

**City of Keene**  
**New Hampshire**

**FINANCE, ORGANIZATION AND PERSONNEL COMMITTEE**  
**MEETING MINUTES**

**Thursday, October 25, 2018**

**6:30 PM**

**Council Chambers**

**Members Present:**

Mitchell H. Greenwald, Chair  
Carl B. Jacobs, Vice-Chair  
Thomas F. Powers  
Terry M. Clark

**Members Not Present**

Bettina A. Chadbourne

**Staff Present:**

City Manager, Elizabeth Dragon  
City Attorney, Thomas Mullins  
City Engineer, Don Lussier  
Parks Recreation and Facilities Director,  
Andrew Bohannon  
Police Captain, Todd Lawrence  
Public Works Director, Kurt Blomquist  
Asst. Finance Director, Merri Howe  
Youth Services Department, Elisabeth  
Brown  
Acting Manager for the Human Services  
Department, Natalie Darcy

Chair Greenwald called the meeting to order at 6:30 PM.

**1) Acceptance of NH Network Diversion Funding - Youth Services**

Parks Recreation and Facilities Director, Andrew Bohannon and Elisabeth Brown from the Youth Services Department stated they were before the Committee regarding funding for the Juvenile Court Diversion Network for Youth Services programs. Last year this program received \$22,692 in funding and this year that amount has been reduced to \$8,000 – the city receives \$250 for every case they close up to \$8,000. These funds will be used to fund the part time case worker.

Councilor Jacobs asked for added explanation about closing a case. Ms. Brown stated when a case is successfully closed it means the youth has successfully gone through the program. However, should he or she reoffend or don't follow through the case is referred to the juvenile prosecutor.

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

On 4-0 vote, the Finance, Organization and Personnel Committee recommends the City Manager be authorized to do all things necessary to accept and administer funds provided by New Hampshire Juvenile Court Diversion Network for Youth Services programs.

**2) Acceptance of Holiday Family Sponsorships - Finance Department**

Natalie Darcy Acting Manager for the Human Services Department stated she was before the Committee regarding acceptance of donations for the 2018 holiday sponsorship program. Ms. Darcy explained the goal is to provide holiday food items and gifts for those in need so they use their resources to maintain their housing and other such needs. This past year donations came from local businesses, city staff, local clubs, families and individuals who were able to help 350 individuals. This program started with just 12 sponsors 15 years ago and has grown to 52 sponsors as of last year.

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

On 4-0 vote, the Finance, Organization and Personnel Committee recommends the City Manager be authorized to accept donations associated with the City's 2018 Holiday Family Sponsorship Program.

**3) Acceptance of NH Highway Safety Agency Grant - Police Department**

Police Captain Todd Lawrence stated the Police Department has applied for and has received funding from the NH Highway Safety grant for the past nine years. This grant used to be separated into DWI, enforcement and bicycle and pedestrian patrol; however, this year the agency has combined those three items into one grant. The goal of the grant is to deter DWI and DUI related arrests.

This campaign runs from October 1, 2018 through September of 2019. The allocation of the funds would be \$13,073 for sustained traffic patrol, \$5,916 for bicycle and \$12,560 for pedestrian patrol, for a total of \$31,549. The entire amount will be reimbursed by the NH Highway Safety Agency, which would also include payroll deductions.

Councilor Clark asked whether this patrol includes overtime. Captain Lawrence stated this patrol is done on an overtime basis. Councilor Clark asked on what routes this patrolling takes place. Captain Lawrence stated operation safe commute is done on the Route 101 corridor, but the rest can happen wherever the City chooses to patrol.

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

On 4-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept the grant from the New Hampshire Highway Safety Agency to fund Highway Safety Grant - Keene.

**4. Acceptance of Bulletproof Vest Partnership Grant Program - Police Department**

Captain Lawrence stated this grant is to help outfit all the officers with bullet proof vests. This is done as part of the collective bargaining agreement. The department also budgets about \$3,950 for this item. This grant will match about 47% of the total expense which will be about \$7,742 and the grant is for \$3,492. The vests will go to all new officers and to replace those vests that are over five years old (the warranty is five years).

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

On 4-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept \$3,492.50 from the Bulletproof Vest Partnership Grant Program funds of the US Department of Justice, Bureau of Justice Programs.

