



KEENE CITY COUNCIL
Council Chambers, Keene City Hall
September 20, 2018
7:00 PM

Roll Call
Pledge of Allegiance

MINUTES FROM PRECEDING MEETING

- September 6, 2018

A. HEARINGS / PRESENTATIONS / PROCLAMATIONS

1. Presentation - Roxbury Street Bridge Replacement Project

B. ELECTIONS / NOMINATIONS / APPOINTMENTS / CONFIRMATIONS

1. Confirmation - Zoning Board of Adjustment

C. COMMUNICATIONS

1. Jonathan Shaer/New England Convenience Store and Energy Marketers Association - In Opposition to Raising the Minimum Legal Age of Purchase for Tobacco and Nicotine Products from 18 to 21

D. REPORTS - COUNCIL COMMITTEES

1. Cameron Tease/Keene Senior Center – Elimination of a Parking Space on Court Street
2. Revisions to Keene’s Enforcement Response Plan for the Industrial Pretreatment Program
3. Katie Schwerin – Proposal for Permanent Art Installation – Airport Property
4. Attorney Homer S. Bradley, Jr. - Request to Unmerge Lots - 15 and 19 Giffin Street
5. Steve Piispanen/Keene Auto Body - Request to Discharge Fireworks
6. Peg Bruce/Kiwanis Club of Keene - Request to Use City Property - Tree Lighting Event
7. Annual Fire Prevention Parade - Fire Department
8. Acceptance of a Donation - Fire Department
9. Acceptance of a Donation - Fire Department
10. Acceptance of Funds From Cheshire County - Youth Services
11. Acceptance of National Leadership Library Grant from the Institute of Museum and Library Services - Library Department
12. Intent to Sell Former Alps Property - Airport Department
13. Gilbo East Parking Lot - Funds for Underground Storage Tank - Public Works Department

14. City Hall Mural - Parks, Recreation and Facilities Department
15. Sale of Tax Deeded Properties - Parks, Recreation and Facilities Department
16. Land Acquisition Request – Beaugard Property off Chapman Road (TMP# 241-018-000 000-000) - Conservation Commission
17. Councilors Greenwald and Richards - Use of Remaining Fund Balances at the End of the Fiscal Year

E. REPORTS - CITY OFFICERS AND DEPARTMENTS

1. CITY MANAGER COMMENTS

F. REPORTS - BOARDS AND COMMISSIONS

G. REPORTS - MORE TIME

1. Daron Friedman - Request to Acquire Property - Washington Street
2. Christine and Edward Sweeney - Offer of Donation to the City - Land at 0 Apollo Avenue

H. ORDINANCES FOR FIRST READING

1. Relating to Parking
Ordinance O-2018-19

I. ORDINANCES FOR SECOND READING

1. Relating to the Tax Lien Process
Ordinance O-2018-11

J. RESOLUTIONS

1. In Appreciation of Elizabeth C. Sayre Upon Her Retirement

Non Public Session
Adjournment

A regular meeting of the Keene City Council was held Thursday, September 6, 2018. The Honorable Mayor Kendall W. Lane called the meeting to order at 7:00 PM. Roll called: Carl B. Jacobs, 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, and David C. Richards were present. Councilors Janis O. Manwaring, Bartolmiej K. Sapeta, Robert B. Sutherland, and Mitchell H. Greenwald were absent. Councilor Filiault led the Pledge of Allegiance. A motion by Councilor Richards to accept the minutes from the August 2, 2018, regular meeting was duly seconded. The motion passed with a unanimous vote in favor.

ANNOUNCEMENTS

The Mayor announced that on September 25, 2018 from 5:30 PM to 8:30 PM at Fireworks Restaurant there will be a German Dinner sponsored by the Partner City Committee as a community night fundraiser. He added there are a number of events coming up involving the Partner City Committee. The Keene High School soccer team has visited Einbeck, Germany and another group is going over in October. A music exchange will be happening later this fall from Einbeck. The Mayor continued that on September 27th and 28th the Radically Rural Summit will be held at various areas in the downtown. There are five separate tracks during this time: arts and crafts, entrepreneurship, role in media, revitalizing Main Street, and agriculture. Councilors who wish to attend may contact the Mayor's Office. The City will pay for a Councilor's registration fee.

COMMUNICATION – SEAN WALLIN – RESIGNATION – ZONING BOARD OF ADJUSTMENT

The Chair brought forward a communication from Sean Wallin resigning from the Zoning Board of Adjustment. A motion by Councilor Richards to accept the resignation with regret and appreciation of service was duly seconded. The motion passed with a unanimous vote in favor.

NOMINATION

The following nomination was received from the Mayor: Joshua A. Greenwald to serve as a regular member of the Zoning Board of Adjustment, with a term to expire December 31, 2020. The nomination was tabled until the next regular meeting.

COMMUNICATION – JOHN P. RAB – RESIGNATION – ZONING BOARD OF ADJUSTMENT

A communication was received from John P. Rab resigning from the Zoning Board of Adjustment. A motion by Councilor Richards to accept the resignation with regret and appreciation of service was duly seconded. The motion passed with a unanimous vote in favor.

COMMUNICATION – PAMELA RUSSELL SLACK – RESIGNATION – PARTNER CITY COMMITTEE

A communication was received from Pamela Russell Slack resigning from the Partner City

Committee. A motion by Councilor Richards to accept the resignation with regret and appreciation of service was duly seconded. The motion passed with a unanimous vote in favor.

COMMUNICATION – ATTORNEY HOMER S. BRADLEY, JR. – REQUEST TO UNMERGE LOTS – 15 AND 19 GRIFFIN STREET

A communication was received from Attorney Homer S. Bradley, Jr., requesting to unmerge two lots at 15 and 19 Giffin Street. The communication was referred to the Planning, Licenses and Development Committee.

COMMUNICATION – CAMERON TEASE/KEENE SENIOR CENTER – ELIMINATION OF A PARKING SPACE ON COURT STREET

A communication was received from Cameron Tease requesting the elimination of a parking space on Court Street in front of their building to accommodate a bus stop. The communication was referred to the Municipal Service, Facilities and Infrastructure Committee.

COMMUNICATION – STEVE PIISPANEN/KEENE AUTO BODY – REQUEST TO DISCHARGE FIREWORKS

A communication was received from Steve Piispanen, of Keene Auto Body, which is celebrating their 90th anniversary on September 29. They would like to have a fireworks display as part of the celebration. The communication was referred to the Planning, Licenses and Development Committee.

COMMUNICATION – CHRISTINE AND EDWARD SWEENEY – OFFER OF DONATION TO THE CITY – LAND AT 0 APOLLO AVENUE

A communication was received from Christine and Edward Sweeney, offering to donate to the City a small tract of land that has been in their family for years and which contains wetlands. The property is located at 0 Apollo Avenue. The communication was referred to the Finance, Organization and Personnel Committee.

COMMUNICATION – SANDRA WHIPPIE/MONADNOCK INTERFAITH PROJECT – CORRECTION TO THE PUBLIC RECORD

A communication was received from Sandra Whippie, of Monadnock Interfaith Project, which referred to a previously communication to the City Council about the need for public toilets. In their communication a reference was made that a Denis Vaillancourt was representing the Monadnock Humane Society and was working on this effort. That representation is not accurate and the Monadnock Interfaith Project is requesting that the public record be corrected. The communication was filed into the record.

COMMUNICATION – COUNCILOR MITCHELL H. GREENWALD – IN SUPPORT OF THE EXPANSION OF THE 79E DISTRICT

A communication was received from Councilor Mitchell H. Greenwald, indicating his support for the expansion of the 79E Economic Revitalization District to encourage improvement and rehabilitation of the downtown. The communication was filed into the record.

