

A regular meeting of the Keene City Council was held Thursday, November 1, 2018. The Honorable Mayor Kendall W. Lane called the meeting to order at 7:00 PM. Roll called: Carl B. Jacobs, Janis O. Manwaring, Thomas F. Powers, Terry M. Clark, Randy L. Filiault, Bartolmiej K. Sapeta, Margaret M. Rice, Robert B. Sutherland, George S. Hansel, Gary P. Lamoureux, Bettina A. Chadbourne, Stephen L. Hooper, Philip M. Jones, David C. Richards, and Mitchell H. Greenwald were present. Councilor Manwaring led the Pledge of Allegiance. A motion by Councilor Greenwald to accept the minutes from the October 4, 2018, regular meeting was duly seconded. The motion passed with a unanimous vote in favor.

#### ANNOUNCEMENTS – MAYOR

The Mayor announced that the local Veterans Council will have their Veteran’s Day Ceremony on Monday, November 12, 2018 at 11:00 AM. The ceremony will take place at the War Memorial at the Recreation Center on Washington Street.

The Mayor announced that the Standing Committee meetings for November 21<sup>st</sup> and 22<sup>nd</sup> have been rescheduled to November 28<sup>th</sup> and 29<sup>th</sup>. The Standing Committee meetings on December 26<sup>th</sup> and 27<sup>th</sup> have been canceled.

#### NOMINATION – MARTIN LUTHER KING, JR./JONATHAN DANIELS COMMITTEE

The following nomination was received from the Mayor: Nancy Salwen to serve as a regular member of the Martin Luther King, Jr./Jonathan Daniels Committee, with a term to expire December 31, 2021. The nomination was tabled until the next regular meeting.

#### CONFIRMATION – ENERGY AND CLIMATE COMMITTEE

A motion was made by the Mayor and duly seconded to confirm the following nomination: Kenneth M. Dooley to serve as a regular member of the Energy and Climate Committee, with a term to expire December 31, 2018. On a roll call vote, with 15 Councilors present and voting in favor the nomination was confirmed.

#### COMMUNICATION – KEENESNORIDERS SNOWMOBILE CLUB – REQUEST TO USE CITY PROPERTY

A communication was received from the KeeneSnoRiders requesting to access a portion of Old Gilsum Road and use the right-of-way along Winchester Street and Production Avenue during the 2018/2019 winter snowmobile season. The communication was referred to the Planning, Licenses and Development Committee.

#### COMMUNICATION – NANCY GILLARD & SUZANNE BUTCHER – NEW ENERGY GOALS FOR THE COMMUNITY

A communication was received from Nancy Gillard and Suzanne Butcher, submitting a draft resolution for the Council’s consideration that would set new goals that call for all electricity consumed in the City come from renewable energy sources by the year 2030 and that 100% of

all thermal energy and energy used for transportation come from renewable energy sources by the year 2050. The communication was referred to the Energy and Climate Committee and the Municipal Service, Facilities and Infrastructure Committee.

**COMMUNICATION – JOHN CROTEAU, JR./SYD’S CARPET & SNOOZE ROOM – REQUEST FOR LOADING ZONE – 41 JAMES STREET**

A communication was received from John Croteau, Jr., of Syd’s Carpet & Snooze Room, requesting a loading dock in front of their business at 41 James Street. The loading dock would be used to facilitate deliveries to their business and would be safer for their customers when picking up merchandise. The communication was referred to the Municipal Service, Facilities and Infrastructure Committee.

**COMMUNICATION – TODD TOUSLEY – REQUEST FOR THE INSTALLATION OF A SIDEWALK - CHAPMAN ROAD**

A communication was received from Todd Tousley, requesting the installation of a sidewalk along Chapman Road behind Robin Hood Park. He notes that this is a popular walking route for pedestrians and is quite narrow near the Water Treatment Facility. The communication was referred to the Municipal Service, Facilities and Infrastructure Committee.

**MSFI REPORT – COMMUNITY CENTER DISCUSSION – PARKS, RECREATION AND FACILITIES DIRECTOR**

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

**MSFI REPORT – DRAFT ORDINANCE: RELATING TO THE PURCHASE, USE, AND POSSESSION OF TOBACCO PRODUCTS – CITY ATTORNEY**

Municipal Services, Facilities and Infrastructure Committee report read recommending that staff be directed to introduce an ordinance for 1st reading relating to the purchase, use, and possession of tobacco products. A motion by Councilor Manwaring to accept the intent of the report was duly seconded. The motion passed with 14 votes in favor and one opposed. Councilor Rice was opposed.