**5. Acceptance of Drug Forfeiture Distribution - Police Department**

Captain Lawrence stated during a narcotics investigation, drug related paraphernalia and cash were seized. The case was ultimately disposed of a year ago and the city's portion of the funds is \$697.50.

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

On 4-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept a monetary State drug forfeiture distribution in the amount of \$697.50

**6. Monadnock Conservancy - Conservation Easement Fees for 105 Daniels Hill Road Property**

The City Manager stated that the Community Development Director is away and this item has been moved to the November 8 agenda. The Conservation Commission is scheduled to be at that meeting and asked that this item be put on more time.

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

On 4-0 vote, the Finance, Organization and Personnel Committee recommends putting this item on more time.

**7. Woodward Dam Improvements - Permit Application Fees - Public Works Department**

City Engineer Don Lussier was the next to address the Committee. He indicated staff is in the process of designing the Woodward Dam. The City is ready to submit the design to

the State. The design work came in on budget but there are additional funds required for the permitting work in the amount of \$6,000; however, the Babbidge project is going to be coming in under budget and staff is asking to re-appropriate funds from the Babbidge Dam project to the Woodward Dam project.

Councilor Powers asked whether these fees are not included in the project budget. Mr. Lussier stated permitting fees are not included as this would add a 15% markup to the fee – these fees are paid directly.

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

On 4-0 vote, the Finance, Organization and Personnel Committee recommends that the City Council reallocate \$6,000 from the Babbidge Dam Rehabilitation Project (05034-B) to the Woodward Dam Rehabilitation Project (05039-C) for the purpose of paying required permit application fees.

#### **8. Design Change Order – Goose Pond Dam Improvements Project** **Public Works Department**

This item is related to Goose Pond Dam and this project is also in the design stage. For this item, staff is requesting a design change order for the consultant's work. Mr. Lussier explained during the wetland delineation, it was discovered the access road passed through a couple of vernal pools which is a valuable area for wildlife habitat and which is given a lot of scrutiny with DES. This required a lot of meetings for the consultants with DES and a new access road was required to be found. Another issue was the in pond design work which required extra time for field work.

Councilor Clark asked how much a consultant charges per hour. Mr. Lussier stated an average cost would be \$125 per hour but a junior engineer could charge about \$85 an hour. Councilor Clark expressed concern as to the number of hours this extra cost is covering.

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

On 4-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to negotiate and execute a design change order with Dubois & King, Inc. of Randolph, VT in an amount not to exceed \$22,700.

#### **9. Construction Change Order - Babbidge Reservoir Dam** **Improvements - Public Works Department**

The last item Mr. Lussier talked about was work to the Babbidge Reservoir Dam – during course of construction organic muck on the stilling basin was discovered which had to be removed. The other item was for work inside the valve chamber – the pipe leading to this chamber was leaking significantly and this work had to be done by specialty divers. The final item was a request from DES to relocate the outlet for the tow drains. The

engineering company for this job is Dubois & King. Mr. Lussier added the original contract and this change order will still be under budget, by about \$50,000.

Chair Greenwald asked when this money will get returned to the general fund. Mr. Lussier stated this money comes out of the water fund and the plan is to have this money be re-appropriated to the Woodward Pond Dam project. Re-appropriation will happen once there is a determination there is no other expense related to the Babbidge Reservoir Dam.

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

On 4-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to negotiate and execute a construction change order with Kingsbury Companies, LLC of Waitsfield, VT in an amount not to exceed \$68,176.00.

#### **10. Future Consideration of 12 Gilbo Avenue - Parks, Recreation and Facilities Department**

Parks, Recreation and Facilities Director Andrew Bohannon stated a group of concerned citizens had approached the MSFI Committee a while ago for the location of a downtown restroom. Mr. Bohannon noted in 2012 the City did have restrooms downtown which were closed due to various reasons. The MSFI Committee had recommended downtown restrooms be shown in the next CIP program, which has been done.

12 Gilbo Avenue is the location being considered. The Director reviewed the status of the current leases at that location. The Yolo lease is up in April 2019 (1,300 square feet). The Taco Odelay lease expires May 2019 (595 square feet) and Senator Shaheen's office lease expires in January 2021 (348 square feet). Mr. Bohannon stated this project however, could impact the space occupied by Taco Odelay. This space has been vacant for the past two years, but the tenant has been keeping up with the terms of the lease and intends to renew the lease and create a new business plan and obtain new permits.

