freestanding signs shall not exceed eight feet in height for the sign structure and six feet in height for the sign when placed within one-half (.5) of the district setback, and such signs shall not exceed 14 feet in height for the sign structure and 12 feet in height for the sign when placed beyond this line.
- d. Proximity to property line or entrance/exit. No freestanding sign shall be located closer than ten feet to any public right-of-way and/or within ten feet of a building entrance/exit.
- e. External illumination. Externally illuminated freestanding signs shall not be illuminated until the start of business or 8:00 a.m., whichever is later, and shall cease to be illuminated at the end of the business day or 9:00 p.m., whichever is later.

~~(3) *Temporary signs.* Temporary signs are prohibited in the office district.~~

(4) (3) *Projecting signs.* Projecting signs shall be subject to the following restrictions:

- a. Substitution. If a projecting sign is used, no freestanding sign shall be permitted.
- b. Number. There shall be no more than one projecting sign per primary business frontage.
- c. Area. The total area of a projecting sign shall not exceed ten square feet.
- d. Projection. The maximum projection of a projecting sign beyond the building line shall not exceed four feet.
- e. Minimum height. The lower edge of a projecting sign shall be at least eight feet above the grade.
- f. Maximum height. A projecting sign shall not be placed or extend beyond the first story above grade plane.
- g. Sign copy. Sign copy shall not be less than one inch nor more than 12 inches in height.

**AMENDMENT #8**

Sec. 102-1311. - Signs in commerce, commerce limited, **business growth and re-use** and central business limited districts.

Unless otherwise provided in this article, a sign permit shall be required for all signs erected, constructed, or relocated in the commerce, commerce limited, **business growth and re-use**, and central business limited districts of the city. All such signs shall conform to the provisions specified herein in addition to any other conditions or limitations set forth in this article. Signage **in these districts** ~~for the commerce, commerce limited and central business limited districts~~ will be calculated at two square foot of signage per linear foot of primary building frontage. On secondary building frontages, signs are calculated at one square feet signage per linear foot. On parking lot building frontages, signs are calculated at 0.5 square feet signage per linear foot. In multi-tenant buildings the aforementioned calculation of the maximum allowable area shall be based on the tenancy frontage.

- (1) *Parallel signs.* Parallel signs shall be subject to the following restrictions:
  - a. Limitation of placement and area. No parallel sign shall cover any portion of a wall opening, nor project beyond the ends or top of the building wall.
  - b. Area. The total area of one or more parallel signs shall not exceed 200 square feet.
  - c. Projection. Except for marquee signs, no parallel sign shall project more than 12 inches from the face of the wall to which it is attached
  - d. Minimum height. No parallel sign shall project into a vehicle or pedestrian right-of-way at a height of less than seven feet above grade.
- (2) *Freestanding signs.* Freestanding signs shall be subject to the following restrictions:
  - a. Number. Only one freestanding sign shall be permitted per frontage. At no time may there be more than two freestanding signs per lot.
  - b. Area. The total area of any such sign shall not exceed one square foot per one linear feet of frontage or a total of 100 square feet. In the commerce district, if the frontage is greater than 300 feet, then the maximum allowable sign area may be no more than 200 square feet.
  - c. Height. Freestanding signs shall not exceed 14 feet in height when placed within one-half of the district setback line and 18 feet in height when placed beyond this line.
  - d. Proximity to street property line and/or entrance/exit. Freestanding signs located closer than ten feet from the street property line and closer than ten feet from an entrance or exit are not permitted.
- (3) *Menu board and changeable copy signs.* Menu board and changeable copy signs shall be restricted as follows:

- a. Number. Only one menu board sign and one changeable copy sign shall be permitted per lot or site frontage.
  - b. Area. A menu board or changeable copy sign may be either a parallel or freestanding sign. A menu board sign is in addition to the number of signs specified above. The area of either or both shall be included in the total area allowed based on building area or tenant area calculations.
  - c. Height. A menu board sign shall not exceed six feet in height. A changeable copy sign shall not exceed 12 feet in height.
  - d. Limitation of placement. A menu board sign shall not be located in the front setback.
  - e. Projection. A parallel sign which is also a menu board or a changeable copy sign shall not project more than one foot from the face of the wall to which it is attached.
- (4) *Banners*. Notwithstanding the restrictions set forth in sections 102-1292 and 102-1301, banners are permitted in the commerce district subject to the following restrictions:
- a. Location. Banners may be located at shopping centers/plazas in the commerce district that have a minimum of 200 feet frontage.
  - b. Numbers. A maximum of two banners may be mounted per pole. The poles for said banners shall be relocated on the property line common with the city right-of-way. There shall be a minimum of 60 feet between each pole containing banners.
  - ~~c. Copy. Sign copy for all banners shall be limited to the logo/emblem and/or the name of the shopping center/plaza. Copy identifying individual stores is prohibited.~~
  - d. c. Height. Banners shall be no more than of 18 feet higher than the first story above grade level and no less than ten feet higher than the first story above grade level.
  - e. d. Size. Each banner shall be a maximum of 16 square feet. The square footage of any banner shall be added to the maximum allowable area for a freestanding sign.
  - f. e. Height. The lower edge of a banner shall be at least eight feet above the grade directly beneath the sign as measured from the lowest point where the grade meets the building line on the facade to which the sign is attached. The maximum height to the top of such a sign, as measured from the lowest point where the grade meets the building line on the facade to which the sign is attached, shall not exceed 18 feet.
  - ~~g. f. Materials. Banners shall be constructed of cloth, canvas or other material treated to withstand inclement weather.~~
  - ~~h. g. Mounting. Banners are to be safely mounted so as to withstand winds, storms, etc.~~
- (5) *Projecting signs*. Projecting signs shall be subject to the following restrictions:
- a. Number. There shall be no more than one projecting sign per tenancy frontage.
  - b. Area. The total area of such a projecting sign shall not exceed 20 square feet.
  - c. Projection. The maximum projection of such sign beyond the building line shall not exceed four feet.

#### AMENDMENT #9

#### Sec. 102-1315. - Signs in agricultural, conservation, **residential preservation** districts.

Unless otherwise provided by state law, no signs shall be permitted in the conservation district. Unless otherwise provided in this article, a sign permit shall be required for all signs erected, constructed, or relocated in the agricultural district and **residential preservation district** of the city. All such signs shall conform to the provisions specified herein in addition to any other condition or limitation set forth in this article. Signage for the agricultural district **and residential preservation district** will be calculated at one square foot of signage per linear foot of primary building frontage. On secondary building frontages,

the agricultural district **and residential preservation district** will be calculated at one square foot of signage per linear foot of primary building frontage. On secondary building frontages, signs are calculated at 0.5 square feet signage per linear foot. On parking lot building frontages, signs are calculated at 0.25 square feet signage per linear foot. In multi-tenant buildings the aforementioned calculation of the maximum allowable area shall be based on tenancy frontage.

- (1) *Parallel signs.* Parallel signs shall be subject to the following conditions:
  - a. Limitation of placement and area. No parallel sign shall cover any wall opening, nor project beyond the ends or top of the building wall.
  - b. Projection. No parallel sign shall project more than one foot from the face of the wall to which it is attached.
- (2) *Freestanding signs.* Freestanding signs shall be subject to the following restrictions:
  - a. Number. Only one freestanding sign shall be permitted per lot.
  - b. Area. The total area of any such sign shall not exceed 32 square feet.
  - c. Height. Freestanding signs shall not exceed 12 feet in height.

---

Kendall W. Lane, Mayor





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

April 20, 2018

**TO:** Mayor and Keene City Council

**FROM:** Mayor Kendall W. Lane

**ITEM:** B.1.

**SUBJECT:** Nominations

---

**COUNCIL ACTION:**

In City Council May 3, 2018.

Tabled until the next regular meeting of the City Council.

**RECOMMENDATION:**

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

Keene Housing Authority

Christopher Coates  
30 Gilsum Street

Term to expire Dec. 31, 2022

Heritage Commission

Erin Benik  
201 Pearl Street

Term to expire Dec. 31, 2018

**ATTACHMENTS:**

**Description**

Background - Coates

Background - Benik

**From:** Chris Coates [<mailto:ccoates@co.cheshire.nh.us>]

**Sent:** Tuesday, May 01, 2018 9:42 AM

**To:** Helen Mattson

**Subject:** Keene Housing

Helen,

Here is your request.

Commissioner Keene Housing

Mayor and City Council,

I was born and raised here in Keene and except for the 3 years in Washington DC working for the Special Olympics and 3 years working as a Crisis Supervisor in a Mental Health Treatment Center in Newburyport Mass, Keene has been my home.

I attended Lincoln School, Keene Junior High School, Keene High School and Keene State College in there Bachelors of Arts Psychology Program.

I was employed for 22 years by Monadnock Developmental Services as the Director of Community Services and Development, in 2015 I accepted the County Administrator position for Cheshire County where I am today. I have been and continue to be active in my community as a member of the Keene Lion's Club and Past President, Past Board Member of Center Stage-Pumpkin Fest , Cheshire County YMCA Advisory Board, Cedarcrest Advisory Board, MEDC Board Member, 10 years Keene City Councilor, 9 years Keene Board of Education 3 as Chair, 2 years NH State Rep, Board Member and Past President Greater Monadnock Arts Council, Current Greater Keene Chamber of Commerce Board Member and many other boards, committees and commissions.

I was a Commissioner and Past Chair of Keene Housing for 9 years and in that time had the opportunity to lead the hiring of Josh Meehan current Executive Director, support our continued participation to MTW " Moving To Work Program" through HUD, advocated for the development of a Children's Program within Keene Housing and signed off on as a Commissioner multiple renovations/rehabilitations of housing projects for Keene Housing.

I live with my wife Cari and have a daughter Ali who lives in Maryland with her husband Dave Chakola.

Thank you for your Consideration,

Chris Coates

---

**From:** Erin Benik [mailto:[erin@benikhomes.com](mailto:erin@benikhomes.com)]

**Sent:** Thursday, April 12, 2018 9:14 AM

**To:** Tara Kessler

**Subject:** Re: Heritage Commission Interest

Hello Tara & Whom it May Concern,

As a member of the HDC, local resident, and Realtor I am very interested in the activities of the Heritage Commission. Keene is a wonderful town with a great history and architecture that I would love to help promote through the Heritage Commission. I hope that I can be selected to serve as a new member of the Heritage Commission.

Thank you,  
Erin

--

Erin M Benik  
Realtor  
ReMax Town & Country  
117 West St., Keene NH  
603.465.1892  
[www.benikhomes.com](http://www.benikhomes.com)



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

April 30, 2018

**TO:** Mayor and Keene City Council

**FROM:** Mayor Kendall W. Lane

**ITEM:** B.2.

**SUBJECT:** Appointments - Greater Goose Pond Forest Stewardship Plan ad hoc Committee

---

**COUNCIL ACTION:**

In City Council May 3, 2018.

Voted unanimously to confirm the appointments.

**RECOMMENDATION:**

I hereby appoint the following individuals to serve on the designated ad hoc committee:

Greater Goose Pond Forest Stewardship Ad Hoc Committee

Thomas Haynes to replace Andrew Madison

Denise Burchested to replace Sadie Butler



External Communication  
*Transmittal Form*

April 24, 2018

**TO:** Mayor and Keene City Council

**FROM:** Peter Poanessa, project leader and Judy Rogers, event host/community liaison

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

**ITEM:** C.1.

**SUBJECT:** Peter Poanessa & Judy Rogers/The Magical History Tour - Request to Endorse the 2019 Walldogs Mural Festival and Use of City Property

---

**COUNCIL ACTION:**

In City Council May 3, 2018.

Referred to the Planning, Licenses and Development Committee.

**ATTACHMENTS:**

**Description**

Communication - Walldogs

**BACKGROUND:**

Keene has been selected as the location for the 2019 Walldogs Mural Festival, which brings skilled sign painters and mural artists to paint a series of murals in the style of old-fashioned wall advertisements. A local non-profit organization, the Magical History Tour, has been created to facilitate this festival. Before beginning the community fundraising for the event, the City Council's endorsement of the festival is being requested. In addition, the group is requesting use of City property and in-kind services from the City.

In City Council May 3, 2018.  
Referred to the Planning, Licenses  
and Development Committee.

  
City Clerk

April 19, 2018

Honorable Mayor and Keene City Council  
City of Keene  
3 Washington Street  
Keene, NH 03431

Dear Mayor Lane and Council Members,

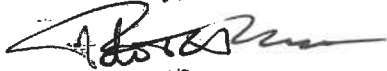
The City of Keene has received the honor of being chosen as the location for the 2019 Walldogs Mural Festival. The Walldogs are a group of highly skilled sign painters and mural artists from all over the globe who gather once a year in one very lucky community to paint a series of murals in the style of old-fashioned wall advertisements. It is a once in a lifetime opportunity to host this event, which is planned for June 19 through 23, 2019.

