

City of Keene
New Hampshire

MUNICIPAL SERVICES, FACILITIES AND INFRASTRUCTURE COMMITTEE
MEETING MINUTES

Wednesday, September 12, 2018

6:00 PM

Council Chambers

Members Present:

Janis O. Manwaring, Chair
Randy L. Filiault, Vice-Chair
Stephen L. Hooper
Gary P. Lamoureux
Robert B. Sutherland

Staff Present:

Elizabeth A. Dragon, City Manager
Thomas P. Mullins, City Attorney
Beth Fox, HR Director/Assistant City Manager
Kürt Blomquist, Public Works Director
Donna Hanscom, Assistant Public Works
Director
Andy Bohannon, Director of Parks, Recreation
& Facilities
Jack Wozmak, Airport Manager
Eric Swope, Industrial Pretreatment
Coordinator

Members Not Present:

Chair Manwaring called the meeting to order at 6:00PM, welcomed the public, and explained the rules of procedure.

1) Cameron Tease/Keene Senior Center – Elimination of a Parking Space on Court Street

Chair Manwaring welcomed Cameron Tease, who represented Keene Senior Center (70 Court Street, Keene), which has 500 members, meaning 60-80 people come and go from the facility daily. Many people drive to the facility, though the staff are trying to promote other forms of transportation, like the Friendly Bus. Mr. Tease said there is insufficient visibility looking south on Court Street from their parking lot because there is parking on the street blocking the view. He said removing a parking space there would enhance visibility leaving the parking lot. While this would eliminate a parking spot, the enhanced visibility would be worth it. There is also a crosswalk at this location, but because of the parked cars, pedestrians must enter the street to check if it is safe to cross. He added that if the parking spot were eliminated, the Friendly Bus would be able to access the loading zone in front of the building more easily.

Public Works Director Kürt Blomquist said Mr. Tease has been working with the City for some time on a solution to this problem; thus, staff is ready to present a recommendation at this meeting. The Police and Public Works Departments have worked together on this solution. The Senior Center parking lot has 22 spaces currently, with approximately 80 vehicles using the parking lot daily. The City does not have specific regulations for the distance between parking spaces and driveway entrance; it is left to the judgement of the

Police and Public Works Departments. As Mr. Tease explained, on the north side of the lot there is a crosswalk (20' from parking) and a fire hydrant (6' from parking). City Code states that parking cannot be within 20' of a crosswalk area or 15' of fire hydrants; thus, the fire hydrant at this location is too close to the parking area. By removing the parking space as Mr. Tease has suggested, the distance from the hydrant will be sufficient and enhance visibility. This will require new No Parking signage. Staff recommended eliminating the one parking space, which will require an ordinance change.

Councilor Sutherland said he thinks this is a good request because of the traffic on Court Street. He said he would rather the bus stop be down traffic from the crosswalk for safety. The Public Works Director said the City Code does not recognize bus stops and no bus stop is being added; the loading zone will be left unaltered to leave a space for the bus to safely load and unload. Councilor Sutherland noted there are parking spots south of the driveway and a parking lane north of the driveway. He asked what this means for the multiple new signs needed. The Public Works Director agreed to the north the City stops marking specific spots but there is still room to park. At the area in question, with these changes, only one car will be able to park at that southern location instead of two. The eliminated metered parking space will be replaced (by moving the pole) on the north side; all signage and meter changes can be made by staff without Council input since there is already parking there (no site visit required either). Councilor Filiault thanked staff for developing a solution to keep this off more time.

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

On a vote of 5-0, the Municipal Services, Facilities and Infrastructure Committee recommends staff implement the proposed plan north of the driveway and draft an ordinance to eliminate a space south of the driveway at 70 Court Street.

2) Revisions to Keene's Enforcement Response Plan for the Industrial Pretreatment Program

Chair Manwaring welcomed Eric Swope, the City's Industrial Pretreatment Coordinator. He said the pretreatment program goal is to protect the Wastewater Treatment Plant (WWTP), which relies on living organisms. Thus, staff must inhibit things that kill those living organisms such as toxins or substances (like grease) that can block or corrode pumps and pipes. Staff are also concerned with worker and public health and safety; some chemicals can volatilize in sewers and emit toxic gasses. Staff also work to comply with Environmental Protection Agency (EPA) and NH Department of Environmental Services (DES) permits, which is why the Industrial Pretreatment Program exists. Mr. Swope meets with businesses often to stay ahead of potential problems. In 2017, DES asked the City to update the program language because some was missing, like City authority to bring criminal judicial proceedings if someone intentionally contaminates wastewater. He and Ms. Hanscom had already been working on revisions for clarity, conciseness, and to provide more enforcement flexibility (i.e., less harsh punishments for first or minor offenses). The program plan has not been updated since it was developed in 1991.

Councilor Sutherland clarified that this only applies to industrial waste; Mr. Swope replied yes. Councilor Lamoureux asked how often staff must investigate businesses when there is unidentifiable discharge into the system; Mr. Swope replied it is rare. The amount of time he spends with businesses is directly correlated with the business output (some are significant industrial users, and some are minor). Additionally, businesses must consult him on compliance, which often helps avoid issues later. In Keene, there are approximately 115-120 businesses with grease traps and he must ensure they are cleaned regularly to avoid harming the sewer.

