

A regular meeting of the Keene City Council was held Thursday, December 6, 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, and David C. Richards were present. Mitchell H. Greenwald was absent. Councilor Jacobs led the Pledge of Allegiance. A motion by Councilor Richards to accept the minutes from the November 15, 2018 regular meeting was duly seconded. The motion passed with a unanimous vote in favor.

ANNOUNCEMENTS – MAYOR

The Mayor announced that the Standing Committee meetings of December 26 and 27, 2018 have been canceled. The Mayor went on to announce the January 3rd City Council meeting will be starting at 6:00 PM in order to accommodate a workshop on right-to-know that will follow the regular agenda.

PRESENTATION OF RETIREMENT RESOLUTION – JOANNA BALCOM

The Mayor presented a Resolution to Joanna Balcom in honor of her recent retirement. The Resolution noted her many accomplishments during her tenure with the City and expressed gratitude for her years of service.

APPOINTMENTS – AD HOC COMMITTEES

The following appointments were received from the Mayor: Melinda Treadwell appointed to the Ad Hoc Comprehensive Economic Development Committee and to the Ad Hoc Winchester Street Reconstruction Project Steering Committee: Sandra Clark to replace April Buzby. A motion by Councilor Richards to accept the Mayor's appointments was duly seconded. The motion passed with a unanimous vote in favor.

NOMINATIONS

The following nominations were received from the Mayor: Elizabeth Bendel to serve as a regular member of Airport Development and Marketing Committee with a term to expire December 31, 2021; Rita Johnson to serve as a regular member of the Assessors Board with a term to expire December 31, 2021; Dillon Benik to serve as a regular member of the Bicycle/Pedestrian Path Advisory Committee with a term to expire December 31, 2021; Kenneth Dooley and Jessica Baum to serve as regular members of the Energy and Climate Committee with a term to expire December 31, 2021; Larry Dachowski to serve as an alternate member of the Energy and Climate Committee with a term to expire December 31, 2021; Bettina Chadbourne and Dick Berry to serve as regular members of the College City Commission with a term to expire December 31, 2021; Alexander VonPlinsky to serve as a regular member of the Conservation Commission with a term to expire December 31, 2021; Charlotte Schuerman and Erin Benik to serve as regular members of the Heritage Commission with a term to expire December 31, 2021; Hans Porschitz to serve as a regular member of the Historic District Commission with a term to expire December 31, 2021; David and Paul Cooper to serve as alternate members of the Historic District Commission with a

term to expire December 31, 2021; Pamela Russell Slack to serve as a regular member of Keene Housing Authority with a term to expire December 31, 2023; William Hay and Jan Manwaring to serve as regular members of the Martin Luther King Jr./Jonathan Daniels Committee with a term to expire December 31, 2021; Dawn Thomas Smith and Kathy Frink to serve as regular members of the Partner City Committee with a term to expire December 31, 2021; and Kathy Snow to serve as a regular member of the Trustees of Trust Funds, with a term to expire December 31, 2021. The nominations were tabled until the next regular meeting.

MSFI REPORT – PROPOSED SUSTAINABLE ENERGY RESOLUTION – ENERGY AND CLIMATE COMMITTEE

Municipal Services, Facilities and Infrastructure Committee report read recommending that full Council direct staff to introduce a resolution regarding sustainable energy, as recommended by the Energy and Climate Committee. A motion by Councilor Manwaring to carry out the intent of the report was duly seconded. The motion passed with 13 in favor and Councilor Sutherland opposed.

PLD REPORT – ALBERT GRAUER – LODGING HOUSE LICENSE RENEWAL – 85 WINCHESTER STREET

Planning, Licenses and Development Committee report read recommending a lodging license be issued to Mr. Albert Grauer for property located at 85 Winchester Street for a period of one year from the date of issuance. Said license is conditional upon the following:

1. No more than 8 persons may reside on the premises.
2. No less than 4 vehicular parking spaces must be provided on the premises.
3. Compliance with all applicable laws, ordinances, codes and rules and regulations.
4. The continuation of license is subject to and conditioned upon the successful passage of two inspections to be conducted by the City.
5. Owner shall notify City staff of any change in building operator; failure to do so may be grounds for suspension or revocation of this license.