COMMUNICATION – COUNCILORS GREENWALD AND RICHARDS – USE OF REMAINING FUND BALANCES AT THE END OF THE FISCAL YEAR

A communication was received from Councilors Greenwald and Richards, requesting that the City Council consider allocating 50% of fund balances remaining at the end of a fiscal year to the reserve fund and 50% to reducing the bonding for the next year's CIP projects budget. The communication was referred to the Finance, Organization and Personnel Committee.

MSFI REPORT – 48 STANDHOPE AVENUE – RELEASE OF EASEMENT – PUBLIC WORKS DEPARTMENT

Municipal Services, Facilities and Infrastructure Committee report read recommending the City Manager be authorized to do all things necessary to release an easement across 48 Stanhope Avenue. A motion by Councilor Filiault to accept the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

PLD REPORT – DARON FRIEDMAN – REQUEST TO ACQUIRE PROPERTY – WASHINGTON STREET

Planning, Licenses and Development Committee report read recommending that the portion of City owned property located to the rear of 527 and 529 Washington Street, and to the West of Beaver Brook, and being an unused part of Ellis-Harrison Park, be declared surplus property for purposes of Resolution R-2010-31, and that the request to purchase the property be referred to the Finance, Organization and Personnel Committee for further recommendation. The Chair referred the item back to the Planning, Licenses and Development Committee to consider some new information relative to the use of Federal funds for the Ellis-Harrison Park.

PLD REPORT – 79-E COMMUNITY REVITALIZATION TAX RELIEF INCENTIVE DISTRICT EXPANSION – ECONOMIC DEVELOPMENT, INITIATIVES & SPECIAL PROJECTS

Planning, Licenses and Development Committee report read recommending that City Council authorize City staff to draft a Resolution to expand the existing NH RSA 79-E district. 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 – NHMA LEGISLATIVE POLICIES – CITY MANAGER

Planning, Licenses and Development Committee report read recommending the acceptance of this item as informational. The Chair filed the report into the record as informational.

FOP REPORT – PRESSURE REDUCING VALVE REPLACEMENT - WATER TREATMENT FACILITY – PUBLIC WORKS DEPARTMENT

Finance, Organization and Personnel Committee report read recommending that the City's purchasing requirements be waived and the City Manager be authorized to do all things necessary to sole source purchase a Pressure Reducing Valve (PRV) and strainer from CLA-VAL for an amount not to exceed \$25,274. A motion by Councilor Jacobs to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

FOP REPORT – MIXERS AT THE WASTEWATER TREATMENT PLANT – PUBLIC WORKS DEPARTMENT

Finance, Organization and Personnel Committee report read recommending the City Manager be authorized to do all things necessary to sole source purchase two Anco Mixers from Enviropax, Inc. for an amount not to exceed \$42,925.00. A motion by Councilor Jacobs 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 recognized the Fire Department employees for their work with the NH State Fire Marshall's Office on the "Get Alarmed Program." Through this program, the Fire Department was able to install smoke detectors and carbon monoxide detectors in 116 single family homes (600 total units installed). These were homes with children age 6 or under or homes with adults over the age of 60. Special thanks to the Fire Prevention Office and Lt. Bates and Lt. Phillips for being lead players on this program.

The City Manager also thanked everyone who came out and participated in the community night held on August 22, 2018. There was a good crowd throughout the evening and employees showed great pride illustrating different pieces of city equipment and/or services offered by the City. The Library's 3-D printer and funky town display was a big draw in the Blastos Room, along with Human Resources' slime making demonstrations, children enjoyed climbing in and around various pieces of equipment, and of course our Fleet Department kept everyone happy serving burgers and hotdogs throughout the night.

The City Manager commented that the month of August we had significant rain events in short periods of time. We did not experience some of the flooding that we have in the past due to in part of the numerous drainage improvements including bridge projects the City has been undertaking as well as the program to clean storm drains.

The City Manager announced that she agreed to provide some temporary assistance to the Town of Westmoreland. They no longer have a Town Clerk and so for the next couple of weeks our

09/06/2018

Revenue Department will do motor vehicle registrations for their residents. They are currently looking into hiring or contracting with someone to provide services until their next election.

CONSERVATION COMMISSION – LAND ACQUISITION REQUEST – BEAUREGARD PROPERTY OFF CHAPMAN ROAD (TMP# - 241-018-000 000-000) – CONSERVATION COMMISSION

Conservation Commission report requesting that the City Council authorize the City Manager to do all things necessary to negotiate the purchase of 27.5 acres of land off Chapman Road belonging to the Beauregard family. The Chair referred this item to the Finance, Organization and Personnel Committee.

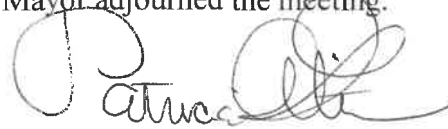
MEMORANDUM – CITY ATTORNEY AND ORDINANCE O-2018-11: RELATING TO THE TAX LIEN PROCESS

A memorandum was received from the City Attorney along with Ordinance O-2018-11. The memorandum was filed into the record. Ordinance O-2018-11 was referred to the Finance, Organization and Personnel Committee.

ADJOURNMENT

At 7:27 PM, there being no further business, the Mayor adjourned the meeting.

A true record, attest:


City Clerk



City of Keene, N.H.
Transmittal Form

September 4, 2018

TO: Mayor and Keene City Council

FROM: Mayor Kendall W. Lane

ITEM: B.1.

SUBJECT: Confirmation - Zoning Board of Adjustment

COUNCIL ACTION:

In City Council September 6, 2018.
Tabled until the next regular meeting.

RECOMMENDATION:

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

Zoning Board of Adjustment

Joshua A. Greenwald, slot 5 Term expires Dec. 31, 2020
39 Concord Hill Drive

ATTACHMENTS:

Description

Background - Greenwald

Joshua A. Greenwald
39 concord hill drive, Keene
Jg@greenwaldrealty.com
603-721-9266

Licensed NH Real Estate Broker since 2003

2018 President Monadnock Board of Realtors

2017 Vice President Monadnock Board of Realtors

Co-Owner Greenwald Realty Associates

Chairperson of Keene Board of Assessors

Member of Keene Board of Assessors since 2015

Multi-Family Property owner in Keene

Renovating Properties in Keene since 2004

Born and raised in Keene, graduated KHS in 1994.

Bachelors of Science in Economics and Marketing, graduated 1998

Resides in Keene with wife and two children.

Dancing with the Keene Stars winner 2017 & 2018



City of Keene, N.H.
Transmittal Form

September 14, 2018

TO: Mayor and Keene City Council

FROM: New England Convenience Store and Energy Marketers Association, Inc.

THROUGH: Patricia A. Little, City Clerk

ITEM: C.1.

SUBJECT: Jonathan Shaer/New England Convenience Store and Energy Marketers Association - In
Opposition to Raising the Minimum Legal Age of Purchase for Tobacco and Nicotine Products
from 18 to 21

ATTACHMENTS:

Description

Petition

BACKGROUND:

A petition with 332 signatures was received from Jonathan Shaer, Executive Director of the New England Convenience Store & Energy Marketers Association, Inc. The petition states their objection to the proposal to raise the minimum legal age of purchase for tobacco and nicotine products from 18 to 21.



COALITION FOR RESPONSIBLE RETAILING

www.responsiblebusiness.org

KEENE RESIDENTS ONLY
MUST BE 18+

Tell the Keene City Council that you stand with local small businesses and support consumer choice.

The Keene City Council is considering new regulations that would impose additional restrictions on the sale of tobacco products to adult consumers. The regulations would:

- Raise the minimum legal age of purchase for tobacco and nicotine products from 18 to 21

I urge you to reject the proposed amendments to Keene's tobacco regulations that would raise the minimum legal age of purchase from 18 to 21. I ask that you stand with local retailers and not cause unnecessary harm to their businesses. I also ask that you respect the right of adult tobacco consumers to purchase these legal products.