The Magical History Tour is a local non-profit organization committed to bringing this festival to Keene. We are dedicated to enhancing historic downtown Keene by providing the funding and other necessary supports to allow this event to occur in our community. The end result will be 12 to 15 originally designed large outdoor murals, which showcase the culture and history of Keene. Beyond the festival itself, this will have a positive lasting impact to the community through the creation of a self-guided walking tour through historic Keene that will be used to promote our town and the region. The murals will be an attraction for tourists, new businesses and potential residents.

The Magical History Tour is partnering with various local organizations including: Arts Alive, The Historical Society of Cheshire County, and The Friends of Public Art to name a few. The visiting artists donate their time and travel in return the sponsoring community provides housing, amenities and equipment to the muralists to support their work. Community fundraising will need to occur prior to the event dates. To begin this process, we are seeking the City Council's endorsement of this event and the obtainment of any needed licenses or permits to facilitate the use of City property. In addition, we are asking that the City consider other ways it can support this endeavor through in-kind services that may be needed to close streets or provide for public safety during the festival. We would also love it if City employees individually became involved in the actual planning process through participation on one of the subcommittees that will be handling various aspects of the event planning. We look forward to bringing this exciting opportunity to fruition with the help of the entire community!

Thank you in advance for any support the City of Keene may be able to provide to ensure the success of this event.

Sincerely,



Peter Poanessa, Project Leader



Judy Rogers, Event Host/Community Liaison



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

May 2, 2018

**TO:** Mayor and Keene City Council

**FROM:** Councilors Clark, Richards, Jones, Hooper, Filiault, Sapeta and Lamoureux

**ITEM:** C.2.

**SUBJECT:** Part-Time Position - Energy and Facilities Manager

---

**COUNCIL ACTION:**

In City Council May 3, 2018.  
Referred to the City Manager.

**ATTACHMENTS:**

**Description**

Part-Time Position

**BACKGROUND:**

Several City Councilors have signed a communication requesting that the City Council create a part time position that would focus on the work of the Energy and Climate Committee.

April 30, 2018

To: Mayor Kendall Lane and City Council,

This request is to see if the City Council will create a 25% PTE position in the FY 2018-2019 budget, "Energy & Facilities Manager", based generally on the City of Lebanon, New Hampshire model, with an associated grade of S21. Specific recommendations from the Keene Energy and Climate Committee will be reported out of their May 3, 2018 meeting.

Background: The City of Keene adopted two reports that recommend establishing a Sustainability Coordinator position, to wit; The 2004 "Climate Action Plan", and the 2007 "KEENE, NEW HAMPSHIRE Adapting to Climate Change: Planning a Climate Resilient Community" report. The rationale and summary is set out on page 44 of the 2007 report:

**"FIRST STEPS TO BEGIN IMPLEMENTATION AND ENSURE LONG-TERM SUCCESS**

To ensure the longevity of the City's climate protection planning efforts, Keene should consider hiring a Sustainability Coordinator, as recommended in the CCP Action Plan, and reiterated in this document. This staff person would assist the City in tracking and implementing its climate change and sustainability efforts. The Coordinator would also work to prioritize City sustainability goals and targets; help set up subgroups within City government for specific tasks; coordinate with the appropriate City departments; provide updates to the City Manager and City Council; and review projects and initiatives for consistency, monitor effectiveness, and generally ensure that climate protection remains a key component of the land development and capital improvement program decision-making process in Keene."

Currently, the planning department allocates 13% of one staff member's time on Keene Energy and Climate Committee work. The committee feels that a minimum of 25% is needed as a starting point to reach the committee goals.

Beyond creating savings in future departmental budgets, this position could be funded in its first year using unexpended FY 2017-18 salary funds.

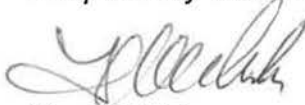
Please find attached: "Energy & Facilities Manager Job Description FINAL"

**Similar positions in the region:**

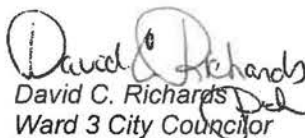
The City of Lebanon, NH, Energy and Facilities Manager  
Grade 10, salary range \$70,000 to \$94,000.

Keene State College Director of Campus Sustainability  
Master's Degree (preferably Ph.D) - Salary range \$62,000 to \$70,000.

Respectfully submitted:

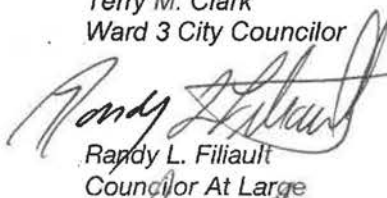


Terry M. Clark  
Ward 3 City Councilor

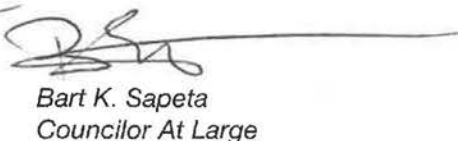


David C. Richards  
Ward 3 City Councilor

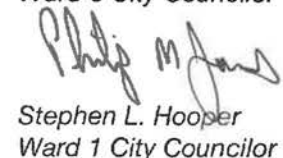
Philip M. Jones  
Ward 5 City Councilor



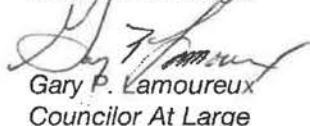
Randy L. Filiault  
Councilor At Large



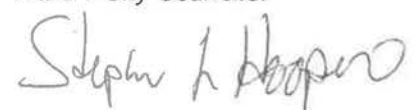
Bart K. Sapeta  
Councilor At Large



Stephen L. Hooper  
Ward 1 City Councilor



Gary P. Lamoureux  
Councilor At Large







**Position Title: Energy & Facilities Manager**  
**Department: City Manager's Office**  
**Grade Assignment: 10**  
**Affiliation: Non Bargaining**  
**FLSA Status: Exempt**  
**Revision Date: June 6, 2017**

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## **STATEMENT OF DUTIES**

The Energy & Facilities Manager has overall responsibility for the management of the City's Energy Plan (as outlined in the Energy Chapter of the Master Plan), facility needs assessments and improvement plans. Functions include but are not limited to: increasing energy and cost savings for the City; improving energy efficiency of municipal buildings; exploring and implementing renewable energy options; crafting policies that promote energy efficiency and investment; aligning energy initiatives with the *Guiding Principles* and *Principles for Sustainability*; facilitating communication and use of shared energy and facility management resources amongst departments; the development and management of energy and facility management and improvement budgets, including capital improvement plans; and developing and monitoring performance metrics and indicators for the purpose of evaluating program outcomes and prioritizing future initiatives and planning efforts.

## **SUPERVISION REQUIRED**

Position reports to and works under the administrative direction of the City Manager. Working from municipal policies and objectives, the position establishes short and long term plans and objectives; sets performance standards; develops departmental policies, goals, objectives and budgets; and assumes direct accountability for department results. The position consults with the City Manager only where clarification, interpretation, or exception to municipal policy may be required.

## **JOB ENVIRONMENT**

Works closely with City department heads and employees, residents, groups and/or individuals such as civic leaders, peers from other organizations, local businesses and industry, and representatives of professional organizations. Serves as the spokesperson and recognized authority on all energy and facility related matters for the City and serves as the City's consultant and resource contact for select boards and committees (e.g., Lebanon Energy Advisory Committee). Also serves as the media contact for the City Manager's Office on all matters pertaining to energy and facilities rules, regulations, initiatives, programs, etc.

Guidelines provide limited guidance for performing the work. Extensive judgment and ingenuity are required to develop new or adapt existing methods and approaches for

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accomplishing objectives or to deal with new or unusual requirements within the limits of guidelines or policies. Consequences of errors, missed deadlines or poor judgment could result in excessive costs, delay of service delivery, or legal repercussions.

The position has access to confidential information regarding law suits filed against the City involving energy or facility construction, etc. matters.

This position requires frequent work outside of regular business hours, including evening meetings.

## **POSITION FUNCTIONS**

### **ESSENTIAL FUNCTIONS**

*The essential functions or duties listed below are intended only as an illustration of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if work is similar, related, or a logical assignment to the position.*

1. Evaluates and implements ways to capture impact opportunities across four program action areas: Energy Planning & Coordination, Energy Efficiency in Buildings, Transportation Energy Efficiency, and Energy Supply & Distribution.
2. Develops and manages all short and long term energy and facility related goals, plans, projects, programs, policies and service delivery methods, to include capital improvement plans and projects.
3. Responsible for budgetary oversight and management of all energy and facility related projects and initiatives.
4. Develops Requests for Qualifications and Proposals (RFQs and RFPs) and evaluates, recommends and oversees consultants and contractors supporting efforts to develop and implement energy projects and programs, including energy performance contracting. Ensures consultant and contractor compliance with all City, contractual and other requirements.
5. Develops and tracks measurements and metrics (e.g. energy reduced, dollars saved) for city-wide energy initiatives.
6. Develops and implements a City plan and mechanism for the reinvestment of funds saved from implemented program initiatives.
7. Collaborates across departments to ensure understanding of and compliance with energy initiatives and reporting requirements.
8. Periodically assesses all City-owned buildings to determine required repairs, upgrades, energy-efficiency improvements and replacements, as well as the suitability of operational standards.

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9. Confers with the City Manager and other staff to forecast budgetary requirements, review finances, report program achievements, review project status, and plan program events.
10. Monitors and evaluates the effectiveness of energy-related programs, policies and service delivery methods; recommends needed changes and/or resource allocations.
11. Recommends and drafts rules and policies/procedures changes, including the review and update of City procurement policies to better take into account life cycle costs and best long-term value to the City.
12. Serves as the City's practical and strategic consultant and resource contact for select boards and committees, as directed by the City Manager (e.g., Lebanon Energy Advisory Committee).
13. Serves as the public resource and media contact for energy and facility related initiatives, programs, policies, etc.
14. Develops and fosters partnerships with residents, local businesses and organizations for the purpose of aligning the City energy goals and objectives with those of the community.
15. In collaboration with the City's Planning and Zoning department, reviews and recommends changes/updates to City codes, ordinances, etc. to best align with the City's Energy Master Plan.
16. Collaborates with national, regional and local resources and city personnel to identify and implement opportunities for city employees to reduce their energy footprint (e.g., carpooling, biking to work, etc.).
17. Develops and implements a city-wide energy and facility communications strategy and program to include formal communications mediums for the public, City Council, City Manager and employees.
18. Researches and identifies appropriate grant opportunities, develops and submits proposals and secures and manages funding/reporting.
19. Analyzes state and federal legislation and advises City Manager of real or potential impacts and opportunities accordingly; works with legislators to develop and/or revise proposed legislation.
20. Ensures compliance with City, state and federal laws and requirements related to energy service, production, etc. Recommends changes in programs, policies and practices.
21. Attends City, regional, state and federal meetings, seminars and trainings.
22. Performs other duties and responsibilities as assigned.

## **RECOMMENDED MINIMUM QUALIFICATIONS**

### **PHYSICAL AND MENTAL REQUIREMENTS**

*The physical demands described here are representative of those that must be met by*

**Position Title: Energy & Facilities Manager**  
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*an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the position's essential functions.*

- Work is primarily performed in an office environment. Occasional field work, including accessing and examining mechanical rooms, equipment, construction sites, and rooftops may be required.
- Ability to lift up to 10 pounds on a regular basis.
- Ability to operate office equipment.

#### EDUCATION AND EXPERIENCE

Bachelor's degree from an accredited college or university in electrical, mechanical or energy engineering, sustainability, building sciences, project or facilities management, business administration, or related field. Master's Degree and/or relevant certifications such as Certified Energy Manager (CEM) or LEED accredited professional preferred.

Five (5) to seven (7) years of progressively responsible experience as an energy and/or facilities manager or in a related engineering, design, analyst, management or program administrator position (similar municipality preferred).

Other combinations of education and experience may be considered.

#### LICENSES/CERTIFICATIONS

Valid driver's license required.

#### KNOWLEDGE, SKILLS AND ABILITIES

- Knowledge of New Hampshire municipal laws, public administration, government operations, and municipal finance/budgeting.
- Knowledge of Heating, Ventilation and Air Conditioning (HVAC) design and operation, as well as lighting, energy control systems, and building envelope design and retrofit opportunities and their impact on energy usage and occupant safety and productivity.
- Experience with public sector facilities, capital planning and development.
- Experience working and interfacing with operations, engineering, and project management staff and consultants.
- Experience in the planning and implementation of energy efficiency programs.
- Excellent verbal, written and public presentation skills.
- Excellent leadership, management and financial skills.
- Excellent interpersonal, problem solving and negotiation skills.