The option of a Portland Loo was also explored, but this was considered as a less desirable option and a more permanent solution was explored.

Chair Greenwald asked whether there was anyone on staff who could work on a floor plan to include the Yolo space as well as a welcome center. Mr. Bohannon stated there is no one on staff who has this expertise, but an architect has been retained to work on some preliminary designs.

Councilor Clark referred to the past problems that have occurred with a public restroom. He asked why a Portland Loo was considered to be less desirable. The City Manager stated the cost of a Portland Loo installation will be \$132,000 and staff felt it would be prudent to look at a permanent installation in the transportation center. The Manager referred to the discussions being pursued for bringing in added bus routes to the City. She continued the transportation center is in a very visible location and this would also be a good location for a welcome center where a volunteer can staff this location – all of this gives the city many options. The Manager added the Portland Loo is also not heated and the restroom option gives a year round usage option.

Sandra Whippie, one of the individuals who were part of the earlier discussion, talked about the option for a welcome center as well as the Portland Loo not being a heated location. She noted her group was interested in working with the City and she felt having a real restroom could give this location a much better feel to it. She also felt the bad behavior referred to is much different to what goes on in other cities.

Mr. Ash Sheehan owner of Taco Odelay stated his plan is to open a brewery. He noted his restaurant is popular and brings in a good amount of clientele. He stated bathrooms are important but this is a great location for retail and he has plans to use this space.

Chair Greenwald felt perhaps there is room for both uses to happen. He also noted if the brewery was already in use this discussion would not be taking place right now. He added what is advantageous to the City is always something that should be considered.

Councilor Powers asked whether staff was looking for the committee to make a decision one way or the other. The City Manager stated it is difficult for the committee to make a decision today as they don't have all the pertinent information. What staff is looking for is to figure out whether public restrooms are something the Council would consider and is 12 Gilbo Avenue the location the Council would like to consider so the tenant can be properly advised.

Councilor Jacobs stated he has met a few times with the group which has brought this matter forward and for someone who walks around downtown, a public bathroom does sound appealing. With respect to managing a public restroom, he agreed it is a space that could be misused and the city is going to have to figure out a way to manage it. Ms. Dragon stated this is the kind of information staff will bring forward with the capital plan. She felt this discussion should be brought forward because of the tenant's desire to use the space.

Councilor Powers noted the city is constantly talking about economic vitality downtown and not having public restrooms downtown is an issue. He felt this is a need that requires to be identified and staff should be directed to do so.

Councilor Jacobs stated there could be other downtown properties which could also be looked at. Ms. Dragon stated staff is also willing to look for alternate space for this tenant; the reason this space would be more appropriate is because of the bus stop at this location. A welcome center right at a parking lot and bus stop works much better. Councilor Powers talked about the possibility of offices in this location moving elsewhere.

Councilor Clark felt if the City was talking about a welcome center, then it is talking about a project that is going to cost a few million dollars. He stated the reason the bathrooms were closed down in 2012 was because of behavior. Since that time many municipalities have tried to design bathrooms that would deter abhorrent behavior and there are solutions that have been determined. He felt if the discussion centers around these safety issues, the location of the bathroom might not happen for a few more years. The Councilor felt a public bathroom is something that is needed right away and is not something that needs to be folded into the larger concept.

With respect to 12 Gilbo Avenue, the city has considered tearing the building down and selling it. There have been no plans regarding economic development or bus routes. He felt it was wrong to dismiss options like the Portland Loo; he felt it was a simple solution that should also be considered.

The Chair asked Mr. Bohannon how long it will take to hear back from the architect. Mr. Bohannon stated he could find out what the timeframe might be but felt they could be back before the Committee in a cycle or two. The Chair agreed he did not want this to be a multi-year effort.

Chair Greenwald made the following motion which was seconded by Councilor Powers.

On 3-1 vote, the Finance, Organization and Personnel Committee recommends the issue be placed on more time so city staff could continue working on a concept for 12 Gilbo Avenue as a public restroom, a welcome center while retaining the current tenant. Councilor Clark voted in opposition.

#### **11. Relating to Parking - Ordinance O-2018-19**

Mr. Medard Kopczynski addressed the Committee and began by pointing out that the City has hired a new Parking Operations Manager who starts their employment with the city next week. He stated about a year ago he was asked to look at integrated parking management by the City Council.