Chair Manwaring asked if it is entirely up to Mr. Swope to identify infractions and enforce these standards. Mr. Swope replied yes, there is some flexibility, but he tries to be consistent.

Councilor Lamoureux asked about the possibility of judicial action. Mr. Swope replied the City can take judicial action if a criminal investigation is necessary. The City Attorney agreed such action would require evident intentionality, in which case he would refer it to the state.

Ms. Hanscom added that DES and EPA are party to this program's enforcement. This program is required in the City Code and if the City does not adequately enforce it, EPA can enforce it for the City or enforce against the City (for not doing its job). She said staff have no intention of large enforcement for small violations. Mr. Swope has found compliance is easy when everyone understands what we do and why.

Councilor Hooper asked if staff are confident the EPA will accept these changes. Mr. Swope replied yes, he expects minor comments but nothing significant. Ms. Hanscom added it can sometimes take years for the EPA to reply to documents they request from the City.

Councilor Sutherland made the following motion, which Councilor Filiault seconded.

On a vote of 5-0, the Municipal Services, Facilities and Infrastructure Committee recommends the City Council approve this update to the proposed revised enforcement response plan and direct staff to do all things necessary to submit this plan to the USEPA.

3) Katie Schwerin – Proposal for Permanent Art Installation – Airport Property

Chair Manwaring recognized Katie Schwerin (Gilsum), who described the project and used photos to demonstrate the design and location on Airport Road. This proposal is just for the rock labyrinth; she will return with an independent proposal for sculptures she hopes to add to the area as well. The boulders will create a pathway that, aerially, looks like the profile of Mount Monadnock. The labyrinth will begin 40' from the driveway and continue 45' up the slope of the natural amphitheater. Small rocks that can be laid by hand will delineate the walkway.

Ms. Schwerin continued explaining project implementation. If the Council approves this proposal in September, fundraising will take place for one month. Then the boulders can be moved and placed by the contractor (who the City has used before) in two days. The contractor may need a third day to scrape the area and lay sand to assist drainage and to make the area level. The Kickstarter (fundraising) and rock placement event are intended to get the community involved. She already has many volunteers willing and happy to help.

Ms. Schwerin noted the Committee had previous questions about insurance. She said the contractor will have insurance for the project and she will get insurance with Machina Arts as well. Danya Landis agreed Machina Arts will provide insurance for the days work is happening on the site. Ms. Schwerin continued that per the Committee's request, she submitted three letters of reference and shared a portfolio of her labyrinth experiences. The project is also supported by Arts Alive and Friends of Public Art.

Councilor Hooper said this is a wonderful addition to the city and a great way to welcome visitors to the airport. He added using Mount Monadnock as inspiration is fitting as it is a cultural icon of this region. He suggested finding ways to welcome the Edgewood neighborhood into this project because they use Airport Road a lot and have been impacted by the tree cutting at the airport (for safety). In the future, he hopes walkways from the labyrinth will enhance trail connections to the Edgewood neighborhood.

Councilor Filiault asked if Ms. Schwerin anticipates trouble fundraising; she replied no, and she can contribute as well if necessary. Ms. Landis added Machina Arts is helping with marketing and the Kickstarter because they have experience implementing such efforts.

Councilor Sutherland asked if there will be signage. Ms. Schwerin said she does not envision signage. The Airport Manager added the area is used daily by the public without any signage currently. He thinks pedestrian activity in the area will continue and facilitate people discovering the labyrinth. He added the NH Bureau of Aeronautics (the state FAA counterpart) are fine with this project because it is not tall and poses no visibility impairments for aircrafts. They appreciate that this effort will help the area recover from tree cutting.

The Director of Parks, Recreation and Facilities added this is the first permanent art proposal the City has reviewed. Staff reviewed this application with the Planning Board's 19 standards and the 20 questions related to the new art policy. Staff believes this application includes enough justification and answers those 20 questions sufficiently. Staff find the application to be complete and provided a recommended motion.

Chair Manwaring asked about maintenance since this is a permanent installation. The Director of Parks, Recreation and Facilities replied there will actually be less maintenance for the City than currently because the area will be sand instead of grass.

Councilor Lamoureux asked if staff identified any concerns about the proposal process during this first implementation. The Director of Parks, Recreation and Facilities replied the biggest question was if artists would make the required financial contribution for maintenance and upkeep; Ms. Schwerin intends to meet that responsibility. The Public Works Director added it is important for the Committee to go through this process to be prepared for proposals that might not be as easy to review in the future. Councilor Filiault said he is confident the policy is in place and while it might not be perfect, the Committee needs to move forward with its implementation. Councilor Lamoureux agreed he is confident after reading the proposal and no matter what projects come forward in the future, there will always be subjectivity.

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

On a vote of 5-0, the Municipal Services, Facilities and Infrastructure Committee recommends the City Council accept the proposed public art display by Katie Schwerin, Mount Monadnock Labyrinth, to be placed at the Keene City Airport and authorizes the City Manager to do all things necessary to implement the project.

4) Adjournment

Hearing no further business, Chair Manwaring adjourned the meeting at 6:56 PM.

Respectfully submitted by,
Katryna Kibler, Minute Taker

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