**Position Title: Energy & Facilities Manager**  
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- Experience researching grant opportunities, authoring and filing applications, and providing grant administration/oversight.
- Ability to work effectively with City and other government officials, employees, the general public, attorneys, private businesses, and public/private organizations.
- Ability to work independently and with minimal supervision in a fast-paced work environment, to prioritize and balance competing needs and to apply sound judgment.
- Ability to read blueprints and understand technical and contract requirements related to energy equipment, usage and production.
- Ability to research and analyze complex data, statistics and issues and to anticipate problems and identify effective solutions.
- Ability to perform and critique cost/benefit and life cycle cost analyses.
- Ability to interpret, communicate and apply federal, state, electric utility, and City laws, tariffs, regulations and policies.
- Excellent technology skills, including the use of word processing, spreadsheet, presentation, and project management software and database programs (such as MS Office Word, Excel and PowerPoint) and the use of City and State computer programs (e.g., Munismart).
- Attention to detail, accuracy and the ability to meet deadlines.
- Appreciation and respect for diversity.



April 25, 2018

**TO:** Mayor and Keene City Council

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

**ITEM:** D.1.

**SUBJECT:** Presentation - Preliminary Design for Improvements to Woodward Pond Dam

---

**COUNCIL ACTION:**

In City Council May 3, 2018.  
Report filed as informational.

**RECOMMENDATION:**

On a vote of 4-0, the Municipal Services, Facilities and Infrastructure Committee recommends accepting the presentation on Preliminary Design for improvements to Woodward Pond Dam as informational.

**BACKGROUND:**

Chair Manwaring recognized Brett Rusnock, Civil Engineer with the City of Keene. Mr. Rusnock explained that the City of Keene owns, operates and maintains two dams that are located in Roxbury and provides the City's drinking water supply. Late last year the City received letters of deficiency from the NH Department of Environmental Services Bureau stating the dams are no longer safe and had a number of deficiencies that needed to be addressed. Mr. Rusnock stated that in FY17 the City allocated funds to hire development consultant, Gannett Fleming to prepare plans and specifications for the repair of the dam.

Mr. Rusnock introduced Scott Brown, the City's Project Manager for the Woodward Pond Dam. Mr. Brown indicated the location of the dam by displaying an image of the dam area that was captured by a drone. He stated the dam was built in 1910 and is approximately 280 feet long and 17 feet high. The City received a letter of deficiency (LOD) in 2016. Mr. Brown explained the NHDES LOD and the proposed improvements as follows:

<p><b>1) Goal:</b> Increase Conveyance Capacity <b>Concept:</b> Demonstrate reconstructed dam can meet required flood event with minimum 1 foot of freeboard by raising the core wall with reinforced concrete parapet wall.</p>
<p><b>2) Goal:</b> Rehabilitating Spillway <b>Concept:</b> Replace left training wall only due to wear and tear.</p>
<p><b>3) Goal:</b> Replacing Low Level Outlet Works <b>Concept:</b> Abandon existing and replace with self-priming siphon.</p>
<p><b>4) Goal:</b> Control Embankment Seepage and Stabilize dam for long term performance <b>Concept:</b> Install internal seepage collection and filtration system, as well as flattening the downstream slope.</p>
<p><b>5) Goal:</b> Increasing downstream Culvert Capacity <b>Concept:</b> Remove and replace using large pre-cast reinforced concrete culvert box.</p>

Mr. Brown continued his presentation by displaying an image that depicted a view across the dam that showed how the original dam was not high enough to prevent overtopping. The next image presented was an example of overtopping and Mr. Brown explained as the reservoir comes up the velocities increase and tends to erode, which will lead to failure.

Mr. Brown then presented a photograph that showed a view of the dam looking upstream where the left train wall needs to be removed, which is an easy replacement repair. The next picture showed the exit channel that is currently too small that indicates a concern with embankment.

The next photograph presented was the discharge channel and the existing culvert that has an inadequate release flow downstream that needs to be replaced. Mr. Brown then presented a photograph of the low level valve at the dam that is closed and noted that the City has taken measures to plug the valve to see if the leakage could be controlled. A photograph was used to demonstrate piping at another location outside the City in failure mode.

Mr. Brown then explained how the embankment is currently 1V:1H and is too steep and is susceptible to failure. He noted they are looking to flatten the slope. He continued presenting an image depicting the core wall at the dam. He noted the core wall was in good shape for a dam that is over 100 years old. The proposal is to put a concrete wall for reinforcement as an extension off the core wall to raise the dam 1.8 feet. In addition, the low level outlet would be replaced with a self-priming siphon.

Mr. Brown reported other proposed modifications include flattening the downstream slope with a sand blanket. He then presented an artist's rendition of the existing dam and then a rendition of the proposal for the dam. Mr. Brown explained how the road cuts across and is cut into the downstream dam and they are proposing to move the road to the top by flattening. He referred to a photograph taken of the exit channel that has an 8X5 culvert that is replacing the three 20" pipes that are currently in place at the choke point. The low level outlet is to reinforce the concrete with a pipe that releases down into channel. Mr. Brown stated they would be putting in a dry stack finish on the wall of the dam to make it look original while expanding the channel. He then provided a photograph of the existing culvert and then an image of the proposal for the culvert.

Mr. Brown stated they are looking to moving forward with secure permits and go into final design.

Mr. Rusnock stated the project is funded for construction in FY20 and on track to meet schedule for 2020 construction.

Councilor Lamoureux asked if the work would be started in 2020 or if the project would be starting in July of 2019. Mr. Rusnock stated they believe the duration of construction will exceed two months after July of 2019 and planning for 2020 construction.

Councilor Hooper asked if swimming is prohibited at the dam. Mr. Rusnock replied in the affirmative and stated the dams are the City's water supply infrastructure and the City's goal is to minimize any potential contamination in the water.

Chair Manwaring welcomed public comment. With no comment, Chair Manwaring asked if there was a motion.

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

On a vote of 4-0, the Municipal Services, Facilities and Infrastructure Committee recommends accepting the presentation on Preliminary Design for improvements to Woodward Pond Dam as informational.



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

April 25, 2018

**TO:** Mayor and Keene City Council

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

**ITEM:** D.2.

**SUBJECT:** Presentation - Flood Management Improvements Project

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**COUNCIL ACTION:**

In City Council May 3, 2018.  
Report filed as informational.

**RECOMMENDATION:**

On a vote of 4-0, the Municipal Services, Facilities and Infrastructure Committee recommends accepting the presentation on Flood Management Improvements Project as informational.

**BACKGROUND:**

Mr. Rusnock noted this is another project the Public Works Department has under design and is a bit closer to reality. The construction documents have already been advertised and they intend for construction this summer. Mr. Rusnock said as many people know the intersection of Ralston and Winchester Street experiences flooding on a relatively frequent basis and the result of this flooding is property damage, inconvenience to the public and potential water quality concerns. He said in FY18 the City appropriated funds for design and construction of a project to improve localized flooding in this area. In the fall of 2017, the City hired McFarland Johnson to perform an analysis for the project and prepare plans for specifications for construction. Mr. Rusnock introduced Melanie Haskins with McFarland Johnson.

Ms. Haskins thanked Mr. Rusnock for the introduction and thanked the Committee for their time. She began her presentation by explaining this area frequently sees flooding during heavy rains, causing property damage. She presented a picture of a flood at The Pub where the water in that location was a foot deep of ponding. The project goals are to reduce the frequency and severity of the flooding surrounding the Winchester/Ralston Street intersection. The project scope is to increase the storm water capacity and restore surfaces to the existing conditions. She noted this was a drainage project.

Ms. Haskins stated that previous studies were conducted in the defined drainage areas that consisted of 12 acres of area going to the system, starting north of Emerald Street. She stated there is a water surface runoff from Main Street coming down through Ralston Street connecting into Winchester Street to an existing pipe network that goes through KSC. It was determined this existing pipe network is under capacity and the pipes are too small to take the water going into the pipe. Alternatives were evaluated and they did look at green infrastructure, underground detention, upgrading the system throughout KSC and new system along Winchester Street. It was determined that these treatment facilities are large and costly and not feasible for this area. In addition, the selected alternative is to connect to a trunk line down the center of Ralston and Davis Street intersection and down center of Ralston Street then go easterly on Winchester Street. She presented a



photograph of a trunk line on Winchester Street that would be between utility poles and the shoulder area.

She stated that construction impacts will be three months long and will start in June and be completed in August. Ms. Haskins said they are proposing one-way alternating traffic on Winchester Street. In addition, there will be some closures on Ralston Street due to trunk line being down the center of the road. There will be scheduled driveway closures and she noted that the contractor will work closely with the property owners to determine the best times for their business to be closed.

The current schedule is out to bid and bids are due on May 10<sup>th</sup>. She reported the construction estimate is approximately \$650,000.

Ms. Haskins reported on February 13, 2018 there was a public outreach meeting held at The Pub to notify abutters. She noted social media was used to advertise the meeting along with pamphlets. Ms. Haskins reported there was a lot of positive feedback from the property owners. Mr. Rusnock stated the public meeting was successful and they mailed out notifications to all of the abutting properties and a lot of the neighboring side streets near the project area. In addition, City Councilors and 8-10 members of the public attended the meeting.

Mr. Rusnock reported that most of the people that attended the meeting were the abutting property and business owners. He noted these property owners were concerned about access to their properties during construction. Mr. Rusnock stated that he did not think businesses will need to close completely because a number of these businesses have more than one driveway opening. The work will be scheduled in such a way that the contractor can do one driveway on one day and the other driveway on another day. Mr. Rusnock said they will require that work be done in half phases to prevent full business closures. He said there is a possibility of minor loss to business during construction because people may avoid potential traffic delays. Mr. Rusnock said they plan to continue the use of social media to inform the public when construction is nearing or for any major traffic constrictions that may occur.

Councilor Lamoureux asked if this project will include paving the road or if the work will be patched in. Mr. Rusnock replied the section of pipe on Winchester Street will be installed in the northern shoulder and will be patched. The remainder of the work on Winchester Street will remain as is. He stated on Ralston Street the new pipeline will be installed in the center of the street and the plan is to mill and overlay the entire work area.

Councilor Filiault asked if Mr. Rusnock was aware at the same time lower Main Street was having work done. Mr. Rusnock replied in the affirmative. He noted that there is so much transportation work to be done in the City that they have specifically programmed different sections of work on Winchester Street for different years.

Chair Manwaring welcomed public comment.

Councilor Sapeta stated that KSC has move in day in the middle of August and asked if the City coordinated this with KSC. He noted this was a huge day at KSC. Mr. Rusnock replied they have not directly coordinated with KSC but their goal is to be substantially completed by that day. In addition, he stated they do plan to reach out to KSC to discuss the construction and how to minimize disruptions.

With no further comment, Chair Manwaring asked for a motion.

Councilor Lamoureux made the following motion which was seconded Councilor Hooper.

On a vote of 4-0, the Municipal Services, Facilities and Infrastructure Committee recommends accepting the presentation on Flood Management Improvements Project as informational.



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

April 25, 2018

**TO:** Mayor and Keene City Council

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

**ITEM:** D.3.

**SUBJECT:** Monadnock Progressive Alliance - Notification of their “Ready for 100% Renewable Energy” Campaign

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**COUNCIL ACTION:**

In City Council May 3, 2018.  
Report filed as informational.

**RECOMMENDATION:**

On a vote of 4-0, the Municipal Services, Facilities and Infrastructure Committee recommends accepting the presentation on Monadnock Progressive Alliance-Notification of their “Ready for 100% Renewable Energy” Campaign as informational.

**BACKGROUND:**

Ann Shedd, 59 Greenwood Avenue, Chair of the Energy and Climate Committee for the City of Keene, stated their campaign letter was presented to the City Council on March 15, 2018. She stated after review of the letter and hearing a brief presentation from members of the MPA (Monadnock Progressive Alliance) a motion was made and passed to accept the communication as informational. She stated the intent of the letter is to invite the City to be aware of the campaign that was launched at the Earth Day Festival on April 21, 2018. Ms. Shedd reported they received a warm response from the community.

Ms. Shedd continued reporting that a number of cities are already generating their electricity with 100% renewable energy. She noted that a few of these cities have the advantage of municipal owned utilities and it was encouraging to see happen. The Energy and Climate Committee will be exploring how these existing goals would relate to the City of Keene’s goals. She noted these goals would expand on the 2007 Climate Adaptation Plan.

Ms. Shedd said one of goals is to increase resiliency of emergency energy systems to provide clean, sustainable energy that must be designed with other technologies. She said it is likely these ambitious goals support Keene’s Economic Development Goals. Ms. Shedd stated that the City needs to be aware that cities such as Amherst, MA and North Hampton, MA and Hanover, NH have already adopted these goals. In addition, the City of Concord will be hearing a resolution to adopt these goals.

Councilor Lamoureux thanked the group for their dedication and likes to see the momentum toward these goals.

Nancy Gillard, 72 Reservoir Street, stated she has lived in Keene for 38 years and is excited to feel the momentum that is happening toward this goal. She stated the City has helped to model and lead the way in the

possibilities and now they need to reach out to landlords, businesses and residents. Ms. Gillard thanked the City for leading the way and looks forward to working together.

Chair Manwaring asked how someone could make their home or business more energy efficient. Ms. Gillard suggested starting with doing a home energy audit to assess how much energy a home or business consumes.