**PLD REPORT – FAA LAND LEASE – MEMORANDUM OF AGREEMENT – AIRPORT MANAGER**

Planning, Licenses and Development Committee report read recommending that the City Manager do all things necessary to execute the memorandum of agreement with the Federal Aviation Administration in order to renew the existing four land leases at Dillant-Hopkins Airport and consolidate those leases into one memorandum of agreement. A motion by

Councilor Jones to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

**PLD REPORT – DONNA FORTE – LODGING HOUSE LICENSE RENEWAL – 57  
WINCHESTER STREET**

Planning, Licenses and Development Committee report read recommending that a lodging house license be granted to Donna Forte to engage in the operation of a lodging house at 57 Winchester Street, Keene, New Hampshire. This license is conditional upon:

- Compliance with all applicable laws, ordinances, codes, rules and regulations.
- No more than 16 persons may reside on the premises.
- No less than 8 vehicular parking spaces must be provided on the premises.
- The names, home addresses, and motor vehicle registrations of the residents of the licensed premises shall be available on the premises at all times for inspection upon request by the Police, Community Development Department or Fire Departments.
- Continued violation of the City parking ordinances by residents of the premises or their guests, as determined by the Police or the Community Development Department may be grounds for suspension or revocation of the license.
- No alcoholic beverages may be sold on the premises except by written permission of the New Hampshire Liquor Commission.
- Loud noises or other disturbances after 10:00 PM that continue after warning by the Police Department may be grounds for suspension or revocation of the license.
- Access to the common areas of the licensed premises shall be granted to the Police, Community Development Department, Fire and Health Departments of the City of Keene at all reasonable times.
- The cellar space does not meet the qualifications for public assembly and therefore cannot be used as a gathering space.
- The continuation of the license is subject to and conditioned upon successful passage of two inspections to be conducted by the City.
- Compliance with any recommendations of City staff.

In addition, the owner shall notify City staff of any changes in the building operator; failure to do so may be grounds for suspension or revocation of this license. This license expires on the 20th day of October, 2019 and may be revoked by the City Council in accordance with Sec. 46-590 "Suspension or Revocation". A motion by Councilor Jones to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

**FOP REPORT – ACCEPTANCE OF NH NETWORK DIVERSION FUNDING – YOUTH SERVICES**

Finance, Organization and Personnel Committee report read recommending 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. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

**FOP REPORT – ACCEPTANCE OF HOLIDAY FAMILY SPONSORSHIPS – FINANCE DEPARTMENT**

Finance, Organization and Personnel Committee report read recommending the City Manager be authorized to accept donations associated with the City's 2018 Holiday Family Sponsorship Program. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

**FOP REPORT – ACCEPTANCE OF NH HIGHWAY SAFETY AGENCY GRANT – POLICE DEPARTMENT**

Finance, Organization and Personnel Committee report read recommending the City Manager be authorized to do all things necessary to accept the grant from the New Hampshire Highway Safety Agency to fund the Highway Safety Grant - Keene. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

**FOP REPORT – ACCEPTANCE OF BULLETPROOF VEST PARTNERSHIP GRANT PROGRAM – POLICE DEPARTMENT**

Finance, Organization and Personnel Committee report read recommending 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. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

**FOP REPORT – ACCEPTANCE OF DRUG FORFEITURE DISTRIBUTION – POLICE DEPARTMENT**

Finance, Organization and Personnel Committee report read recommending the City Manager be authorized to do all things necessary to accept a monetary State drug forfeiture distribution in the amount of \$697.50. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

**FOP REPORT – WOODWARD DAM IMPROVEMENTS – PERMIT APPLICATION FEES – PUBLIC WORKS DEPARTMENT**

Finance, Organization and Personnel Committee report read recommending 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. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

**FOP REPORT – DESIGN CHANGE ORDER – GOOSE POND DAM IMPROVEMENTS PROJECT – PUBLIC WORKS DEPARTMENT**

Finance, Organization and Personnel Committee report read recommending 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. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

#### FOP REPORT – CONSTRUCTION CHANGE ORDER – BABBIDGE RESERVOIR DAM IMPROVEMENTS – PUBLIC WORKS DEPARTMENT

Finance, Organization and Personnel Committee report read recommending 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. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

#### CITY MANAGER COMMENTS

The City Manager announced the 2018 property tax rate has been set. The overall rate has decreased from \$37.22 to \$37.12 per thousand (ten cent decrease). The total amount of dollars appropriated for the City increased by 3.92% and the county increased by 12.35%, meanwhile the school went down. The school numbers decreased because they returned over \$2 million of unspent funds at the end of this year. Our overall assessed value increased more than anticipated-values increased by over \$31 million. Tax bills should go out by November 9<sup>th</sup> and will be due around December 10<sup>th</sup>.