He noted there are some recommendations that staff was waiting on presenting until this new individual was brought on board. However, there are some quick changes related to financing that would be brought forward. He noted the ordinance before the committee addresses certain scrivener's errors as well as adding certain streets where parking was added – these streets have now been

added into the ordinance (Norway Avenue and Emerald Street). Emerald Street would have a three hour limit and Norway Avenue would be permit parking.

With respect to parking fees, the Ordinance includes a provision to increase on street and parking garage fees from 30 cents to 35 cents. This rate is consistent with what was suggested by the Finance Director and is a number which has been included in the operating budget and the CIP.

Mr. Kopczynski continued that off-street parking would go from 75 cents to 85 cents and surface parking would go from \$135 per quarter to \$145.

Wells Street covered parking would go from \$155 to \$200 per quarter – for many who rent these spaces, they get the use of these spaces 24/7.

The next rate increase is to the price of parking tickets. The current rate is if a \$5 ticket is not paid in 14 days the rate increases to \$15, then after 28 days it goes to \$35. The recommendation is to go from \$15 after 30 days and then \$30 after 60 days and a final cap at \$60.

Mr. Kopczynski stated these rates compare to Dover, Rochester, Portsmouth, Concord, and Nashua. The intent of parking tickets is to move vehicles.

Chair Greenwald referred to ticket rates from surrounding cities and Keene at \$5 was the least expensive. The Chairman asked Mr. Kopczynski to go over the purpose of the parking fund. Mr. Kopczynski stated this fund is funded by parking tickets and meter fees and the primary purpose is to enforce parking regulations and to increase the flow of traffic, coordinate parking for the downtown and to maintain parking facilities.

Mr. Kopczynski stated the last time parking rates were adjusted was when Brian Costa was the police chief and before that it was 12 years ago.

Chair Greenwald noted unless the downtown parking is to be supported by the tax payer, the parking fund needs to be healthy. He added turnover is critical and even though these increases might seem steep they are necessary.

Councilor Jacobs added the reason the city got into the parking fee business is at the request of the merchants so vehicle turnover could be maintained downtown.

Councilor Clark stated this is a revenue stream for the city. He felt those who use our city need to chip in and the parking fees are one way to ensure that.

Councilor Powers stated this is the cost of doing business and agreed the rate needs to be increased which should have happened a while ago.

The Councilor referred to Leased Spaces - Section 94-151 (a) asked whether the term “all revenue” should be change to “all rental”. Attorney Mullins stated they are trying not to emphasize the term “rental”.



Chair Greenwald stated there was discussion about changing the hours of operation. Mr. Kopczynski stated this discussion will happen once the new staff person comes on board. He referred to the different new uses that are coming downtown which also needs to be considered. Councilor Jacobs stated he hoped merchants would be educated about the parking areas their customers can use throughout the city, such as the lot on Gilbo Avenue.

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

That the Finance, Organization and Personnel Committee recommends the adoption of Ordinance O-2018-19 with an effective date of January 1, 2019.

Attorney Mullins identified several scrivener errors in the Ordinance and noted that he agrees with Councilor Powers where the wording should say “rental” in 94-151. In Section 94-151, paragraph (a) (2) last sentence “being permitted” instead of “rented”. Paragraph 3, second to last sentence, change the words “rentals shall be from” to “permits shall be from.” The last sentence to read as “anyone occupying a parking space shall be permitted .....” Attorney Mullins noted these were scriveners errors and hence the ordinance did not need to come in as an A version.

Chair Greenwald made an amendment to the motion to change Section 94-181 – to change the initial ticket to \$10 instead of \$15. The motion was seconded by Councilor Powers.

Councilor Clark asked what the projection would be should the amendment be accommodated. Staff did not have this information. However, if the number of 20,000 tickets which is the number of tickets issued in 2017 is taken, the difference between \$10 and \$15 would be a difference of \$100,000. Chair Greenwald stated his motivation for the amendment was to be sensitive to the rest of the council and the public (the ticket just tripled in rate). The amendment failed on a 1-3 vote, with Chair Greenwald voting in favor.

The original motion carried on a 3-1 vote, with Chair Greenwald voting in opposition.

On 3-1 vote, the Finance, Organization and Personnel Committee recommends the adoption of Ordinance O-2018-19 with an effective date of January 1, 2019.

The meeting adjourned at 8:15 PM.

Respectfully submitted by,  
Krishni Pahl, Minute Taker