In addition, Ms. Gillard suggested that residents look at where they are sourcing their electricity and source their electricity from 100% renewable sources. She said there are ways for people to take simple steps forward such as looking at clean energy to heat homes. Ms. Gillard stated they will be holding educational programs in the area to help residents become more energy efficient. She referred to promoting programs such as NH Saves.

Chair Manwaring acknowledged Pat Martin, Rindge, NH. Ms. Martin stated in terms of heating efficiency there is the option of installing mini splits or energy efficient heat pumps that are competitive with natural gas in terms of cost to heat a home.

In addition, she recommends people check out all of the different electricity companies to find the best rate and sign up for 100% renewable energy. Ms. Martin mentioned the Monadnock Buying Collaborative (MBC) that share a common goal taking advantage of the many renewable energy opportunities available. She stated MBC is run out of Peterborough and run by town manager, Rodney Bartlett.

Chair Manwaring recognized Michele Chalice, 25 Beech Street. Ms. Chalice stated as a participant she took advantage of the NH Saves Program and received \$7,000 worth of energy efficiencies 5 years ago and was able to put money onto her electrical bill and made payments over 18 months with no interest. She reported that this set the stage for a renovation on her home that bought two heat pumps that are being powered by 21 solar panels. She said this initial investment has a return on investment of 8.67 years.

With no further comment, Chair Manwaring asked for a motion.

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

On a vote of 4-0, the Municipal Services, Facilities and Infrastructure Committee recommends accepting the presentation on Monadnock Progressive Alliance-Notification of their "Ready for 100% Renewable Energy" Campaign as informational.



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

April 25, 2018

**TO:** Mayor and Keene City Council

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

**ITEM:** D.4.

**SUBJECT:** Monadnock Interfaith Project - Request for a Welcome Center with Public Toilets

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**COUNCIL ACTION:**

In City Council May 3, 2018.

Voted unanimously to carry out the intent of the report.

**RECOMMENDATION:**

On a vote of 4-0, the Municipal Services, Facilities and Infrastructure Committee recommends City staff be directed to meet with the MIP, and if there is any type of project to come forward regarding the welcome center with portable toilets that it be brought forward during the CIP process.

**BACKGROUND:**

Sandra Whippie, 233 Pako Avenue, Keene, NH stated that she graduated from KSC several years ago and spent 30 years teaching. Ms. Whippie stated the Monadnock Interfaith Project (MIP) started two years ago and grew out of a community breakfast program that was started by three local congregations providing breakfast for those in need. She reported the nonprofit group functions through a guiding council that meets twice a month at St. James Church. The goals of the group are to empower the voiceless, promote interfaith collaboration, facilitate systematic change and foster appreciation for diverse beliefs.

Ms. Whippie reported MIP received a grant last year from the Catholic Community for Human Needs. The grant money was used to offer leadership-skilled building classes and a brochure. She reported the group attended training classes and listened to what the lives were like of others and the issue of public bathrooms came up again and again.

Ms. Whippie reported that a subcommittee was formed and volunteers took that time to meet several times at the Community Kitchen after dinner to have a conversation with those in need. She stated there was a lot of concern from those in the community about the bathrooms located in downtown at the previous bus station. Ms. Whippie reported she went there to use the bathroom and in order to use bathroom she had to purchase an ice cream. She also stated that she was told these bathrooms were not for public access and there was a concern about profiling.

Ms. Whippie stated the idea was to promote a healthy and attractive atmosphere and that these facilities should be clean, attractive and convenient.

Chair Manwaring recognized Carol Hill, 37 Wood Circle. Ms. Hill stated that she moved to Keene in 2010 and loves how the City is a caring, progressive and welcoming place. Ms. Hill stated that public toilets are

fundamental to human dignity and contribute to public health. She stated that bathrooms and a welcome center will help revitalize the downtown area, foster livability and inspire people to walk about the City. Ms. Hill reported that World Toilet Day is on November 19, 2018 and thought that it would be exciting to have these bathrooms installed by this date for a ribbon cutting ceremony.

Chair Manwaring recognized Sarah Harpster, 32 Old Walpole Road. She stated she wanted to emphasize that MIP wants to partner with the City rather than push their own agenda. She explained that MIP is aware of the complex challenges associated with the previous bathrooms. Ms. Harpster reported that she had a conversation with Mr. Bohannon about the closing of the public toilets in 2011. She noted these were understandable reasons. Ms. Harpster stated that by not having toilets it is denying members of the public a basic human right.

She continued referring to a book called *Public Hygiene* that discusses design related solutions to deter vandalism and inappropriate behavior. Ms. Harpster stated design solutions could involve technology, vandalism resistant hardware and the layout of lighting.

Ms. Harpster requested MIP partner with the City to explore these ideas and make a facility that works for everyone.

In closing, Ms. Whippie requested MIP work together with Public Works Department and the Keene Police Department to find a way to collaborate on bringing bathrooms and a welcome center back to downtown Keene. She also suggested contacting the Monadnock Food Co-op to possibly install a bathroom in that area. Ms. Whippie stated that she hopes this is just the beginning of the conversation.

Chair Manwaring recognized Andy Bohannon, Parks, Recreation and Facilities Director.

Mr. Bohannon stated that he met with MIP last July and talked about the history of the bathrooms. Mr. Bohannon stated that the former bathrooms located at the bus station on Gilbo Avenue were staffed and only operated during staffed hours. He said once the bus station closed maintenance fell to the City and it became a 24 hour a day 7 days a week job. Mr. Bohannon reported that since the bathrooms had no supervision negative behavior such as vandalism began to occur and when City staff would cleanup in the morning they would find needles, alcohol, sex remnants, etc. He noted this was unsanitary for staff to be handling as well as for the public. Mr. Bohannon also reported there was a significant damage from a fire in the bathrooms which led to the closure.

Mr. Bohannon stated there is a public bathroom in the Ashuelot River Park and there has been a discussion with the Ashuelot River Park Advisory Board about these types of issues. He reported he brought in a representative from Clivusmultrum Inc., the company that installed the toilets and they recommended the toilets be taken down due to the state of disrepair.

Mr. Bohannon stated that the concept of bathrooms in the City needs to be further addressed.

Kurt Blomquist, Public Works Director stated that he attended a presentation made by the City of Portland, Oregon addressing their public bathroom issues. He explained that the City started tracking complaints of seeing public urination and defecation in the streets and the City came to the conclusion to create a series of portable toilets and placed the toilets in certain areas to provide facilities for the homeless. Mr. Blomquist stated that one of the things that made this successful was the staffing of the toilets. He explained that the City of Portland is hiring people coming from different circumstances to maintain these bathrooms.

Mr. Blomquist said that the issue of public bathrooms is not an uncommon issue across the country and the biggest issue is that these bathrooms are unattended. He stated that part of the issue is that it is a human dignity issue but that it was not a simple solution.

Councilor Terry Clark, stated that the MIP did not know he would be attending this meeting. He stated that he

has worked on this issue for 5 or 6 years and was waiting for right moment to address this issue. Councilor Clark provided the Committee with a quote from a from a company called The Portland Loo.

Councilor Clark explained that the police, fire department and maintaince crews in the City of Portland, Oregon worked together to engineer a public-use toilet that could be easily cleaned and maintained, while also preventing crime. These bathrooms also ensure police can see in if they suspect illegal activity because of the blue lighting. Councilor Clark explained that the blue lighting makes it difficult for heroin users to locate their veins and use inside. In addition, the paint repels graffiti. He noted The Portland Loo is sold and used throughout the United States.

Councilor Clark explained The Portland Loo is solar-powered and the basic unit is made of carbon steel posts and 304 SS panels, louvers, a door and roof. In addition , the solar power option has 3 panels, 2 batteries and a solar controller.

Councilor Clark stated that he came forward because of what he has learned over the last five years and believes this is an incredibly important issue. He urged the Committee to not accept this as informational and to commit City staff to work with these people to come up with a plan.

Councilor Carl Jacobs stated the MIP group is on to something important and that he liked that they were talking about a welcome center. He said he does not want to lose sight of the larger notion of establishing some sort of place to find out information about the area such as a welcome center and that this could also be an opportunity to build onto the issue of bathrrooms.

The City Manager stated that she wondered if the Committee was thinking about this Portland Loo suggestion, whether it may be better to have this discussion during the CIP process due to thecost of the bathrooms.

Councilor Filiault said the motion as recommended is the best way approach at this time and to put on more time while researching this option.

Councilor Bart Sapeta, stated that he thinks this is a dig one policy and there may be a build one policy in this case because there is a skate park, a public restroom, and a welcome center. He suggested looking at this this from a larger package perspective.

Councilor Phil Jones stated that he does not oppose this concept but reminded the Committee the Joint Committee is working on implementation of the Community Master Plan from 2010. He said one of the plans was to have an intermodal transportation center where the center acts as a hub for the differnt modes of transporation. Councilor Jones asked the Committee to keep this mind because this could potentially be the perfect location.

Councilor Hooper stated that he liked Councilor Jacobs thoughts on being more of a welcoming city.

Mr. Bohannon stated that he would concur with the City Manager's thought process regarding the CIP process. He said he believed the motion would be to have staff work with MIP over the course of the summer for the CIP submission in September.

Chair Manwaring stated the Committee does not have the ability to form a committee and this request would come from the City Manager.

Councilor Lamoureux stated that he would rather see this be handled administratively with City staff and if there is a project to bring this forward during the CIP process.

Councilor Filiault stated that putting this on more time while staff handles this administratively is the appropriate

way to proceed.

Councilor Filiault made a motion to recommend the request to be placed on more time while staff looks at this administratively and reports back to Committee at a date to be open at this time. The motion died for lack of a second.

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

On a vote of 4-0, the Municipal Services, Facilities and Infrastructure Committee recommends City staff be directed to meet with the MIP, and if there is any type of project to come forward regarding the welcome center with portable toilets that it be brought forward during the CIP process.



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

April 25, 2018

**TO:** Mayor and Keene City Council

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

**ITEM:** D.5.

**SUBJECT:** The Future of the Wheelock Park Campground - Parks, Recreation and Facilities Department

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**COUNCIL ACTION:**

In City Council May 3, 2018.

Voted unanimously to accept the intent of the report.

**RECOMMENDATION:**

On a vote of 4-0, the Municipal Services, Facilities and Infrastructure Committee recommends creating an infrastructure plan to bring forward during the next CIP cycle, and to close the campground for public use during the 2018 season, but allow tournaments to use the campground for the specific purposes under such terms and conditions as determined by the City Manager.

**BACKGROUND:**

A site visit was held prior to the meeting at 5:00 PM at Wheelock Park Campground.

Chair Manwaring recognized the Director of Parks, Recreation and Facilities, Andy Bohannon. Mr. Bohannon distributed copies of a five year Profit and Loss Statement for the campground. He explained he was present to follow-up from the last cycle where there was a discussion of various options for the future of the campground. He said from that meeting it was decided a site visit was necessary in order to see the campground as it is prior to the season opening.

Mr. Bohannon referred to the Profit and Loss Statement, explaining that in FY18, in the upcoming budget cycle, there were a few changes and he wanted to draw a true picture of the actual expenses of the campground. He noted previous to this year, all water and electric were part a general park expense.

Chair Manwaring thanked Mr. Bohannon for leading the site visit. Councilor Filiault referred to the Profit and Loss Statement noting the statement showed a profit over the years. He asked if there was an expectation there would be a profit drawn this year based on previous years, if the campground was kept open. Mr. Bohannon replied in the affirmative. He explained that one of the things that has been done the last couple of years with the new Cartegraph software is that they are able to understand usage of time and resources calculated in the Profit and Loss Statement. Mr. Bohannon stated when the season is open they have to fix water heaters, trees, water leaks and this would not show up in the statement. Mr. Bohannon stated that a profit would be shown as long as the tournaments kept coming into the park. He noted that tournaments are starting to dwindle and softball leagues are becoming smaller. Mr. Bohannon noted the big horseshoe tournament held on Labor Day has approximately 300 pitchers for the event. He stated that individuals from the tournament are present to discuss the importance of the event. Mr. Bohannon reported the Keene Horseshoe Tournament brings in \$5,000-\$6,000



for one weekend.

Councilor Filiault asked if there are areas in the City that show a profit in Parks and Recreation. Mr. Bohannon replied the pools do well and bring in approximately \$24,000 but the expense of the life guards outweighs that profit. In addition, the youth sports leagues make a small margin after covering all costs.

The City Manager stated that she was not confident to state a profit was being made according to the Profit and Loss Statement because this was not including the time Mr. Bohannon and his staff take to manage the park. In addition, she stated they also had to deal with any issues that occur which may involve a police presence. The City Manager stated that she would have to take a stronger look at the numbers before she could confidently state that the campground is making a profit. She stated that she was sure the Committee could see on their site visit there is a great need for infrastructure improvement which would be a large expenditure. The City Manager said in terms of tournaments that are currently held at the campground their recommendation would be to have those still occur, which would be a lesser expense by not managing the campground during off times.