This license expires on the 6th day of December, 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.

PLD REPORT – KEENESNORIDERS SNOWMOBILE CLUB – USE OF CITY PROPERTY – PUBLIC WORKS DEPARTMENT

Planning, Licenses and Development Committee report read recommending the City Council grant permission to KeeneSnoRiders for use of the following City property for a snowmobile trail:

- The right-of-way along the north side of Krif Road from Krif Court to Winchester Street;
- City property identified by tax map numbers 909-05-012, 911-26-015 and 909-03-210;
- The crossing of Winchester Street at Krif Road ;and, Production Avenue approximately 200+/- feet south of NH Route 9, and

- Use of the Class VI Portion of the Old Gilsum Road starting approximately one (1) mile from the Gilsum Town line and going north.

Said use shall commence on December 15, 2018 and expire on April 1, 2019, and is subject to the following conditions:

- The signing of a revocable license an indemnification agreement; and
- The submittal of a certificate of liability insurance in the amount of \$1,000,000, naming the City of Keene as an additional insured.

In addition, the KeeneSnoRiders, Inc. will be responsible (including cost) for the installation and maintenance of all signage/markings, which will begin accordance with Snowmobile Trail Standards published by the NH Department of Resources and Economic Division of Parks and Recreation; that all signage/markings installed shall be removed from the City right-of-way and City property when there is no longer any snow cover, no structures, including buildings, shelters, lights, displays, walls, etc. shall be permitted with the City right-of-way or on the City property; no parking of motor vehicles or trailers and no catering servicing activities of any kind shall be permitted within the City right-of-way or on City property; grooming shall not extend outside the right-of-way of Krif Road, snow windows shall be groomed to provide adequate sight distances and a gentle sloping approach at all road and driveway intersections; no part of the City Street (paved surfaces) may be uses by off highway recreational vehicles (OHRV) or their operators for any purpose, other than direct crossing; and that KeeneSnoRiders, Inc. shall be responsible for the repair of any damage (including costs) and the City right-of-way property shall only be used when there is snow cover. 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 – COUNCILOR FILIAULT – SUPPORTING STATE LEGISLATION THAT WOULD STANDARDIZE THE AGE REQUIREMENT FOR TOBACCO AND VAPING PRODUCTS

The Chair tabled the Planning, Licenses and Development Committee report until after the vote on Ordinance O-2018-20.

FOP REPORT – USE OF UNSPENT PROJECT BALANCE TO IMPROVE PARK AVENUE – PUBLIC WORKS DEPARTMENT

Finance, Organization and Personnel Committee report read recommending the City Manager be authorized to use \$438,000 in unspent balances from the completed FY18 Road Rehabilitation Projects (90018, 90237, and 90249) for the rehabilitation of Park Avenue and to move Park Avenue from Fiscal Year 2021 to Fiscal Year 2019. A motion by Councilor Jacobs to carry out the intent of the report was duly seconded. The motion passed with 12 votes in favor and two opposed. Councilor Filiault and Councilor Sutherland were opposed.

FOP REPORT – DESIGN CHANGE ORDER – CHESHIRE RAIL TRAIL – PHASE III 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 CHA Consulting, Inc. for the Cheshire Rail Trail Phase III project in an amount not to exceed \$11,264.00, with funding for the participating and non-participating cost to come from the unspent project balance of the FY18 Road Rehabilitation projects. A motion by Councilor Jacobs to carry out the intent of the report was duly seconded. The motion passed with 12 votes in favor and two opposed. Councilor Filiault and Councilor Sutherland were opposed.