I support the goal of keeping tobacco out of the hands of underage youth. However, in practice these regulations will harm local businesses by driving sales of these products outside of Keene where they will continue to be readily accessible.

332 Signatures

Roberta Mastrogiovanni
Signature

267 E. Surry Rd. Keene, NH
Street Address

[Signature]
Signature

75 Leverett St Keene NH
Street Address

Anna Foster
Signature

78 Leverett St Keene NH
Street Address

[Signature]
Signature

52 Willow St Keene NH
Street Address

[Signature]
Signature

60 Russell St.
Street Address



COALITION for RESPONSIBLE RETAILING

We comply because we care

KEENE RESIDENTS ONLY
MUST BE 18+

[Handwritten Signature]

Signature

107 Davis St.

Street Address

[Handwritten Signature]

Signature

75 Leverette St Keene NH

Street Address

[Handwritten Signature]

Signature

32 Water St Apt 1 Keene NH

Street Address

Alexis Sangermano

Signature

Street Address

[Handwritten Signature]

Signature

82 Spring ~~St~~

Street Address

[Handwritten Signature]

Signature

101 Main St Keene NH 03431

Street Address

Sean Morris

Signature

175 Marlboro St. Keene NH 03431

Street Address

[Handwritten Signature]

Signature

19 Newman St. Keene NH 034

Street Address

[Handwritten Signature]

Signature

21 Page St Keene 03431 (Non-smoker)

Street Address

[Handwritten Signature]

Signature

8 Concord Rd. Keene (nonsmoker)

Street Address

[Handwritten Signature]

Signature

44 Central St. Keene

Street Address

[Handwritten Signature]

Signature

82 Royal Ave

Street Address

[Handwritten Signature]

Signature

12 vernan St Keene

Street Address

[Handwritten Signature]

Signature

12 vernan St Keene

Street Address

[Handwritten Signature]

Signature

77 Sate St Keene

Street Address

[Handwritten Signature]

Signature



City of Keene, N.H.
Transmittal Form

September 12, 2018

TO: Mayor and Keene City Council
FROM: Municipal Services, Facilities and Infrastructure Committee
ITEM: D.1.

SUBJECT: Cameron Tease/Keene Senior Center – Elimination of a Parking Space on Court Street

RECOMMENDATION:

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.

BACKGROUND:

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 Krt 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.



City of Keene, N.H.
Transmittal Form

September 12, 2018

TO: Mayor and Keene City Council
FROM: Municipal Services, Facilities and Infrastructure Committee
ITEM: D.2.

SUBJECT: Revisions to Keene's Enforcement Response Plan for the Industrial Pretreatment Program

RECOMMENDATION:

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.

BACKGROUND:

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.



City of Keene, N.H.
Transmittal Form

September 12, 2018

TO: Mayor and Keene City Council

FROM: Municipal Services, Facilities and Infrastructure Committee

ITEM: D.3.

SUBJECT: Katie Schwerin – Proposal for Permanent Art Installation – Airport Property

RECOMMENDATION:

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.

BACKGROUND:

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.



City of Keene, N.H.
Transmittal Form

September 12, 2018

TO: Mayor and Keene City Council
FROM: Planning, Licenses and Development Committee
ITEM: D.4.

SUBJECT: Attorney Homer S. Bradley, Jr. - Request to Unmerge Lots - 15 and 19 Giffin Street

RECOMMENDATION:

On a vote of 4-0, the Planning, Licenses and Development Committee recommends that the lots currently located at 15 and 19 Giffin Street be unmerged in accordance with the request from Attorney Bradley, and as provided by RSA 674:39-aa.

BACKGROUND:

Attorney Sam Bradley, of 50 Washington Street addressed the application by Russell W. Wilber and Patricia A. Wilber to unmerge lots identified as 15 Giffin Street and 19 Giffin Street on Tax Map 532 as Lot 68. This request is made pursuant to RSA 674:39-aa. Attorney Bradley continued the land identified as 15 Giffin Street and the land with the buildings thereon at 19 Giffin Street have always been described in the deeds as separate parcels. There is no evidence the applicants ever asked for the lots to be merged. Attorney Bradley distributed photocopies of all of the deeds in the chain of title. Attorney Bradley explained the deed which Leslie and Evelyn Wilber (later Evelyn Ruby Dziengowski) received from Charles A. Pierce to the land now identified as 15 Giffin Street was not recorded and is now lost. Nevertheless, Mrs. Dziengowski and her son, Russell Wilber, have paid the taxes on the land identified as 15 Giffin Street since about 1930.

Attorney Bradley advised the deal with the buyer is to provide a warranty deed for 19 Giffin Street and a quick claim deed for 15 Giffin Street. He continued in order to do this we need to unmerge the two lots. Chair Richards deferred to the City Attorney who commented he had looked at the documents provided by Attorney Bradley. The City Attorney referred to the applicable state statute and noted staff did research the issue. The City Attorney continued there is no indication of any voluntary merger. The City has been assessing it as a single lot since about 1971. The City Attorney noted the City has no objections to this request. Attorney Bradley said John Rabb is the Attorney for the prospective buyer and he is aware of all of this, and that the extra lot does not qualify as a building lot. Attorney Bradley suggested once this proceeding is completed the new owner will come in and ask the lots be remergered. Chair Richards commented it looks like something was missed decades ago and they are just trying to straighten the books.

Chair Richards asked for Committee questions.

Councilor Sapeta asked if the lots were merged for assessment purposes. The City Attorney replied from what we have determined that is probably the case.

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

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

On a vote of 4-0, the Planning, Licenses and Development Committee recommends that the lots currently located at 15 and 19 Giffin Street be unmerged in accordance with the request from Attorney Bradley, and as provided by RSA 674:39-aa.



City of Keene, N.H.
Transmittal Form

September 12, 2018

TO: Mayor and Keene City Council
FROM: Planning, Licenses and Development Committee
ITEM: D.5.

SUBJECT: Steve Piispanen/Keene Auto Body - Request to Discharge Fireworks

RECOMMENDATION:

On a vote of 4-0, the Planning, Licenses and Development Committee recommends that Keene Auto Body, Inc. be granted permission for the discharge of display fireworks on Saturday, September 29th on a site to be coordinated with City staff no later than 10:00 PM subject to the customary licensing requirements of the City Council; submittal of a signed letter of permission from the appropriate property owner for use of the property; and obtainment of a Class B fireworks permit for the display date. Said permission is subject to approval of the site and display from the appropriate City Departments and other regulatory agencies. This permission is conditional upon the Petitioner absorbing the charges for any City services provided. Said payment shall be made within 30-days of the date of invoicing.

BACKGROUND:

Kurt Blomquist, Public Works Director explained the Petitioner is having a block party on September 29th to celebrate 90 years of doing business in the community. One of the challenges with the fireworks is the proximity to the Airport. Mr. Blomquist noted we are still working with the regulatory agencies and he will recommend amending the prepared motion so work with the Petitioner can continue; perhaps finding some other sites within the City. Mr. Blomquist clarified the suggested amendments for Councilor Rice.

Steve Piispanen, of Keene Auto Body noted the celebration is in honor of three generations in 90 years of doing business here in Keene. The block party will be on the 29th and we would like to end the celebration with some fireworks. Mr. Piispanen said as he understands it there are some issues with permitting.

Chair Richards asked if the expectation is to have this completed for Council next week. Mr. Blomquist said he cannot say yes or no. He added we will get it completed by the time the 29th comes. He referred to the prepared motion and added another amendment; to remove the Walsh property and add the appropriate property owner.