Chair Manwaring asked Mr. Bohannon to discuss what it would cost to fix the park.

Mr. Bohannon replied that he could not provide an exact number because he would have to bring in a licensed electrician and a civil engineer to go through the process in order to provide an accurate cost.

Councilor Lamoureux stated one of his biggest concerns of the site is the condition of the trees and the safety to people. He asked if there has been an arborist at the site to review the condition of the trees. Mr. Bohannon replied in the affirmative. He stated that an arborist visited the park 4 years ago. Mr. Bohannon stated the majority of the park is red pine that was planted after the Hurricane of 1938. He explained the red pine root system is very shallow and anytime these trees have disease it spreads very quickly. Mr. Bohannon said the Committee could see from the site visit, the park is starting to be hit by this disease that has been taking out red pine forests throughout the state. He said they have tried to prune several trees over the winter and still have more trees that need to come down.

Councilor Hooper stated that based on the site visit it is evident the facility needs work and he agrees that a study needs to be conducted to see what the future of the campground holds for the City of Keene. Councilor Hooper echoed the statements by Councilor Lamoureux in regards to the safety of campers. He stated that he would not want to have people all the time in the campground and could attest to that from his view at the site visit. However, Councilor Hooper stated that he would welcome the tournaments but not have the campground open for regular use by the public.

Chair Manwaring welcomed public comment.

Ron Guyette, Director of the Keene Horseshoe Club stated the campground means a lot to this club and this is the only club in New England that has a campground. He said the biggest tournament they have is 300 players and that some of the players follow these tournaments year round. Mr. Guyette said their tournament is a vacation spot for 30-40% of players because it is a location where they can bring their families. He noted that as long as he can remember the campground is so full that there is a waiting list.

Mr. Guyette reported the Keene Horseshoe Club turned 60 years old last year and is an ongoing tournament that is not going anywhere. In addition, he noted they are looking to improve this facility in the near future.

Scott LaCoille, Gilsum, NH stated that he was born and raised in Keene and has been a member of the club since he was 12 years old. Mr. Lacoille said that based on his experience, the tournament is a family event and he has never seen a fight or argument occur. He added that the club is a family.

Mr. LaCoille stated the horseshoe courts are in disrepair and the club would be looking to put money into these courts. He stated that when it comes to the campground he is unsure if the condition of the campground

contributes to the decrease in number of people attending the tournament. However, a large source of their revenue is from the snack bar which is a concern. Mr. LaCoille reported a 20% decrease in snack bar sales.

Mr. LaCoille emphasized the more people that attend the tournament, the more it helps generate income for the City and local businesses. He also reported the goal of the club is to expand the program by reaching out to youth groups to revive and energize the horseshoe community.

Mr. Bohannon wanted to clarify the last two years they have struggled to hire a campground manager because they have not found the right candidate. He stated prior to this there was a campground manager that was hired in 2003 and remained as campground manager until 2015. Chair Manwaring asked how he would manage the campground during the tournaments. Mr. Bohannon replied they would work with the club and designate an individual for the weekend and conduct a background process. In addition, he stated this would be on a volunteer basis and that City staff would get the campground ready by cleaning up the sites prior to the tournaments.

With no further comment, Chair Manwaring asked for a motion.

Councilor Filiault asked the City Manager if a vote was needed from Council or if this could be handled administratively to keep the campground operational for tournaments. The City Manager replied this is a major policy shift and felt it is something that the Council should vote on.

Chair Manwaring stated that it was so late in season to be making this decision and recommended having the campground open at least for the tournaments. Councilor Lamoureux said with the infrastructure work that needs to be done he does not think the campground should be open for the public until a study is conducted. However, he stated that the Committee does have the ability to accommodate campers for these tournaments on a case by case basis.

The City Attorney suggested if the Committee was to move forward with the motion to include the following, "under such terms and conditions as determined by the City Manager". He explained this would clarify the City Manager's role in the process.

Councilor Hooper made the following motion, which was seconded by Councilor Lamoureux.

On a vote of 4-0, the Municipal Services, Facilities and Infrastructure Committee recommends creating an infrastructure plan to bring forward during the next CIP cycle, as well as to close the campground for public use during the 2018 season, but allow tournaments to use the campground for the specific purposes under such terms and conditions as determined by the City Manager.



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

April 25, 2018

**TO:** Mayor and Keene City Council

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

**ITEM:** D.6.

**SUBJECT:** Continued Discussion: Skate Park Update - Parks, Recreation and Facilities Department

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**COUNCIL ACTION:**

In City Council May 3, 2018.  
Report filed as informational.

**RECOMMENDATION:**

On a vote of 4-0, the Municipal Services, Facilities and Infrastructure Committee recommends accepting the skatepark update presentation as informational.

**BACKGROUND:**

Mr. Bohannon noted the last time he was before the Committee two weeks ago he asked to come back for a follow-up report. He reported the City Manager toured the skate park and City staff went in and did another assessment. He reported they were working with the City's Finance Director and there is additional money left over from past CIP projects they would be able to utilize for improvements to the skate park. Mr. Bohannon noted that he will be sending a memorandum to the City Council for an update. In addition, he reported there is a challenge in getting the steel sheets from Melanson which are more expensive than anticipated.

Mr. Bohannon said that he is pleased to report the group has made great strides in the last two weeks. The group is meeting with a marketing person next week and has the literature and packet prepared. He said Kathleen Burke has submitted some grants and received some positive feedback. Mr. Bohannon reported the group has scheduled a campaign to launch on June 21, 2018 at 5PM-7PM in Railroad Square. He noted this day is National Go Skateboarding Day.

Chair Manwaring asked if the City has decided if the skate park will be downtown. The City Manager replied that the group is interested in raising funds for the downtown park and is not interested in moving to Wheelock Park. She noted that the group has made this very clear. Currently the skate park was included in the new plan for Wheelock Park. Further, she stated that the Council has not taken any sort of informative vote on the matter. The group would want to know the Council decision before beginning fundraising.

Chair Manwaring asked if this is something that could be voted on at this meeting. The City Manager stated this should be noticed and brought back to the Committee and ready for a formal vote from the City Council.

Councilor Filiault stated that the welcome center, skate park and bathrooms could tie in together and everyone should all be on same page. He said there needs to be a decision to determine if all of this work should be done at once.

Chair Manwaring welcomed public comment.

Councilor Sapeta stated that he supports Councilor Filiault's thinking that this is not just a welcome center or a skate park and is more of an economic development opportunity. He explained that skate parks are a magnet for the youth coming in and needs to be made the right size with the right features to bring more people to the City which in return brings more money. He said allocating these features is important and he does not want to rush this process.

The City Manager stated the challenges she sees with having a welcome center with bathrooms and a skate park is that there is not enough space in that location and they would need to acquire additional space. She stated the current space for the skate park is enough space to create a good skate park. In addition, she said the bathroom issue with the portable bathroom concept addresses issues with vandalism but they are much smaller and thinks there needs to be a further conversation. The City Manager stated that she did not want to slow down the momentum of the group that is very excited about this skate park.

With no further comment, Chair Manwaring asked for a motion.

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

On a vote of 4-0, the Municipal Services, Facilities and Infrastructure Committee recommends accepting the Skatepark Update presentation as informational.



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

April 25, 2018

**TO:** Mayor and Keene City Council

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

**ITEM:** D.7.

**SUBJECT:** Update on MSFI Committee More Time Items

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**COUNCIL ACTION:**

In City Council May 3, 2018.  
Report filed as informational.

**RECOMMENDATION:**

On a vote of 4-0, the Municipal Services, Facilities and Infrastructure Committee recommends accepting the Update on More Time Items as informational.

**BACKGROUND:**

**a. Reconstruction of City Roadways and the Addition of Sidewalk Construction to Reconstruction Projects-Council Policy**

Mr. Blomquist stated this item goes back to an original communication from Councilor Duffy and Councilor Richards back in late 2013. He said this was timeframe of which they had concerns over the sidewalk construction program and what criteria is used to put sidewalks in and how to integrate. The MSFI had a number of discussions going through late 2014 and one of the items discussed at that time was the beginning of the Complete Street Policy and then went on more time looking at what items to address the concerns. He noted the Complete Streets Policy has since been adopted. Mr. Blomquist stated that these issues identified in 2013 have been handled by the Complete Streets Policy and actions in other areas. Mr. Blomquist recommended putting this on more time to bring up for action at the next Committee meeting because he will be recommending to report this item out.

**b. Ordinance for Disorderly Residences**

The City Manager stated that she has spoken to Mayor Lane in regards to the letter submitted to the Committee for the Disorderly Residences Ordinance and there has been a lot of time that has passed since this was put forward. She said there was a discussion at the state level to determine if there was a need for a law to enable communities to adopt this type of ordinance. She reported this did not pass and they were hoping it would clarify any grey area that may exist. The City Manager said the other topic they were discussing is what mechanism to use to track and define what would qualify as a disorderly residence. She said by looking into matter the more, the information they gathered from the police department was not specific enough. She said there were lots of issues in terms of data and they are concerned with their ability to: (1) confidently feel they can adopt such an ordinance and enforce it (2) have mechanisms in place to track. The City Manager stated that the Mayor is hoping to report this item out.

**c. Consideration of Proposed Arts Projects**

The City Manager stated this was discussed at the MSFI on April 5, 2018 meeting and reported to the City Council meeting at the April 19, 2018 meeting. She reported the Director of Parks and Recreation has had a meeting with Councilor Jacobs and the Art Community. The City Manager noted there was a lack of attendance and there is a plan for another meeting for further engagement. She stated this project would be brought back by the end of May.

**d. Absolute Discontinuance for the Wells Street Parking Lot and The of a Public Right-of-Way Known as Wells Street**

The City Manager stated there have been two Resolutions created, R-2018-12 and R-2018-13 and they have a site visit planned for May 17, 2018 before the City Council public hearing.

Councilor Filiiaut made the following motion, which was seconded by Councilor Lamoureux.

On a vote of 4-0, the Municipal Services, Facilities and Infrastructure Committee recommends accepting the Update on More Time Items as informational.



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

April 25, 2018

**TO:** Mayor and Keene City Council

**FROM:** Planning, Licenses and Development Committee

**ITEM:** D.8.

**SUBJECT:** Firstlight Fiber Request to Install Conduit in the Main Street Right-of-Way - Public Works Department

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**COUNCIL ACTION:**

In City Council May 3, 2018.

Voted unanimously to carry out the intent of the report.

**RECOMMENDATION:**

On a vote of 4-0, the Planning, Licenses and Development Committee recommends that the City Manager be authorized to do all things necessary to negotiate and execute a revocable license agreement with TVC Albany, Inc., D/B/A Firstlight Fiber for the installation of conduit, cabling and associated appurtenances (licensed property) within the Main Street Right-of-Way, subject to the following conditions:

1. The Licensed area shall be in the approximate location depicted on a sketch entitled "Project Route: Main St. – Church St. Area" by Firstlight, dated 2/12/18, with final locations to be approved by the Public Works Director.
2. Licensee is responsible for all costs associated with the installation, maintenance or repair of licensed property and the restoration of any area(s) which may be disturbed to the satisfaction of the City.
3. Licensee is required to obtain all required Federal, State and local permits, including but not limited to a City excavation permit, prior to performing any work.
4. Licensee shall be required to obtain an encumbrance or excavation permit from the City of Keene prior when performing any construction activity, maintenance tasks or accessing the licensed property in such a way that will obstruct public use of the right of way.
5. If the City requires the licensed property to be relocated or removed for any reason, Licensee shall perform such work and the cost of this work is the responsibility of the Licensee.
6. Licensee is responsible for the payment of any properly assessed real property or personal property taxes associated with its use and occupancy of the right-of-way in accordance with RSA 72:23, I (b), when due, failing which this license may be terminated.
7. Licensee agrees to allow any third-party to co-locate their cabling and equipment within the licensed property. Licensee shall be entitled to collect usual and customary lease fees from any such third party.

8. Licensee agrees to allow the Licensor to co-locate cabling and equipment within the licensed property and shall reserve not less than one (1) innerduct for such use. The Licensee will not be entitled to any lease fee or use charges as a result of such use by the Licensor.

9. Licensee agrees to indemnify, defend, and hold the City, its officers, officials, agents, employees, successors and assigns (collectively "City"), harmless from and against any claims, costs, losses, damages, causes of action, personal injuries, property damage (including any damage to the Premises), legal and administrative proceedings, liabilities, defenses, penalties, fines, liens, judgments, and expenses (including all costs, attorney(s)' fees and related expenses), whether at law or in equity relating to or arising from the use of the Premises by Licensee. Licensee shall hold the City harmless for any claim, demand, cost or expense arising from or related to the licensed property, including but not limited to any damage to the licensed property whether caused by the City or by any third party.

10. In any action brought by the City to enforce the terms of this License, the City shall be entitled to recover its costs, expenses, and reasonable attorney(s)' fees from Licensee. The terms stated at paragraph 9 shall survive the termination of this License.