FOP REPORT – PROJECT EVALUATOR FOR IMLS GRANT – LITTLE MAKERS: LIBRARY STEM AND MAKER ACTIVITIES FOR VERY YOUNG LEARNERS CONTRACT – KEENE PUBLIC LIBRARY

Finance, Organization and Personnel Committee report read recommending the City Council that contract RFP 02-19-02 Project Evaluator for IMLS Grant be awarded to Peer Associates. 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 announced on Monday, November 26th, Commissioner Caswell was visiting with Keene State College to discuss workforce initiatives. She took advantage of this opportunity to support the workforce initiatives at the college, support a future application for funding from the Chamber for regional branding, and noted the importance of finding ways to incorporate the state's economic development plan into Keene's and the region.

The City Manager advised the Council that the 2017 Council adopted the Economic Development Action Plan which recommended the creation of a development package. There were printed marketing materials given to the Council.

The City Manager reminded the Council that she is in her second year as the City Manager and that she had in her first year made her rounds to each of the departments and attended staff meetings. She believes this is a great opportunity to speak with employees she might not otherwise see, answer questions, provide information and take feedback.

The City Manager noted on December 12, 2018, she will be speaking in front of the Leadership Monadnock class to explain what her role is in the City and how the Council form of government works.

The Manager continued that on November 19, 2018, she attended a neighborhood meeting with President Treadwell from Keene State College. Representatives from the neighborhood shared their concerns and suggestions for improving quality of life for all residents. Several of their suggestions are being brought forward for more discussion at the City College Commission.

The City Manager announced the Gilbo Parking Lot is complete and starting December 7, 2018 the kiosks will be active.

The City Manager reminded the Council they are invited to the Annual City Employee Holiday Luncheon and Recognition Event, which is next Thursday from 11:30 AM – 1:30 PM in the Michael E.J. Blastos Community Room. The Holiday Luncheon Committee puts on a wonderful luncheon each year and all food and event expenses are supported through donations, including donations from union groups, employee funds, vendors (Health Trust and Delta Dental) and other local businesses.

MORE TIME

More time was granted by the Chair for the following items in Committee: Vicki Bacon – Body & Soul Road Runners’ Club – Request to Use City Property – Red Cap Run; Keene Lions Club – Request to Use City Property – Duck Race.

MSFI REPORT AND ORDINANCE O-2018-20: RELATING TO THE PURCHASE, USE AND POSSESSION OF TOBACCO PRODUCTS

Municipal Services, Facilities and Infrastructure Committee report read recommending the adoption of Ordinance O-2018-20 Relating to the Purchase, Use and Possession of Tobacco Products. The report was filed into the record. Ordinance O-2018-20 was read for the second time. A motion by Councilor Manwaring for adoption of the Ordinance was duly seconded. Lengthy discussion followed. With reference to the motion on the floor, on roll call vote with 14 Councilors present, 10 voted in favor and Councilors Jacobs, Rice, Sutherland, and Hansel were opposed. Councilor Greenwald was absent. Ordinance O-2018-20 declared adopted.

REMOVED FROM THE TABLE - PLD REPORT – COUNCILOR FILIAULT – SUPPORTING STATE LEGISLATION THAT WOULD STANDARDIZE THE AGE REQUIREMENT FOR TOBACCO AND VAPING PRODUCTS

Planning, Licenses and Development Committee report read recommending that Staff be instructed to work with our Legislative Delegation to amend RSA-126-1C to increase the minimum age from 18 to 21 to purchase, use or possess tobacco products. A motion by Councilor Jones to carry out the intent of the report was duly seconded. The motion passed with 13 in favor and Councilor Sutherland opposed.

ADJOURNMENT FOR COLLECTIVE BARGAINING

At 8:35 PM the Mayor adjourned the meeting for the purposes of collective bargaining strategy. At 8:47 PM the meeting reconvened. On motion by Councilor Richards, voted unanimously to authorize the City Manager to do all things necessary to execute negotiated contacts with the Professional Firefighters of Keene and the Keene Fire Supervisors to be effective July 1, 2018 through June 30, 2022.

A true record, attest:


City Clerk