Chair Richards asked for Committee questions.

Councilor Sapeta congratulated Mr. Piispanen on 90 years of business. He then asked if there would be enough time to coordinate with others if you do not know where the site will be. Mr. Blomquist commented the party will happen rain or shine; the question is will whether or not there will be fireworks.

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

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

On a vote of 4-0, the Planning, Licenses and Development Committee recommends that Keene Auto Body, Inc. be granted permission for the discharge of display fireworks on Saturday, September 29th on a site to be coordinated with City staff no later than 10:00 PM subject to the customary licensing requirements of the City Council; submittal of a signed letter of permission from the appropriate property owner for use of the property; and obtainment of a Class B fireworks permit for the display date. Said permission is subject to approval of the site and display from the appropriate City Departments and other regulatory agencies. This permission is conditional upon the Petitioner absorbing the charges for any City services provided. Said payment shall be made within 30-days of the date of invoicing.



City of Keene, N.H.
Transmittal Form

September 12, 2018

TO: Mayor and Keene City Council
FROM: Planning, Licenses and Development Committee
ITEM: D.6.

SUBJECT: Peg Bruce/Kiwanis Club of Keene - Request to Use City Property - Tree Lighting Event

RECOMMENDATION:

On a vote of 4-0, the Planning, Licenses and Development Committee recommends that the Keene Kiwanis Club be granted permission to use downtown City rights-of-way on November 23, 2018 for the Tree Lighting Festival from 5pm to 8pm conditional upon the customary licensing requirements of City Council, and that the Petitioner complies with any recommendations of City staff. In addition, the Petitioner is granted permission to erect a holiday tree on the Main/Marlboro/Winchester Street roundabout, and to decorate the downtown light poles on a date to be determined in conjunction with 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 payment shall be made within 30-days of the date of invoicing.

BACKGROUND:

Elizabeth Sayre, of 290 Washington Street commented members of the Kiwanis Club have met with City staff for a protocol meeting. Ms. Sayre is here tonight to ask for final approval.

Kurt Blomquist, Public Works Director reported there are no changes from previous years. He noted last year was the first time we closed down a portion of Central Square for the event. Mr. Blomquist continued they have met all the requirements and we look forward to having another holiday season with the Kiwanis. He thanked all the City Departments for coming together to keep these activities going.

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

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

On a vote of 4-0, the Planning, Licenses and Development Committee recommends that the Keene Kiwanis Club be granted permission to use downtown City rights-of-way on November 23, 2018 for the Tree Lighting Festival from 5pm to 8pm conditional upon the customary licensing requirements of City Council, and that the Petitioner complies with any recommendations of City staff. In addition, the Petitioner is granted permission to erect a holiday tree on the Main/Marlboro/Winchester Street roundabout, and to decorate the downtown light poles on a date to be determined in conjunction with 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 payment shall be made within 30-days of the date of invoicing.



City of Keene, N.H.
Transmittal Form

September 12, 2018

TO: Mayor and Keene City Council
FROM: Planning, Licenses and Development Committee
ITEM: D.7.
SUBJECT: Annual Fire Prevention Parade - Fire Department

RECOMMENDATION:

On a vote of 4-0, the Planning, Licenses and Development Committee recommends that the Fire Department be granted permission to use City property for the 2018 Annual Fire Prevention Parade to be held on Sunday, October 7, 2018.

BACKGROUND:

Mark Howard, Fire Chief addressed the Committee by noting annually, the Fire Department requests permission for use of City property and City streets for the Fire Prevention Parade. The parade kicks off Fire Prevention Week activities. This year we are requesting the use of the parking lot in the area of Fleet Services located at 350 Marlboro Street for the parade line-up. The parade will be held on October 7, 2018, starting at 1:00 pm. The parade will assemble at 350 Marlboro Street and proceed westerly along Marlboro Street to the roundabout on Main Street to Washington Street where it will disperse at Vernon Street. Following the parade there will be an awards ceremony at the Central Fire Station on Vernon Street.

Chair Richards asked for Committee questions or comments.

Chair Richards asked how many years we have been doing this. Chief Howard did not know the exact number but noted it was over 100 years. Chief Howard will get the answer for Chair Richards by next week. Chief Howard noted the open invitation to the Open House on Saturday, September 13th from 10:00 AM - 2:00 PM. This event is open to the public and has been a success over the years. Chief Howard also said all Councilors are invited to participate at the viewing stand and the notices will be coming out this week.

Councilor Rice asked about the awards presented at the Awards Ceremony. Chief Howard replied there are awards given to participating bands, marching unit awards, one to the oldest piece of apparatus, furthest traveled, best appearing in and out of state, and finally the overall best appearing apparatus with marching unit trophy is in memorial of Lt. Phil Davis, Sr., who was killed in an off-duty logging accident.

Chair Richards asked for public questions or comments.

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

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

On a vote of 4-0, the Planning, Licenses and Development Committee recommends that the Fire Department be

granted permission to use City property for the 2018 Annual Fire Prevention Parade to be held on Sunday, October 7, 2018.



City of Keene, N.H.
Transmittal Form

September 13, 2018

TO: Mayor and Keene City Council
FROM: Finance, Organization and Personnel Committee
ITEM: D.8.
SUBJECT: Acceptance of a Donation - Fire Department

RECOMMENDATION:

On 5-0 vote, the Finance, Organization and Personnel Committee recommends the City Manager do all things necessary to accept a donation of \$1000.00.

BACKGROUND:

Fire Chief Mark Howard stated this donation is for \$1,000 from Edward Bussieres – once the donation is accepted by the Council a letter of appreciation will be sent to Mr. Bussieres.

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

On 5-0 vote, the Finance, Organization and Personnel Committee recommends the City Manager do all things necessary to accept a donation of \$1000.00.



City of Keene, N.H.
Transmittal Form

September 13, 2018

TO: Mayor and Keene City Council
FROM: Finance, Organization and Personnel Committee
ITEM: D.9.
SUBJECT: Acceptance of a Donation - Fire Department

RECOMMENDATION:

On 5-0 vote, the Finance, Organization and Personnel Committee recommends the City Manager do all things necessary to accept a donation of \$25.00.

BACKGROUND:

Chief Howard stated this \$25 donation is from Mrs. Phyllis Anderson for emergency services provided to her by the Fire Department.

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

On 5-0 vote, the Finance, Organization and Personnel Committee recommends the City Manager do all things necessary to accept a donation of \$25.00.



City of Keene, N.H.
Transmittal Form

September 13, 2018

TO: Mayor and Keene City Council

FROM: Finance, Organization and Personnel Committee

ITEM: D.10.

SUBJECT: Acceptance of Funds From Cheshire County - Youth Services

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 and administer funds provided by Cheshire County for Youth Services programs.

BACKGROUND:

Youth Services Representative Elisabeth Brown stated this donation is for the 2018 funding provided to the youth services program by Cheshire County in the amount of \$23,100 which will be used for the youth intervention program and the juvenile court diversion program.

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 do all things necessary to accept and administer funds provided by Cheshire County for Youth Services programs.



City of Keene, N.H.
Transmittal Form

September 13, 2018

TO: Mayor and Keene City Council

FROM: Finance, Organization and Personnel Committee

ITEM: D.11.

SUBJECT: Acceptance of National Leadership Library Grant from the Institute of Museum and Library Services - Library Department

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 \$244,142 Institute of Museum and Library Services (IMLS) National Leadership grant.

BACKGROUND:

Head of Youth and Community Services Gail Zachariah and Youth Librarian Tracy Snow addressed the Committee. Ms. Zachariah stated herself and Ms. Snow are before the committee regarding a grant from the Institute of Museum and Library Services (IMLS) – Ms. Snow will be the project director of the grant. IMLS is a federal agency which provides grants to libraries and museums and the aim is to make libraries and museums become an essential part of a community.