11. Licensor may terminate this license for any reason upon ninety (90) days' prior written notice to Licensee. Licensee shall remove the licensed property and restore any disturbed areas to the satisfaction of the City within thirty (30) days of such termination.

12. The City Manager may modify the above-listed conditions in order to accomplish Council's intent. The City Manager will also provide a memo to the Council communicating any changes to the approved conditions.

#### **BACKGROUND:**

Don Lussier, City Engineer addressed the Committee noting Firstlight has requested a license to install conduit and utility structures between Central Square and an existing telecommunication manhole near Railroad Plaza. In exchange for use of the public way, Firstlight has agreed to allow other broadband providers to use the proposed conduit in order to access their customers. Continuing, Mr. Lussier reported that the conditions and caveats included in the agreement are pretty standard. What makes a difference is Firstlight is not a regulated utility; hence they fall under different statutes. Mr. Lussier addressed the amendment to the motion noting the lawyers are still ironing out some of the conditions. The amendment would give the City Manager the ability to tweak the conditions, consistent with Council's intent, as the terms are finalized. Mr. Lussier addressed the three potential changes to the conditions:

- #8 – Mr. Lussier said rather than a reserved space we think it is preferable for them to provide us our own conduit; this serves our purpose in the future.
- #9 – The attorneys want to tweak some of the indemnification language.
- #11 – The requestor has expressed concern that 90 days may not be enough time. We will probably allow them more time to figure out how to get the service to their customer.

Vice-Chair Jones clarified the above is the intent of condition #12 to which Mr. Lussier agreed.

Edward Robinson, Construction Manager for Firstlight explained Firstlight has a pretty good presence in the City. He noted the acquisition of Fast Roads and explained the consolidated duct banks, (previously belonging to FairPoint). Mr. Lussier pointed out the original application came from FairPoint and there were numerous concerns. The application before the Committee came about due to Firstlight trying to find a less invasive, more community friendly way of getting service to their customer.

Vice-Chair Jones asked for Committee questions or comments.

Referring to condition #8, Councilor Sapeta asked about co-locating conduit for the City. Mr. Lussier replied



when the motion was entered into the scheduling databanks last week we were talking about them allowing space for City conduit. After discussing this with them they preferred to install a separate conduit for City use. This will be turned over to the City after construction for us to use and maintain. Mr. Lussier verified there will be no cost to the City for this installation. Councilor Hansel asked for verification there was no cost to the City. Mr. Lussier replied in the affirmative. Councilor Hansel commented on Firstlight's generosity. Mr. Lussier added we are allowing them to use a finite amount of space in the Right-of-Way.

Rebecca Landry, Assistant City Manager/IT Director reiterated Mr. Lussier's earlier comments noting the agreement is pretty standard. She cited Boston and Portland as examples and explained the excavation is the biggest cost.

Referring to #12, Councilor Sapeta asked if the City Manager would have to notify City Council of the changes made or would it happen automatically. The City Manager replied it would happen automatically but she could notify Council if they so wish. Councilor Sapeta wanted to know if this is a new procedure or something done before. The City Manager replied it has been done before; it provides the flexibility to move forward without having to come back before Council.

Vice-Chair Jones noted the following concerns:

- Referring to condition #2-Where it states "...all costs associated with the installation," can we add "traffic control"?
- Referring to condition #7- Vice-Chair Jones asked if language could be added at the start of this condition stating "In accordance with the City of Keene's Dig Once policy."

Referring to the concern with condition #2, Mr. Lussier commented this could be done, however it is implicit in the installation. Item #4 stipulates they will need to get an Excavation Permit from the City before they dig in the right of way, and one of the conditions of an Excavation Permit is the submittal of a traffic control plan, notifying Dig Safe, providing insurance, etc. .

Referring to the concern with condition #7, Assistant City Manager/Planning Director Rhett Lamb explained that the term Dig Once has been used in a couple different ways by City Staff recently. He continued that we've used it for many years associated with construction projects in the street where if we have to pave a street we would also evaluate the underground utilities to see if while we were in there they would get any needed repairs at the same time. The term is also now being used in relation to the idea of adding conduit. They are not mutually exclusive per say, but the policy we do have relates to the first of those, and he cautioned using that term in this instance.

Referring to condition #8, Vice-Chair Jones noted the trench is approximately 800 feet long; he asked for the width. Mr. Robinson replied the excavation would be two to three feet wide and approximately 30 inches deep. Mr. Lussier reiterated instead of co-locating cabling or utility equipment we are now talking about having a separate, parallel facility. The word co-locate will be removed. Mr. Lussier clarified there would be no gas or water lines installed in that trench while it is open.

Councilor Rice asked for the estimated time of the project. Mr. Robinson replied perhaps a week after the excavation; it depends on how the brick goes back together. He indicated perhaps two weeks maximum.

Vice-Chair Jones asked how we are protected from the finished project being two inches higher/lower than grade level. Mr. Lussier explained this is part of the Excavation Permit process; the site is rechecked in a year. He continued if there are any problems they have to be corrected at that time.

Vice-Chair Jones asked for public questions or comments. There being none Vice-Chair Jones asked for additional comments/questions from the Committee.

Returning to condition #12, Councilor Sapeta noted he is still new to the Council and commented if we allow for these modifications than what is the role of the Council in making these conditions. He suggested adding the following to the recommended condition:

- The City Manager upon notifying City Council may modify the above conditions in order to accomplish City Council's intent.

The City Manager asked if she could notify Council via a memo and if Councilor Sapeta was asking she wait before executing. Council Sapeta agreed a memo was sufficient. He is not asking the City Manager to wait before executing; he wants to ensure there is communication back regarding the changes made. The City Manager agreed this is a reasonable expectation. She noted these things are usually worked out beforehand but can take time when there are lawyers on both sides involved. Mr. Lussier added the reason this was put on the agenda is the applicant does want to start construction and we want to encourage them to get their project going.

Rebecca Landry thanked Firstlight for taking over Fast Roads when they were having a hard time. She commented Firstlight brings competition in the broadband market to Keene. Ms. Landry added what they are doing is very good for Keene.

Councilor Hansel said Councilor Sapeta's point is well taken and his suggestion is a good one.

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

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

On a vote of 4-0, the Planning, Licenses and Development Committee recommends that the City Manager be authorized to do all things necessary to negotiate and execute a revocable license agreement with TVC Albany, Inc., D/B/A Firstlight Fiber for the installation of conduit, cabling and associated appurtenances (licensed property) within the Main Street Right-of-Way, subject to the following conditions:

1. The Licensed area shall be in the approximate location depicted on a sketch entitled "Project Route: Main St. – Church St. Area" by Firstlight, dated 2/12/18, with final locations to be approved by the Public Works Director.
2. Licensee is responsible for all costs associated with the installation, maintenance or repair of licensed property and the restoration of any area(s) which may be disturbed to the satisfaction of the City.
3. Licensee is required to obtain all required Federal, State and local permits, including but not limited to a City excavation permit, prior to performing any work.
4. Licensee shall be required to obtain an encumbrance or excavation permit from the City of Keene prior when performing any construction activity, maintenance tasks or accessing the licensed property in such a way that will obstruct public use of the right of way.
5. If the City requires the licensed property to be relocated or removed for any reason, Licensee shall perform such work and the cost of this work is the responsibility of the Licensee.
6. Licensee is responsible for the payment of any properly assessed real property or personal property taxes associated with its use and occupancy of the right-of-way in accordance with RSA 72:23, I (b), when due, failing which this license may be terminated.
7. Licensee agrees to allow any third-party to co-locate their cabling and equipment within the licensed property. Licensee shall be entitled to collect usual and customary lease fees from any such third party.

8. Licensee agrees to allow the Licensor to co-locate cabling and equipment within the licensed property and shall reserve not less than one (1) innerduct for such use. The Licensee will not be entitled to any lease fee or use charges as a result of such use by the Licensor.

9. Licensee agrees to indemnify, defend, and hold the City, its officers, officials, agents, employees, successors and assigns (collectively "City"), harmless from and against any claims, costs, losses, damages, causes of action, personal injuries, property damage (including any damage to the Premises), legal and administrative proceedings, liabilities, defenses, penalties, fines, liens, judgments, and expenses (including all costs, attorney(s)' fees and related expenses), whether at law or in equity relating to or arising from the use of the Premises by Licensee. Licensee shall hold the City harmless for any claim, demand, cost or expense arising from or related to the licensed property, including but not limited to any damage to the licensed property whether caused by the City or by any third party.

10. In any action brought by the City to enforce the terms of this License, the City shall be entitled to recover its costs, expenses, and reasonable attorney(s)' fees from Licensee. The terms stated at paragraph 9 shall survive the termination of this License.

11. Licensor may terminate this license for any reason upon ninety (90) days' prior written notice to Licensee. Licensee shall remove the licensed property and restore any disturbed areas to the satisfaction of the City within thirty (30) days of such termination.

12. The City Manager may modify the above-listed conditions in order to accomplish Council's intent. The City Manager will also provide a memo to the Council communicating any changes to the approved conditions.



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

April 26, 2018

**TO:** Mayor and Keene City Council

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

**ITEM:** D.9.

**SUBJECT:** Acceptance of a Donation - K-9 Program - Police Department

---

**COUNCIL ACTION:**

In City Council May 3, 2018.

Voted unanimously to carry out the intent of the report.

**RECOMMENDATION:**

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept a \$50 donation to be used for the Keene Police Department K-9 program.

**BACKGROUND:**

Captain Steve Stewart stated the first donation before the Committee is from Edward and Krishni Pahl in memory of former Police Chief Brian Costa in the amount of \$50 to be used for the department's K-9 Program.

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

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept a \$50 donation to be used for the Keene Police Department K-9 program.



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

April 26, 2018

**TO:** Mayor and Keene City Council  
**FROM:** Finance, Organization and Personnel Committee  
**ITEM:** D.10.  
**SUBJECT:** Acceptance of a Donation - Police Department

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**COUNCIL ACTION:**

In City Council May 3, 2018.  
Voted unanimously to carry out the intent of the report.

**RECOMMENDATION:**

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept a \$10.00 donation.

**BACKGROUND:**

Captain Stewart stated the second donation is from Alisa McDonald also made to the Keene Police Department. He noted there was no reason given for this donation.

Councilor Powers made the following motion which was seconded by Councilor Jacobs.  
On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept a \$10.00 donation.



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

April 26, 2018

**TO:** Mayor and Keene City Council

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

**ITEM:** D.11.

**SUBJECT:** Acceptance of a Donation - In Memory of Ted Dinkle - Fire Department

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**COUNCIL ACTION:**

In City Council May 3, 2018.

Voted unanimously to carry out the intent of the report.

**RECOMMENDATION:**

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept a \$50.00 donation.

**BACKGROUND:**

Fire Chief Mark Howard stated this \$50 donation is from Audrey Starkey in memory of Ted Dinkle. He indicated the department will send Ms. Starkey a thank you note.

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

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept a \$50.00 donation.



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

April 26, 2018

**TO:** Mayor and Keene City Council

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

**ITEM:** D.12.

**SUBJECT:** Acceptance of Donations to Library Renovation Project - Campaign

---

**COUNCIL ACTION:**

In City Council May 3, 2018.

Voted unanimously to carry out the intent of the report.

**RECOMMENDATION:**

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Council accept \$322,950.12 as listed in the Cambridge Trust March 14, 2018 - April 18, 2018 donor list to be deposited into the Library Renovation Temporarily Restricted City Trust as part of the Next Chapter Campaign Drive.

**BACKGROUND:**

Judith Putnam Co-Chair of the Library Renovation Capital Campaign stated she was before the committee with pledges received between the period of March 14 through April 18, 2018 in the amount of \$322,950.12.

Chair Greenwald noted the campaign has reached its five million dollar goal and commended the effort.

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

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Council accept \$322,950.12 as listed in the Cambridge Trust March 14, 2018 - April 18, 2018 donor list to be deposited into the Library Renovation Temporarily Restricted City Trust as part of the Next Chapter Campaign Drive.



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

April 26, 2018

**TO:** Mayor and Keene City Council  
**FROM:** Finance, Organization and Personnel Committee  
**ITEM:** D.13.  
**SUBJECT:** Deed Waiver Request for 2014 - Finance Department

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**COUNCIL ACTION:**

In City Council May 3, 2018.  
Voted unanimously to carry out the intent of the report as updated.

**RECOMMENDATION:**

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to waive tax deeding for the attached list of properties until November 2, 2018 with the exception of 471 Elm Street, which has been removed from the list and the addition of 792J Court Street.

**ATTACHMENTS:**

Description

2014 Properties to Waive

**BACKGROUND:**

Mary Alther Revenue Collector stated staff is asking for the City Manager to be authorized to waive tax deeding for certain properties, listed as an attachment to the memorandum. Ms. Alther noted 471 Elm Street should be crossed off from this list as the taxes have been paid and that 792J Court Street should be added to the list.