The City Manager went over the survey feedback from the Connect Event. She stated there were 544 people registered for the event with attendees coming from 21 states. In a survey sent to all participants, attendees rated their overall experience as an 8.7 on a scale of 10, the quality of the sessions an 8.1 and their experience with “Keene as a Conference” site at 9.3. She was ecstatic to hear that the community as a location for the conference was given such a high rating.

The City Manager continued with New Hampshire Department of Transportation is putting out their request for proposals to operate four intercity bus services in New Hampshire. There are two existing routes that will be maintained and two new or improved routes. New services are proposed to assist with a connection to Boston. New services proposed included a Laconia to Concord service and a Brattleboro to Boston via Keene and Nashua. Southwest Regional Planning Commission has submitted recommendations to NHDOT to solicit bus companies that would provide a connection from Keene to Concord or Keene to Nashua. While we recommended the Nashua connection as a better (shorter connection to Boston), there are transfer improvements that would need to be made to the Nashua bus station because Nashua only connects with Boston, while Concord has several transfer options.

The City Manager announced Swanzey’s Economic Revitalization Zone has been expanded to include the City’s airport property. The ERZ designation is one of the tools used by the State to support existing businesses looking to expand or new businesses looking to relocate. Properties

in the zone are eligible for short term business tax credits for projects that improve infrastructure and create jobs. This is a great example of the recent efforts to increase collaboration between Swanzey and Keene. She is grateful to the Town of Swanzey for making this designation at the State a reality. Development at the airport is a benefit to both communities; the airport gains capital dollars or lease revenue and the Town of Swanzey gains tax revenue.

**MORE TIME**

More time was granted by the Chair for the following items in Committee: Monadnock Conservancy- Conservation Easement Fees for 105 Daniels Hill Road Property; Future Consideration of 12 Gilbo Avenue – Parks, Recreation and Facilities Department.

**FOP REPORT AND ORDINANCE O-2018-19: RELATING TO PARKING**

Finance, Organization and Personnel Committee report read recommending the adoption of Ordinance O-2018-19 Relating to Parking. The report was filed into the record. Ordinance O-2018-19 was read for the second time. A motion by Councilor Greenwald for adoption of the Ordinance was duly seconded. On roll call vote, 13 Councilors were present and voting in favor and two opposed. Councilor Filiault and Sutherland were opposed. Ordinance O-2018-19 declared adopted with an effective date of January 1, 2019.

**RESOLUTION R-2018-31: IN APPRECIATION OF JAMES F. MCLAUGHLIN UPON HIS RETIREMENT**

Resolution R-2018-31: In Appreciation of James F. McLaughlin Upon His Retirement was read by title only. A motion by Councilor Greenwald for adoption of the Resolution was duly seconded. The motion carried with a unanimous vote in favor.

**RESOLUTION R-2018-32: IN APPRECIATION OF TIMOTHY P. CLARK UPON HIS RETIREMENT**

Resolution R-2018-32: In Appreciation of Timothy P. Clark Upon His Retirement was read by title only. A motion by Councilor Greenwald for adoption of the Resolution was duly seconded. The motion carried with a unanimous vote in favor.

**MEMORANDUM – CITY MANAGER AND RESOLUTION R-2018-33 RELATING TO ADOPTING THE PROVISIONS OF RSA 79-E “COMMUNITY REVITALIZATION TAX RELIEF INCENTIVE”**

A memorandum was received from the Director of Economic Development, Initiatives and Special Projects along with Resolution R-2018-33. The memorandum was filed into the record. Resolution R-2018-33 was referred by the Chair to the Planning, Licenses and Development Committee.

11/01/2018


NON-PUBLIC SESSION

At 8:12 PM, a motion by Councilor Jacobs to go into non-public session for the purposes of discussion of a land matter under RSA 91-A:3 II(d) was duly seconded. On a roll call vote, 15 Councilors were present and voted in favor. Discussion was limited to the subject matter. The session concluded at 8:40 PM. A motion by Councilor Greenwald to keep the minutes in non-public session was duly seconded. On a roll call vote, 15 Councilors were present and voting in favor.

ADJOURNMENT

At 8:40 PM, there being no further business, the Mayor adjourned the meeting.

A true record, attest:



City Clerk