Ms. Snow stated the grant is for \$244,142 for a three-year project where research based STEM programs will be offered for young children (ages 2 to 6). She indicated it has been recently learned that the STEM program has been discovered to be a great program that advances pre-literacy skills, interest in science and building natural curiosity among young children. This program will be offered at no charge to the public.

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 \$244,142 Institute of Museum and Library Services (IMLS) National Leadership grant.



City of Keene, N.H.
Transmittal Form

September 13, 2018

TO: Mayor and Keene City Council

FROM: Finance, Organization and Personnel Committee

ITEM: D.12.

SUBJECT: Intent to Sell Former Alps Property - Airport Department

RECOMMENDATION:

On 5-0 vote, the Finance, Organization and Personnel Committee recommends the City Manager be authorized to do all things necessary to proceed with the Notice of Intent to Sell the former ALPS property.

BACKGROUND:

Airport Manager Jack Wozmak addressed the city regarding the sale of the Alps property. Mr. Wozmak explained the city owns about 11 acres on the southern tip of the airport property which the city purchased with federal monies but have not had the need to use this property for aviation needs – staff has tried to rent the property with no success. Mr. Wozmak noted the property is required to be sold at or greater than fair market value and the proceeds of the sale will stay in the airport fund and would relieve the tax payer of having to contribute towards airport projects for a quite a while.

The Chairman asked whether the FAA would need to be reimbursed by the sale of these funds. The Chairman asked why there is language in the motion which says Notice of Intent. Attorney Mullins stated the city does want to sell this property but this sale does have conditions attached to it which needs to be met through the Purchase and Sales process and the FAA process. The Chairman clarified before the sale is final, the matter will come back before the Council for its approval.

Councilor Powers clarified the reason the city acquired the property was mainly to be able to take down some trees but this property can be used for many uses. Mr. Wozmak agreed.

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

On 5-0 vote, the Finance, Organization and Personnel Committee recommends the City Manager be authorized to do all things necessary to proceed with the Notice of Intent to Sell the former ALPS property.



City of Keene, N.H.
Transmittal Form

September 13, 2018

TO: Mayor and Keene City Council
FROM: Finance, Organization and Personnel Committee
ITEM: D.13.

SUBJECT: Gilbo East Parking Lot - Funds for Underground Storage Tank - Public Works Department

RECOMMENDATION:

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Council reallocate \$25,000 from the unspent balance of the Jordan Road Rehabilitation Project (90249) to the Gilbo East Parking Lot Improvement Project (90153).

BACKGROUND:

City Engineer Don Lussier stated when work was being undertaken on the Gilbo East parking lot a tank was discovered. It is staff's opinion that this tank (10,000 gallon) predates the city acquiring the property in 1957. The good news is the tank did not leak, the removal has been completed and there was no contamination of the ground water. What is being requested today is for additional funding to remove the sludge, remove the tank and for backfilling. Monies will come from the Jordan Road project. This project was closed out coming in at \$46,000 under budget. This project was funded with general fund monies and SB 38 funds. The Gilbo lot was funded with general funds and parking fund monies.

Chair Greenwald asked whether there were no state funds to cover this work. Mr. Lussier stated there would have been state funds, if there was a leak.

Councilor Powers clarified the rest of the project was on target. Mr. Lussier answered in the affirmative and stated the work should be completed by end of October. The lighting might be delayed slightly waiting for the lamps. Spectrum Communication is working on the underground wires.

Chair Greenwald asked whether the parking lot which has been dug up is going to extend through to St. James Street. Mr. Lussier stated the roadway being dug up on Lamson Street is for the utility work happening concurrently by Eversource to extend conduits and move transformers behind the building. This sidewalk will be replaced because of their work. The city's work will end on the south side of Lamson Street. The repaving of Lamson, St. James and Federal Streets are scheduled to happen in a couple of years. Chair Greenwald stated he was referring to Gilbo and St. James Streets – Mr. Lussier stated the fence line which exists in this location which has been cordoned off is where the limit of the city's construction would be. The Chairman asked whether the road was going to be widened. Mr. Lussier answered in the affirmative.

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

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Council reallocate \$25,000 from the unspent balance of the Jordan Road Rehabilitation Project (90249) to the Gilbo East Parking Lot Improvement Project (90153).



City of Keene, N.H.
Transmittal Form

September 13, 2018

TO: Mayor and Keene City Council
FROM: Finance, Organization and Personnel Committee
ITEM: D.14.
SUBJECT: City Hall Mural - Parks, Recreation and Facilities Department

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 the donation of a mural located on the north side of City Hall through the Walldogs project scheduled for summer 2019.

BACKGROUND:

Mr. Bohannon reminded the Committee about the presentation made by Walldogs to the Council a few weeks ago. Part of their project is to install 15 murals on city buildings in the downtown area – City Hall is one of the choices. The mural will be 180 square feet in size (60' x 30') located on the north side of the building.

With public art there are certain criteria that need to be met, Walldogs have met 18 of the 20 criteria (content and insurance have not yet been met) – these two items will be brought back to MSFI as the process moves forward.

On September 28 there is going to be a public forum to discuss the murals, selection and content. Once the forum is completed, staff will be back before the Council Committees.

At this point we don't know what the mural would look like. Councilor Chadbourne asked whether the city would have input on what the mural would look like. Mr. Bohannon stated this is what the public forum is for and once there are some choices, they would be brought back to the Council for its approval.

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 Manager be authorized to do all things necessary to accept the donation of a mural located on the north side of City Hall through the Walldogs project scheduled for summer 2019.



City of Keene, N.H.
Transmittal Form

September 13, 2018

TO: Mayor and Keene City Council

FROM: Finance, Organization and Personnel Committee

ITEM: D.15.

SUBJECT: Sale of Tax Deeded Properties - Parks, Recreation and Facilities Department

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 the sale of tax deeded properties at 54 Stanhope Avenue and 15 Cross Street.

BACKGROUND:

Mr. Bohannon stated this item is regarding properties located at 54 Stanhope Avenue and 15 Cross Street. He noted the city makes every effort to work with property owners and taking of a property is the last thing the city wants to do. However, in some cases the matter cannot be settled and the city ends up having to acquire the property through tax deed. In this case, the properties are going to be sold on the open market and anything that is derived through the sale which is in excess of what is owed, goes back to the property owner.

The Chairman asked whether properties are listed for sale. Mr. Bohannon stated the city needs to go through this process before a listing can happen.

Councilor Powers asked whether the properties are occupied. Mr. Bohannon answered in the negative.

The Chairman clarified this is an advertised open bid process. Mr. Bohannon 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 do all things necessary to execute the sale of tax deeded properties at 54 Stanhope Avenue and 15 Cross Street.



City of Keene, N.H.
Transmittal Form

September 13, 2018

TO: Mayor and Keene City Council
FROM: Finance, Organization and Personnel Committee
ITEM: D.16.

SUBJECT: Land Acquisition Request – Beauregard Property off Chapman Road (TMP# 241-018-000 000-000) - Conservation Commission

RECOMMENDATION:

On 5-0 vote, the Finance, Organization and Personnel Committee recommends to do all things necessary to negotiate the purchase of 27.5 acres of land off Chapman Road belonging to the Beauregard family.

BACKGROUND:

Senior Planner Tara Kessler stated the committee has before it a request from Mr. Bill Beauregard for the city to acquire property off Chapman Road (27.5 acres). This land is located on the west facing slope on Beech Hill and abuts about 180 acres of city owned land which property was acquired by the city to conserve the view shed and steep slopes on that area of Beech Hill.