Ms. Alther explained the 2014 taxes have not been paid and they were intended to be paid by May 2016 for deeding. Three of these properties are very close to being paid off, two are being recommended to be waived as the City wants to make sure they receive clear titles to these properties. Chair Greenwald stressed the City works very hard with these property owners so they could get caught up as it is not the City's intention for someone to lose their home.

Councilor Jacobs clarified what we are waiving is not the taxes, the City is merely giving these property owners a time extension on the tax deed process. Ms. Alther agreed.

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

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to waive tax deeding for the attached list of properties until November 2, 2018 with the exception of 471 Elm Street, which has been removed from the list and the addition of 792J Court Street.



**Tax Waiver Properties**  
2014 Tax Year

Address	Property ID	Type
163 Island St.	051040460000	Single Family
792 Court St. J	176010016000	Condo
123 Butternut Dr.	168022010000	Single Family
0 Old Gilsum Rd.	173020030000	Land
1 Schult St.	911260132001	Manufactured Home

Took 44 Sparrow St. off  
913170140209 paid



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

April 26, 2018

**TO:** Mayor and Keene City Council

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

**ITEM:** D.14.

**SUBJECT:** Tax Deeding Request for 2014 Property Taxes - Finance Department

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**COUNCIL ACTION:**

In City Council May 3, 2018.

Voted unanimously to carry out the intent of the report as updated.

**RECOMMENDATION:**

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the Tax Collector be authorized to deed the attached list of properties for the non-payment of the 2014 property taxes.

**ATTACHMENTS:**

Description

2014 Properties to Deed

**BACKGROUND:**

Ms. Alther stated this item is for the City Manager to be authorized to deed the properties as outlined in her memorandum. She stated three of the properties should be paid off by next week but staff has not been successful with the other seven properties. Chair Greenwald stressed the many efforts staff pursues to work with these property owners.

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

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the Tax Collector be authorized to deed the attached list of properties for the non-payment of the 2014 property taxes.

**Tax Deeding Properties**  
2014 Tax Year

Address	Property ID	Type
15 Cross St.	004070080000	2 Family
344-346 West	049030080000	2 Family
54 Stanhope Ave.	103040160000	Single Family
<del>888 Marlboro Rd.</del>	<del>901230310000</del>	<del>Commercial</del>
18 Imperial Dr.	911260131018	Manufactured Home
21 Blue Jay Ct.	913170140122	Manufactured Home
62 Sparrow St.	913170140191	Manufactured Home

Took off

33 Colorado St. 002010110000

169-171 Island 051040470000

47 Schell St. 911260132047

888 Marlboro Rd. 901230310000



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

April 26, 2018

**TO:** Mayor and Keene City Council  
**FROM:** Finance, Organization and Personnel Committee  
**ITEM:** D.15.

**SUBJECT:** Sole-Source Contract for Water Main Cleaning and Lining - Public Works

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**COUNCIL ACTION:**

In City Council May 3, 2018.

Voted unanimously to carry out the intent of the report.

**RECOMMENDATION:**

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to execute a sole-source construction contract with Suez Advanced Solutions in an amount not to exceed \$497,997, with funding provided from Cost Center 05063.

**BACKGROUND:**

City Engineer Don Lussier stated during the CIP discussions staff talked about the water main cleaning and lining program. This agenda item brings that project to fruition. Mr. Lussier explained the kind of work that goes into the cleaning and lining process. He noted what staff has been seeing recently with the water main breaks has to do with a particular type of pipe at its joint.

Last summer staff put together a project to redo a section of the cast iron pipes using a different technique that would address these concerns. This method does address the structural concerns, but it is costly and the bids received were over the amount allocated for the work. Staff has now found an alternative product (curaton pipe) that has been certified as being safe for water distribution systems. Staff has been able to find a contractor who is able to complete the work in a day. Turning on the water at the end of the day for the residences impacted with the work would be accompanied by a temporary boiled water order.

Councilor Chadbourne asked how many homes and businesses will be affected. Mr. Lussier stated he wasn't sure of the number but the streets being affected will be Carpenter Street, a portion of Ellis Court, Kingsbury Street, and Woodbury Street. The Councilor asked what the anticipated date of this work was. Mr. Lussier stated staff does not have a date yet. He added the funding will come out of the FY17-18 funding. The total amount of work is approximately 3,550 linear feet.

Councilor Chadbourne asked whether staff has a timeline on the bid process. Mr. Lussier stated once the bids are received it takes about 30 days to sort out the contract documents. As part of that process the contractor's schedule is received.

Councilor Jacobs asked whether all 3,550 linear feet will be completed in one day. Mr. Lussier stated the shut off of water for each customer would be one day; the project has to be completed in sections and about 600

feet can be completed in a day. The entire contract will take about three weeks.

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

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to execute a sole-source construction contract with Suez Advanced Solutions in an amount not to exceed \$497,997, with funding provided from Cost Center 05063.



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

April 26, 2018

**TO:** Mayor and Keene City Council

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

**ITEM:** D.16.

**SUBJECT:** Construction Change Order - Water Street Rehabilitation - Public Works

---

**COUNCIL ACTION:**

In City Council May 3, 2018.

Voted 13 in favor and one opposed to carry out the intent of the report.

**RECOMMENDATION:**

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to negotiate and execute a construction change order with Bazin Brothers Trucking, Inc., of Westminster, VT for an amount not to exceed \$110,000.00 for the Water Street Rehabilitation Project.

**BACKGROUND:**

Mr. Lussier stated staff was before the Committee last year regarding the Water Street project with a recommendation to curtail the scope of the project to fit within the budget.

He continued that last fall the State passed SB38. Staff presented the Committee with recommendations about how to spend that money as well as other unspent money that could be used for different projects. One of the recommendations was to complete work on Water Street by using the contractor which was already mobilized on Water Street to finish the work.

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

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to negotiate and execute a construction change order with Bazin Brothers Trucking, Inc., of Westminster, VT for an amount not to exceed \$110,000.00 for the Water Street Rehabilitation Project.



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

April 26, 2018

**TO:** Mayor and Keene City Council

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

**ITEM:** D.17.

**SUBJECT:** Construction Change Order - 2017 Road Spot Repair Project - Public Works

---

**COUNCIL ACTION:**

In City Council May 3, 2018.

Voted unanimously to carry out the intent of the report.

**RECOMMENDATION:**

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to negotiate and execute a construction change order with BDM Sweeper Services, Inc. in the amount of \$71,992.

**BACKGROUND:**

Mr. Lussier stated the City put out a construction contract for roadway spot repairs to address areas that are disjointed and too small to be completed through the road rehabilitation program.

The expectation was that the majority of the budget would be spent for this work. The bid prices came back very attractive which meant there was some left over money for more work to be completed. Staff is requesting to add an additional \$72,000 to the existing contract to get more spot repair work done.

Chair Greenwald asked about the spot repair machine and asked what this is used for. Mr. Lussier stated the Highway Department has a milling machine and it is used for addressing isolated delamination work. It is however, not efficient for large areas. The Chairman also asked about the pavement recycler which is used extensively through the winter.

Councilor Powers asked which streets were going to be addressed with this \$72,000.

Mr. Lussier stated it would be for Court Street, 200 feet or so north and south of the roundabout as well as Old Walpole Road. Mr. Lussier noted that staff will be discussing the actual area to be repaired. Chair Greenwald asked about Base Hill Road. Mr. Lussier stated this contract is not the right tool for Base Hill Road; but that staff is aware of the condition of this road and some sort of plan is being discussed.

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

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to negotiate and execute a construction change order with BDM Sweeper Services, Inc. in the amount of \$71,992.







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

April 25, 2018

**TO:** Mayor and Keene City Council

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

**ITEM:** I.1.

**SUBJECT:** Relating to Specific Street Regulations

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**COUNCIL ACTION:**

In City Council May 3, 2018.  
Report filed as informational.

**RECOMMENDATION:**

On a vote of 4-0, the Municipal Services, Facilities and Infrastructure Committee recommends the adoption of Ordinance O-2018-06 Relating to Specific Street Regulations.

**ATTACHMENTS:**

Description

Ordinance O-2018-06

**BACKGROUND:**

Chair Manwaring recognized the City Engineer, Donald Lussier. Mr. Lussier stated this is a request for a new Ordinance for truck restrictions on the northern end of Wyman Road. He said this came about as part of the site plan for the Hillside Village Project. Mr. Lussier said the Planning Board recommended and City staff agreed the project should have as a condition of their approval a restriction from City Council on truck activity on the northern end of Wyman Road. He stated that he was concerned about trucks on this section of road because of the increase of truck activity expected. Mr. Lussier said the intersection of Wyman Road with Old Walpole Road is at a skewed angle, has vertical geometry issues and the biggest issue is site distances specifically for vehicles exiting Wyman Road and turning onto Old Walpole Road heading into the City. In addition, they would anticipate a lot of traffic being generated by this facility going to the medical facilities on Court Street.

He said what they are proposing would create a truck exclusion zone from the intersection of Old Walpole Road to the bridge over Black Brook. He noted this is in keeping with MUTCD and authorized restriction that is called selective exclusions. In addition, he said the Ordinance would create a new type of specific street regulation called "Selective Exclusions".

Chair Manwaring welcomed public comment. With no comment, Chair Manwaring asked for a motion.

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

On a vote of 4-0, the Municipal Services, Facilities and Infrastructure Committee recommends the adoption of

Ordinance O-2018-06 Relating to Specific Street Regulations.



# CITY OF KEENE

O-2018-06

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

AN ORDINANCE .....Relating to Specific Street Regulations.....

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

That the Ordinances of the City of Keene, as amended, are hereby further amended by creating a new Division 7 to be titled "Selective Exclusions" in Article IV "Specific Street Regulations" and renumbering the existing Division 7 of Chapter 94 entitled "Traffic, Parking and Public Ways" as follows:

## DIVISION 7. – SELECTIVE EXCLUSIONS

### Section 94-351. – No Trucks.

(a) No person shall operate any vehicle of 16,000 pounds or greater gross vehicle weight rating over the following public ways or parts of ways:

(1) Wyman Road from the bridge over Black Brook to the intersection with Old Walpole Road

(b) This section shall not prohibit the following:

(1) *Access to destinations within the excluded ways.* The operation of trucks upon any street where necessary to access a destination point within the excluded portion of a public way, provided streets upon which such traffic is permitted are used until reaching the intersection nearest the destination point.

(2) *Emergency vehicles.* The operation of emergency vehicles upon any street in the city.

(3) *Public improvements and utilities.* The operation of trucks owned or operated by a governmental entity, public or private utilities, or any contractor while engaged in the repair, maintenance or construction of streets, street improvements, or utilities within the city.

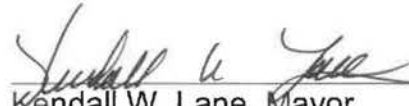
(4) *Detoured trucks.* The operation of trucks upon any officially established detour when such truck could lawfully be operated upon the street for which such detour is established.

## DIVISION 7 8. - SPEED LIMITS

PASSED May 3, 2018

In City Council April 19, 2018.

Referred to the Municipal Services, Facilities and Infrastructure Committee.

  
Kendall W. Lane, Mayor

City Clerk



A true copy;

Attest:



City Clerk



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

April 26, 2018

**TO:** Mayor and Keene City Council  
**FROM:** Donald R. Lussier, P.E., City Engineer  
**THROUGH:** Elizabeth A. Dragon, City Manager  
**ITEM:** J.1.  
**SUBJECT:** Gilbo East Parking Lot Improvements

---

**COUNCIL ACTION:**

In City Council May 3, 2018.  
Referred to the Finance, Organization and Personnel Committee.

**RECOMMENDATION:**

That Resolution R-2018-15 be referred to the Finance, Organization and Personnel Committee for consideration and recommendation back to the City Council.

**ATTACHMENTS:**

Description

Resolution R-2018-15

**BACKGROUND:**

On December 13, 2017, Staff presented the Municipal Services, Facilities and Infrastructure Committee (MSFI) with a recommended plan for the rehabilitation of the Gilbo East Surface Parking Lot. The plan was based on the project description in the approved FY18 Capital Improvement Program (CIP) and the goals of improving aesthetics, maximizing available parking and staying within the appropriated budget of \$118,708. Committee members expressed concern that the recommended plan may not comply with the City's parking lot standards, as a result, the Committee requested that staff return with additional information and a more thorough discussion of the applicable standards.

On January 10, 2018, staff presented the Committee with an overview of the applicable zoning code requirements. In the discussions, Committee members expressed a desire to include additional components in the design. Specifically, the Committee requested the addition of new lighting and a sidewalk on the east side of Saint James Street. Raised medians were also desirable, but with less consensus among the Committee members. The Committee requested that staff develop a plan and cost estimate that included the additional elements.

An updated proposal was presented to MSFI on March 21, 2018. The plan includes a concrete sidewalk along St. James Street and decorative solar-powered light fixtures of a similar style to those used throughout the downtown. Raised medians are not included because of the limits of the property boundaries. The estimated cost for the increased project scope is approximately \$298,000. The FY18 CIP included an appropriation of

\$118,708 for this project. Therefore, an additional \$185,000 is required.