Ms. Kessler stated between 2008 and 2010 the city was approached by the Beauregard family to purchase the property and the Conservation Commission voted in favor of this sale, but the transaction was never completed. Mr. Beauregard went back before the Conservation Commission with this request and based on their prior decision, they voted for the city to enter into negotiation with the applicant. The Commission noted that the landuse change tax would be used for this purchase; there is approximately \$140,000 in this fund. Ms. Kessler turned the presentation over to Mr. Beauregard.

Mr. Bill Beauregard stated his dad, when he was alive approached the city about this purchase. After his passing, in an effort to settle his estate, the family has brought this item back before the Board. Mr. Beauregard oriented the committee with the location of the property.

Councilor Clark for full disclosure purposes stated he is the listing agent for a five acre property that abuts this property. Attorney Mullins stated because the councilor does not have a pecuniary interest in this property, the attorney did not see any issue.

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

On 5-0 vote, the Finance, Organization and Personnel Committee recommends to do all things necessary to negotiate the purchase of 27.5 acres of land off Chapman Road belonging to the Beauregard family.



City of Keene, N.H.
Transmittal Form

September 13, 2018

TO: Mayor and Keene City Council

FROM: Finance, Organization and Personnel Committee

ITEM: D.17.

SUBJECT: Councilors Greenwald and Richards - Use of Remaining Fund Balances at the End of the Fiscal Year

RECOMMENDATION:

On 5-0 vote, the Finance, Organization and Personnel Committee recommends accepting this item as informational.

BACKGROUND:

Councilor David Richards addressed the Committee and stated as discussed in the past the city would like to reduce its bond indebtedness. This year there is approximately \$100,000 left and his suggestion is to take these funds and use it for next year's bond indebtedness, as well as to increase the reserve fund. Reserve funds are in good stead, but the city is at a 9th year of recovery.

Councilor Powers asked whether the councilor was referring to the entire general fund or capital projects. Councilor Richards stated he was referring to capital projects. Councilor Powers asked whether capital projects are not usually left open for a few years.

City Manager, Elizabeth Dragon explained the net between the capital projects and the general fund falls to the fund balance. She indicated she agrees to reducing bond indebtedness but is concerned about creating a policy which is too restrictive because the city could very well see a recession again. She indicated one of the things the city hears from bond council is how they like the manner in which the city's fiscal policies are structured and that it puts the city in a good position when its goes out to bond market. She asked this be considered as an annual discussion. The Manager agreed the less debt the city has the better it is, but there is a balance that needs to be arrived at and this won't become clear until books are closed and an audit is completed at the end of each fiscal year.

Councilor Richards felt this might be a good item to look at during the budget discussion and felt something needs to be in writing so that no-one forgets about it. The Councilor asked whether this could be an item to be addressed during fiscal policies next year. The Manager reiterated how the books are going to be closed will be an agenda item and fund balance discussion will be addressed during the fiscal policies next year. Councilor Jacobs noted if this item is discussed during the fiscal policies, it will guide the city in the path it should take as far as this item is concerned.

Councilor Clark recalled there were certain things deleted from the fiscal policies because they were too restrictive and added he always wonders how much money is left over for different funds. He felt the tax payers would appreciate if they can save money on taxes if surplus could be used to pay off an expense and felt having this item as an annual discussion was a good idea.

Councilor Powers asked what is the expectation for staff and the timing of same.

With reference to requesting work from the Finance Department, the Manager noted to how short staffed this department is and felt assigning anything more to this department at this time would not be ideal. However, what she is hearing is once books close, staff will look at year end balances and present it to this body and as part of the fiscal policies discussion this matter would be brought up again.

Mayor Lane asked how this is different from what the city already has in place – taking money out of fund balance to avoid bonding. Councilor Richards stated he was looking to make sure staff is looking at this item in more detail and having council educated is what he was looking to do.

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

On 5-0 vote, the Finance, Organization and Personnel Committee recommends accepting this item as informational.



City of Keene, N.H.
Transmittal Form

September 12, 2018

TO: Mayor and Keene City Council

FROM: Planning, Licenses and Development Committee

ITEM: G.1.

SUBJECT: Daron Friedman - Request to Acquire Property - Washington Street

RECOMMENDATION:

On a vote of 4-0, the Planning, Licenses and Development Committee recommends that the request from Daron Freidman to acquire property be placed on more time.

BACKGROUND:

Andy Bohannon, Parks & Recreation Director addressed the Committee noting Mr. Friedman is interested in acquiring part of Ellis-Harrison Park. He continued back in 1974 there was a Land, Water, and Conservation project (LWCF). The files at Parks & Recreation are minimal; they basically said there were multiple projects in that grant round. The tennis courts at Ellis-Harrison Park were part of that project. Back then the purpose of LWCF was to place the entire park in perpetuity for park land. We have requested the file, through the state, from the federal government. We were unable to have the information for this meeting. Mr. Bohannon said he has spoken to Mr. Friedman to let him know what the process is and given him an idea what the process may look like.

Chair Richards commented we cannot do anything until we have that information so we are looking for more time. Mr. Bohannon affirmed. The City Attorney clarified depending on what that information is we may not be able to move forward with this.

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

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

On a vote of 4-0, the Planning, Licenses and Development Committee recommends that the request from Daron Freidman to acquire property be placed on more time.



City of Keene, N.H.
Transmittal Form

September 13, 2018

TO: Mayor and Keene City Council
FROM: Finance, Organization and Personnel Committee
ITEM: G.2.

SUBJECT: Christine and Edward Sweeney - Offer of Donation to the City - Land at 0 Apollo Avenue

RECOMMENDATION:

On 5-0 vote, the Finance, Organization and Personnel Committee recommends putting this item on more time.

BACKGROUND:

Parks Recreation and Facilities Director, Andrew Bohannon asked that this matter be put on more time.

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

On 5-0 vote, the Finance, Organization and Personnel Committee recommends putting this item on more time.



City of Keene, N.H.
Transmittal Form

September 13, 2018

TO: Mayor and Keene City Council

FROM: M.K. Kopczynski, Director-Economic Development, Initiatives and Special Projects

THROUGH: Elizabeth A. Dragon, City Manager

ITEM: H.1.

SUBJECT: Relating to Parking

RECOMMENDATION:

That Ordinance O-2018-19 be referred to the Finance, Organization and Personnel Committee for their review and recommendation.

ATTACHMENTS:

Description

Ordinance O-2018-19

BACKGROUND:

June 19, 2018, staff provided to the City Council at the Parking Issues and Utilization Update Workshop a detailed report and executive summary with recommendations. The report detailed a number of observations relative to the parking system and its importance to the Downtown and the economy; as well as the importance of maintaining the fiscal health of the Parking Fund into the future. The report stated that changes relative to fees would be presented in September, with more recommendations to follow after the hiring of the Parking Operations Manager.

Summary of Proposals:

- 1) Added the Court Street space restrictions to permit bus access at the Senior Center
- 2) Add the spaces created by the reconstruction of Emerald Street to the three-hour metered section of Chapter 94.
- 3) Add the spaces created by the reconstruction of Norway Avenue to the Leased Spaces section of Chapter 94
- 4) Strikes outdated language related to leasing/rentals in the Wells Garage
- 5) Revise outdated language about Leased Spaces and Public Street Parking Spaces
- 6) Changes the time frames for penalties payments and amount(s)
- 7) Changes the Parking Meter and Wells Garage lease rates



CITY OF KEENE

O-2018-19

Eighteen

In the Year of Our Lord Two Thousand and

Relating to Parking

AN ORDINANCE

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 removing the stricken text and inserting the bolded text to the following provisions in Article III, "Parking", of Division 2, "Specific Streets", of Sections 94-93 and 94-94, of Division 4, Leased Spaces of Section 94-151. Leased parking lot spaces and Section 94-152, Public street parking spaces, Division 5, Penalties and Towing of Section 94-181 Established and Division 6. Parking Rates of Section 94-211 Meter Rates and Appendix B, Chapter 94, Traffic, Parking and Public Ways as follows;

Division 2. Specific Streets

Sec. 94-93. No Parking.