During the Finance Organization and Personnel Committee's review of the proposed FY19-FY24 CIP on March 8, 2018, the Committee considered whether to amend FY19 to include additional funding for the Gilbo East Surface Parking Lot. It was discussed that to do so would result in the delay of construction until the summer of 2019. To complete the project with the potential additional improvements would require funds to be available this calendar year and therefore would need to come from an existing source. There is funding available in the Downtown Infrastructure Capital Reserve. Therefore, the MSFI recommended that Staff be directed to prepare a resolution to appropriate funds from the Downtown Infrastructure Capital Reserve.



# CITY OF KEENE

R-2018-15

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

A RESOLUTION ..... RELATING TO GILBO EAST PARKING LOT IMPROVEMENTS .....

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

The sum of One Hundred Eighty Five Thousand Dollars (\$185,000) is hereby appropriated from the Downtown Infrastructure Capital Reserve for the purpose of completing the Gilbo East Parking Lot Improvement Project.

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

In City Council May 3, 2018.  
Referred to the Finance, Organization  
and Personnel Committee.

  
Patricia C. Smith  
City Clerk

PASSED



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

May 1, 2018

**TO:** Mayor and Keene City Council

**FROM:** Elizabeth A. Dragon, City Manager

**ITEM:** J.2.

**SUBJECT:** FY 2018-2019 Operating Budget

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**COUNCIL ACTION:**

In City Council May 3, 2018.

Referred to the Finance, Organization and Personnel Committee.

Public Hearing set for Thursday, May 17, 2018 at 7:00 PM.

**RECOMMENDATION:**

That Resolution R-2018-17 relating to the 2018/2019 fiscal year budget be referred to the Finance, Organization & Personnel Committee for their review and recommendation, and that a public hearing be scheduled for Thursday, May 17, 2018.

**ATTACHMENTS:**

**Description**

Resolution R-2018-17

Resolution R-2018-17 Detail

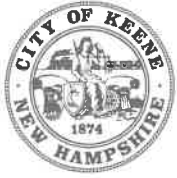
Budget Calendar

**BACKGROUND:**

Resolution R-2018-17 summarizes the budget document that has been prepared for the 2018/2019 fiscal year. The detailed document was transmitted to the Mayor and City Council on May 1, 2018. The document, in its entirety has been posted on the City's website, and printed copies are available for review at the Keene Public Library, and at the Finance Department. A Citizen's Budget will be available that summarizes the General Fund Proposed Budget, and explains the City Budget process, and the role of the Comprehensive Master Plan in that effort.

Any bond resolutions associated with projects recommended for funding in the next fiscal year will be presented under separate cover memos.

The remaining steps in the budget process are outlined below:



# CITY OF KEENE

R-2018-17

Eighteen

In the Year of Our Lord Two Thousand and .....  
Relating to the 2018/2019 fiscal year budget

A RESOLUTION .....

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

That the sum of \$25,391,454 be raised by taxation during the current year which together with \$34,782,546 for estimated operating revenues aggregating \$60,174,000 is hereby appropriated for the use of the several departments of the City Government, and further that the sum of \$6,081,533 be appropriated for capital expenditures and capital reserve appropriations in the city proprietary funds, funded by the use of capital reserves, fund balance and current revenues, for the fiscal year beginning July 1, 2018, as attached hereto and made a part thereof.

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

In City Council May 3, 2018.  
Referred to the Finance, Organization and Personnel Committee.  
Public Hearing set for Thursday, May 17, 2018 at 7:00 PM

  
City Clerk



**2018/2019 Annual Operating Budget**

**R-2018-17**

<b>General Fund Revenue &amp; Other Financing Sources:</b>	<i>Adopted</i>	<b>General Fund Appropriations:</b>	<i>Adopted</i>
Property Tax Revenue	\$25,391,454	Elected & Appointed Officials	\$2,860,846
Use of Surplus	882,403	Capital Projects	3,107,892
Other Taxes	448,000	Administrative Services	3,752,447
Tax Increment Financing	628,685	Community Services	20,331,410
Licenses, Permits & Fees	3,657,935	Municipal Development Services	6,713,641
Intergovernmental	2,705,635	Debt Service	4,533,629
Charges for Services	1,842,673		
Fines & Forfeits	89,821		
Miscellaneous	2,573,287		
Other Financing Sources	3,079,971		
<b>NET GENERAL FUND OPERATING REVENUES</b>	<b>\$41,299,865</b>	<b>NET GENERAL FUND OPERATING APPROPRIATIONS</b>	<b>\$41,299,865</b>
<b>TOTAL PARKING METER FUND REVENUES</b>	<b>\$1,937,277</b>	<b>TOTAL PARKING METER FUND APPROPRIATION</b>	<b>\$1,937,277</b>
<b>TOTAL PC REPLACEMENT FUND REVENUES</b>	<b>\$176,260</b>	<b>TOTAL PC REPLACEMENT FUND APPROPRIATIONS</b>	<b>\$176,260</b>
<b>TOTAL SOLID WASTE FUND REVENUES</b>	<b>\$4,792,992</b>	<b>SOLID WASTE FUND APPROPRIATIONS</b>	<b>\$4,792,992</b>
<b>TOTAL SEWER FUND REVENUES</b>	<b>\$5,707,662</b>	<b>TOTAL SEWER FUND APPROPRIATIONS</b>	<b>\$5,707,662</b>
<b>TOTAL WATER FUND REVENUES</b>	<b>\$3,942,714</b>	<b>TOTAL WATER FUND APPROPRIATIONS</b>	<b>\$3,942,714</b>
<b>TOTAL EQUIPMENT FUND REVENUES</b>	<b>\$2,317,230</b>	<b>EQUIPMENT FUND</b>	<b>\$2,317,230</b>
<b>TOTAL OPERATING REVENUES - ALL FUNDS</b>	<b>\$60,174,000</b>	<b>TOTAL OPERATING APPROPRIATIONS - ALL FUNDS</b>	<b>\$60,174,000</b>
<b>CAPITAL:</b>			
SEWER FUND CAPITAL FUNDING	\$2,064,722	SEWER FUND CAPITAL APPROPRIATIONS	\$2,064,722
WATER FUND CAPITAL FUNDING	\$2,600,470	WATER FUND CAPITAL APPROPRIATIONS	\$2,600,470
EQUIPMENT FUND CAPITAL FUNDING	\$1,416,341	EQUIPMENT FUND CAPITAL APPROPRIATIONS	\$1,416,341
<b>TOTAL CAPITAL FUNDING - ALL FUNDS</b>	<b>\$6,081,533</b>	<b>TOTAL CAPITAL APPROPRIATIONS - ALL FUNDS</b>	<b>\$6,081,533</b>

<b>DATE(s)</b>	<b>TIME</b>	<b>DESCRIPTION</b>	<b>LOCATION</b>
May 1, 2018		Budget Submission - document distributed to City Council	
May 3, 2018	7:00 PM	Regular Council meeting - budget resolution first reading - referred to FOP Committee	Council Chambers
May 10, 2018	5:30 PM	REGULAR FOP meeting - Budget review - overview, Elected/Appointed, Administrative Services, General Fund Revenues	Council Chambers
May 14, 2018	5:30 PM	Special FOP meeting - Budget review - Community Services	Council Chambers
May 15, 2018	5:30 PM	Special FOP meeting - Budget review - Municipal Development Services	Council Chambers
May 17, 2018	7:00 PM	Regular Council Meeting - budget public hearing; introduce bond resolutions; introduce salary ordinance	Council Chambers
May 24, 2018	6:30PM	Regular FOP meeting - make recommendation on budget, salary ordinance, bond resolutions	Council Chambers
June 7, 2018	7:00 PM	Regular Council Meeting - vote on budget, salary ordinance, bond resolutions	Council Chambers
July 1, 2018		Start FY 18/19	



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

April 26, 2018

**TO:** Mayor and Keene City Council  
**FROM:** Finance, Organization and Personnel Committee  
**ITEM:** J.3.

**SUBJECT:** Health Insurance Renewal and Relating to Participation as a Member in a Pooled Risk Management Program

---

**COUNCIL ACTION:**

In City Council May 3, 2018.

Voted unanimously to carry out the intent of the report.

**RECOMMENDATION:**

On 4-1 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to:

- Negotiate and execute a contract with HealthTrust (using its medical benefits provider, Anthem Blue Cross and Blue Shield) to administer the City's health insurance program and to recommend the adoption of Resolution R-2018- 16 which would provide for the participation in a pooled risk management program under RSA 5-B;
- Negotiate and execute contracts with third-party administrators to be determined to establish the health reimbursement arrangements and flexible spending accounts that will be integrated with the City's health insurance; and
- Negotiate and execute contracts for COBRA administration and retiree billing services.

**ATTACHMENTS:**

Description

Resolution R-2018-16

**BACKGROUND:**

Assistant City Manager/Human Resources Director Beth Fox stated she was before the committee regarding a new contract for health insurance with a new provider (Health Trust - Anthem Blue Cross and Blue Shield). The second item is for third party administration work related to health reimbursement accounts and flexible spending accounts. The third is to negotiate and execute a contract for COBRA administration and retiree billing services.

Ms. Fox went on to say that a few months ago the City started work with IPG to solicit proposals for its health

benefit plans. Seven vendors expressed interest, but in the end only two responded. One being the City's incumbent provider and the other being Health Trust. The City's incumbent provider has been with the City since 2012. They provide benefits through Harvard Pilgrim's network. Health Trust has been providing benefits through the Anthem network for about 25 years. The City did have conversations with a self-funded vendor, but those discussions did not come to fruition.

Staff is recommending Health Trust as their choice to provide this contract as their response was fiscally responsible and their cost would be less compared to the incumbent provider. Health Trust will also provide wellness programs and employee assistance programs. Staff is looking at whether things like COBRA would be beneficial under this plan, but it seems like this would be purchased through a third party. Ms. Fox thanked the Finance Department for their contributions towards this effort.

Chair Greenwald asked whether this is the same plan the school district is using. Ms. Fox stated it is not the same plan but it is the same vendor (Health Trust). The Chair asked whether it would have been beneficial to go in with the school district as a larger group. Ms. Fox stated there may be some benefit to that but joining multiple government groups into one rating pool would be complicated. This is something the school and city would want to consider carefully. The Chairman encouraged staff to look into this.

Councilor Powers asked how long a contract this is. Ms. Fox stated it is an open ended contract – the City could continue with it as long as the service and premium were acceptable.

Councilor Clark asked how much the City actually gets to negotiate. Ms. Fox stated the underlying package might not be negotiable but there are items the City has control over. Councilor Clark stated he did not want to see another year where the city, county and school district don't negotiate together. He stated he understands there are three different silos, but it is the same tax payer.

The City Manager stated she wanted to recognize Ms. Fox for the great amount of work she has done in a very short period of time. She indicated the issue the City faces is that it gets its rate very late in the budgeting process and then has a very short time to make a decision. There are six union contracts that staff needs to come up with a benefit package for. Ms. Dragon stated staff is always looking at the best rates not only for its employees but also for its residents. She reiterated the amount of work Ms. Fox has put into this effort and the amount of money she has saved the City.

Councilor Powers stated the City is in a group with 35 other municipalities and he wasn't sure how else the City could get a better price.

Councilor Chadbourne commended Ms. Fox for her work as well.

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

On 4-1 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to:

- Negotiate and execute a contract with HealthTrust (using its medical benefits provider, Anthem Blue Cross and Blue Shield) to administer the City's health insurance program and to recommend the adoption of Resolution R-2018- 16 which would provide for the participation in a pooled risk management program under RSA 5-B;
- Negotiate and execute contracts with third-party administrators to be determined to establish the health reimbursement arrangements and flexible spending accounts that will be integrated with the City's health insurance; and

- Negotiate and execute contracts for COBRA administration and retiree billing services.

Councilor Clark voted in opposition.



# CITY OF KEENE

R-2018-16

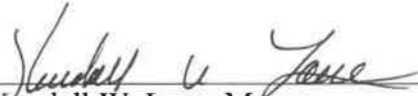
In the Year of Our Lord Two Thousand and .....Eighteen.....

A RESOLUTION .....RELATING TO PARTICIPATION AS A MEMBER IN A POOLED RISK  
MANAGEMENT PROGRAM.....

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

RESOLVED: That the City of Keene shall participate as a Member in the HealthTrust pooled risk management program for the provision of group medical and/or other benefit plans in accordance with the "Application and Membership Agreement" and NH RSA 5-B.

RESOLVED: That Elizabeth A. Dragon, City Manager is hereby authorized and directed to execute and deliver to HealthTrust, on behalf of the City of Keene, the "Application and Membership Agreement" in substantially the form presented to this meeting.

  
Kendall W. Lane, Mayor

PASSED May 3, 2018

A true copy;  
Attest:

  
City Clerk