(a) Specific Streets. No person shall stop, stand, or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or a traffic control device, in any of the following places:

Court Street, West side, from the southwest corner of the driveway of 70 Court Street for a distance of 20 feet southerly

Sec. 94-94. Restrictions.

(a) *Two-hour zones.* It shall be deemed ~~unreasonable a violation~~ **a violation** if a vehicle is left standing for more than two hours at any time between 8:00 a.m. and 5:00 p.m., Monday through Saturday, along the curb on the following streets:

Marlboro Street, south side in metered areas.

(b) *Three-hour zones.* The following street is designated as a three-hour parking zone:

Main Street, east side, from a point 150 feet south of Marlboro Street to a point 200 feet south of Baker Street.

Main Street, west side from a point 285 feet south of Winchester Street to a point 55 feet from Appleton Street.

Emerald Street, north side from Main Street to Wilson Street.

(c) Miscellaneous parking.

(1) *Marlboro Street.* It shall be a violation if a vehicle is left standing for more than 30 minutes at any time between the hours of 8:00 a.m. and 5:00 p.m., Monday through Saturday, along the curb on the northerly side of Marlboro Street from a point 645 feet southeast of its intersection with Main Street, a distance of 384 feet in a southeasterly direction to Grove Street.

(2) *Marlboro Street.* It shall be a violation if a vehicle is left standing for more than 30 minutes at any time between the hours of 8:00 a.m. and 5:00 p.m. Monday through Saturday along the curb on the southerly side of Marlboro Street from a point 787 feet southeast of its intersection with Main Street, a distance of 121 feet in a southeasterly direction to Adams Street.

DIVISION 4. LEASED SPACES

Sec. 94-151. Leased parking lot spaces.

(a) All revenue of parking spaces in public parking lots shall be for a minimum period of three months and at a quarterly rental rate as set forth in the schedule of fees in appendix B to this Code. The number of permits to be issued each month shall be at the discretion of the city manager. Rentals shall be from 8:00 a.m. to 5:00 p.m., Monday through Saturday, in all city lots except for the Elm Street Lot. Rentals in the Elm Street lot shall be from 7:30 a.m. to 6:00 p.m. for daytime reserved parking spaces, Monday through Saturday, and 6:00 p.m. to 7:30 a.m. for nighttime reserved spaces, each day of the week. Anyone occupying a parking space leased to another shall be subject to the penalty set forth in section 94-181. The terms and conditions of existing leases of parking spaces shall not be subject to the provisions of this division.

(b) Areas so designated in the Commercial Street Lot, Gilbo Avenue West Lot and the Wells Street Parking Garage for overnight permit parking shall not be subject to the rates set forth in subsection (a) of this section. Permits will be issued for these areas at a rate as set forth in the schedule of fees in appendix B to this Code. These permit rentals shall have no time limit and vehicles may remain parked around the clock seven days a week. Maintenance of this area will be minimal; users will be responsible for dealing with wind rows and ice left by minimal snow plowing.

(c) Leases of bulk portions of unused public parking areas may be issued on such terms as negotiated and approved by the city council.

~~(d) — An exception to the standard quarterly rental rate and timeframe set forth in subsection (a) of this section shall be 43 designated reserved spaces on the upper level of the Wells Street parking structure. These rentals shall have no time limit and remain around the clock seven days a week at a fee determined by the city.~~

~~(e) — An exception to the standard quarterly rental rates specified in subsections (a) and (b) of this section shall be for designated spaces in the lower level of the Wells Street parking structure~~

Sec. 94-152. Public street parking spaces.

(a) ~~Leased spaces~~ **Short term parking space permits.**

(1) Notwithstanding other sections of this chapter, parking spaces may be ~~rented~~ **permitted** on a daily basis for funerals or weddings, for special drives or events, and for construction or remodeling in which the work being accomplished necessitates work vehicles to be placed adjacent to where the construction is taking place and there is no other proximate area to locate the vehicle or vehicles. The decision of the city manager or parking services shall be final with respect to granting such parking space ~~rentals~~ **permits**. ~~Rental~~ **Space permit** payments shall be made in advance to the city in the amount as set forth in the schedule of fees in appendix B to this Code.

(2) For funerals and weddings, application may be made in advance to the city for billings to be sent out at intervals of no greater than once a year. In such case, the applicant shall furnish in advance an estimate to the city of the proposed use over the interval to be billed. Prior to the agreed upon billing date, the applicant shall furnish the city a log of actual usage during the interval. Bills will then be sent out based on actual use; if less than one full day or a partial day, rates may be determined by the city. The responsibility for appropriate marking and removal of the marking of the space being rented shall be with the person renting the space.

(3) On street parking spaces may be ~~leased~~ **issued a permit for periods of less than 90 days** in accordance with rates as set forth in the schedule of fees in appendix B to this Code. Designation of on street ~~leased~~ **permit** spaces shall be determined by the city council. Rentals shall be from 7:30 a.m. to 6:00 p.m., Monday through Saturday. Anyone occupying a parking space leased to another shall be subject to the penalty set forth in section 94-181.

The following shall be designated as on street ~~leased~~ **permit** parking spaces:

Center Street - Three consecutive spaces on the north side of Center Street beginning west of Court Street.

Elm Street - Five consecutive spaces on the west side of Elm Street beginning north of Mechanic Street.

Mechanic Street (west) - Four consecutive spaces on the south side of Mechanic Street beginning east of Court Street.

Mechanic Street (east) - Two consecutive spaces on the south side of Mechanic Street beginning west of Washington Street.

Mechanic Street (east) - Two consecutive spaces on the north side of Mechanic Street beginning west of Washington Street.

Norway Avenue – Five consecutive spaces on the west side of Norway Avenue beginning north of Church Street.

Norway Avenue – Six consecutive spaces on the east side of Norway Avenue beginning north of Church Street.

Summer Street - Ten consecutive spaces on the south side of Summer Street beginning west of Court Street.

Vernon Street - Two consecutive spaces on the south side of Vernon Street beginning west of Washington Street.

DIVISION 5. PENALTIES AND TOWING

Sec. 94-181. Established.

(a) *Penalty.* Unless a penalty for the violation is otherwise specified, any person violating the provisions of this chapter shall be subject to a fine of not more than \$100.00 for each offense, which shall be collected under the following procedures, and may also be subject to the towing or immobilization of the motor vehicle as provided in section 94-183.

(b) Fine schedule and summons.

(1) Within ~~14~~ **30** days of the time when a notice of violation of parking regulations was attached to the vehicle, the registered owner of any vehicle parked in violation of this chapter, or the registered owner's designated agent, shall pay to the city by mail or by depositing in the appropriate receptacles a fine payment according to the following schedule:

- a. For each violation of subsections 94-94(a) through (c) and (e), \$15.00.
- b. For each fire lane parking violation of subsection 94-66(11), \$75.00
- c. For each handicap parking violation of subsection 94-66(21), \$250.00.
- d. For each violation of all other sections, \$15.00

(2) If payment has not been made within ~~14~~ **30** days of the notice of violation, the registered owner of the vehicle shall pay to the city a fine according to the following schedule:

- a. For each violation of subsections 94-94(a) through (c) and (e), ~~\$15~~ **30.00**.
- b. For each violation of all other sections, \$35.00.

(3) If payment has not been made within ~~28~~ **60** days of the notice of violation, the registered owner of the vehicle shall pay to the city a fine according to the following schedule:

- a. For each violation of subsections 94-94(a) through (c) and (e), ~~\$35~~ **60.00**.
- b. For each violation of all other sections, \$75.00.

(4) If the registered owner of the vehicle fails to make payment within an additional five working days, a summons may be issued to the owner who shall be charged with a violation under RSA 625:9 and shall be subject to a fine of not more than \$100.00 plus court fees, costs

and penalty assessment.

(5) Multiple violations. Any operator or registered owner who parks in violation of subsection 94-94(a) pertaining to two-hour zones in excess of six consecutive hours shall pay to the city a fine of \$25.00. This fine is in addition to the fine for the underlying violations.

(c) Civil collection.

(1) The city may, at its option, seek to collect the fine payments specified under subsection 94-181(b) by civil process commenced through the district court small claims process under RSA 503:1, et seq., at any time before the expiration of three years from the date of the issuance of the notice of violation.

(2) The commencement of the civil process as provided in this section may occur if payment of the fine has not been made by the registered owner or designated agent within 28 days of the date of the issuance of the notice of violation.

(3) The civil process for the collection of the fine payment specified under subsection 94-181(b), and the collection of court costs and fees, shall be in accordance with the procedures established for small claims litigation under RSA 503:1, et seq.

DIVISION 6. PARKING RATES

Sec. 94-211. Meter rates.

(a) The meter rates set forth in this chapter pertain to all single space parking meters, multi-space meters and any other payment technologies.

(b) Parking rates.

(1) On street parking is defined as any metered space directly accessed from the roadway, except for Roxbury Plaza.

a. Rate of parking is ~~75~~ **85** cents for one hour of time.

(2) Off street parking includes Elm Street, Commercial Street, **Wells Street lot**, Gilbo East **and West**, parking lots, City Hall and Wells Street Parking Garages and any other assigned location.

b. Rate of parking is ~~30~~ **35** cents for one hour of time.

APPENDIX B

FEE SCHEDULE

Chapter 94. Traffic, Parking and Public Ways

§ 94-151(a). Public parking lot space ~~rental~~ **permit**, quarterly (surface lots) ~~\$130.00~~ **145.00**

Public parking lot space ~~rental~~ **permit**, quarterly (garage) ~~155.00~~ **\$200.00**

Per day 5.00

§ 94-151(b). Commercial Street parking lot, Elm Street parking lot, Gilbo Avenue east parking lot and Wells Street Parking Garage overnight parking permit fees:

Per twenty-four-hour period 5.00

§ 94-152(a). Public street parking space ~~rentals~~ **permits**:

Metered spaces, per day per space 15.00

Unmetered spaces, per day per space 15.00

Kendall W. Lane, Mayor



City of Keene, N.H.
Transmittal Form

September 13, 2018

TO: Mayor and Keene City Council
FROM: Finance, Organization and Personnel Committee
ITEM: I.1.
SUBJECT: Relating to the Tax Lien Process

RECOMMENDATION:

On 5-0 vote, the Finance, Organization and Personnel Committee recommends the adoption of Ordinance O-2008-11.

ATTACHMENTS:

Description

Ordinance O-2018-11

BACKGROUND:

Attorney Mullins stated this is for the purpose of providing the city with another opportunity for the disposition of tax deeded properties. At times the city might have to dispose of properties outside of the tax deed method – such as perhaps transferring a property to an abutter if the city has no use for a certain piece of property. This ordinance provides the city the authority to do so.

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

On 5-0 vote, the Finance, Organization and Personnel Committee recommends the adoption of Ordinance O-2008-11.



CITY OF KEENE

O-2018-11

Eighteen

In the Year of Our Lord Two Thousand and

Relating to the Tax Lien Process

AN ORDINANCE

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

That the Ordinances of the City of Keene, as amended, hereby are further amended by deleting the stricken text and inserting the bolded text in Section 86-28, Lien Process, of Chapter 86, Taxation and Assessments, Article II, Property Taxation, as follows:

Sec. 86-28. - Lien process.

~~The city adopts the provisions of state statutes applicable to the tax lien process in the collection of delinquent taxes.~~

- (a) **The city adopts the provisions of state statutes applicable to the tax lien process in the collection of delinquent taxes.**
- (b) **The mayor, through delegation to the city manager, may dispose of a lien or tax dedeed property as justice may require, and such authority shall continue indefinitely, until rescinded.**

Kendall W. Lane, Mayor

In City Council September 6, 2018.
Referred to the Finance, Organization
and Personnel Committee.


City Clerk



City of Keene, N.H.
Transmittal Form

September 20, 2018

TO: Mayor and Keene City Council

FROM: Elizabeth A. Fox, Assistant City Manager/Human Resources Director

THROUGH: Elizabeth A. Dragon, City Manager

ITEM: J.1.

SUBJECT: In Appreciation of Elizabeth C. Sayre Upon Her Retirement

RECOMMENDATION:

That Resolution R-2018-30 be adopted by the City Council.

ATTACHMENTS:

Description

Resolution R-2018-30

BACKGROUND:

Ms. Sayre retires from the Human Services Division of the Finance Department effective September 30, 2018, with 14 years of service.



CITY OF KEENE

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

A RESOLUTIONIn Appreciation of Elizabeth C. Sayre Upon Her Retirement.....

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

WHEREAS: Elizabeth C. Sayre’s career with the City of Keene began October 4, 2004, when she was hired as a part-time temporary Case Worker, after which she was retained on a full-time regular basis starting July 18, 2005, and earned promotion to Human Services Manager effective April 20, 2007, after having accepted temporary supervisory responsibilities the previous September 8th; and

WHEREAS: With care and compassion for those in need, Liz has strived every day to address diverse client needs with high-quality, friendly, respectful, and ethical service—for which she and her staff members are well known—and to build programs focusing on self-sufficiency, sustainable income and employment, as well as to support those in need through hours of encouragement, advocacy and follow-up—all while meeting shifting priorities, department goals, and responsibility to the Keene taxpayer; and

WHEREAS: Envisioning the larger picture, Liz successfully developed necessary and creative strategies to meet identified needs of clients—revising the General Assistance guidelines for consistent administration, implementing a reimbursement process from state and federal sources, developing lien and applied rents procedures, simplifying shelter sponsorship procedures, helping to pilot and implement the state’s upgraded client database software, developing a request for proposal for pharmacy services, streamlining the funding process for outside agencies, improving integration with other social service agencies, developing a procedures manual, creating an annual planning calendar, and striving to be a positive role model and mentor to her staff; and

WHEREAS: Liz is recognized as a leader among local welfare administrators, a go-to person for advice and problem solving by neighboring towns, and a collaborator with regional and statewide agencies to champion clients; and she has supported the Workfare program, served as a Fair Hearing Officer by other towns, participated in Elder Wrap meetings, assumed management of the Woodward Trust Fund Committee, and served as an officer on the Board of Directors for the New Hampshire Local Welfare Administrators’ Association—thus earning her an *Extraordinary Women of 2018 Award*; and

WHEREAS: Also an *Employee Achievement Award* recipient of 2006, Liz’s extracurricular activities with the City include co-founding the employee newsletter—promoting a sense of community among employees and bringing a personal touch and level of fun as the “Muffin Lady”—serving on the Personnel Advisory Board, and volunteering as Audit Team Leader on election nights to assist with state-required voter participation audits; and

WHEREAS: Liz retires from the City of Keene effective September 30, 2018, with 14 years of honorable service;

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Keene hereby extends its sincere thanks to Elizabeth C. Sayre for her dedication to the City of Keene and wishes her the very best through all her retirement years; and

BE IT FURTHER RESOLVED that a copy of this Resolution, properly engrossed, be presented to Liz in appreciation for her many years of service to the residents of Keene, the Monadnock Region, and the State of New Hampshire.

PASSED

Kendall W. Lane, Mayor