



KEENE CITY COUNCIL  
Council Chambers, Keene City Hall  
April 18, 2019  
7:00 PM

Roll Call  
Pledge of Allegiance

MINUTES FROM PRECEDING MEETING

- April 4, 2019

**A. HEARINGS / PRESENTATIONS / PROCLAMATIONS**

1. Public Hearing - CDBG - Monadnock Food Co-op
2. Greater Goose Pond Forest Stewardship Plan - Jeff Littleton of Moosewood Ecological LLC

**B. ELECTIONS / NOMINATIONS / APPOINTMENTS / CONFIRMATIONS**

1. Confirmations  
Agricultural Commission  
Building Board of Appeal  
Housing Standards Board of Appeal
2. Nomination  
Agricultural Commission
3. Appointment of ad hoc Land Use Code Steering Committee

**C. COMMUNICATIONS**

1. Marcia Kayser - Resignation - College City Commission
2. Keene Swampbats - Request to Discharge Fireworks
3. HG Johnson Real Estate - Fee Agreement - 560 Main Street - Froling Energy
4. Roger Weinreich - Request to Use City Property - Block Party - Main Street
5. Ed and Kathleen (Kennedy) Burke - Beaugard Trust Property and 0 Chapman Road

**D. REPORTS - COUNCIL COMMITTEES**

1. Anthony & Fanella Levick/Granite Roots Brewing - Request to Sell Beer at Keene Farmers' Market
2. Peter Poanessa & Judy Rogers/Magical History Tour - Request to Use City Property - Walldogs Mural Festival
3. SB 165 "Relative to Net Energy Metering by Low-Moderate Income Community Solar Projects" - Energy & Climate Committee

4. Acceptance of Donation - Fire Department
5. Lease Agreement - 12 Gilbo Avenue
6. Downtown Parking Options - City Manager

**E. CITY MANAGER COMMENTS**

**F. REPORTS - CITY OFFICERS AND DEPARTMENTS**

**G. REPORTS - BOARDS AND COMMISSIONS**

1. Resignation from Southwest Region Planning Commission - Planning Board
2. Confirmation to the Southwest Region Planning Commission - Planning Board

**H. REPORTS - MORE TIME**

**I. ORDINANCES FOR FIRST READING**

1. Relating to Licenses and Permits  
Ordinance O-2019-04
2. Relating to Vendors in Parking Spaces or Parking Lots  
Ordinance O-2019-05
3. Relating to the Human Rights Committee  
Ordinance O-2019-08

**J. ORDINANCES FOR SECOND READING**

1. Membership on the Energy and Climate Committee  
Ordinance O-2019-07-A

**K. RESOLUTIONS**

1. In Appreciation of Frank J. Hoyer Upon His Retirement  
Resolution R-2019-23
2. In Appreciation of Michael J. Martell Upon His Retirement  
Resolution R-2019-24
3. Relating to Approving an Application for CDBG Funds  
Resolution R-2019-22

**L. TABLED ITEMS**

1. Councilors Greenwald, Manwaring, & Richards – Tax Deeding - Kingsbury

Non Public Session  
Adjournment

A regular meeting of the Keene City Council was held Thursday, April 4, 2019. The Honorable Mayor Kendall W. Lane called the meeting to order at 7:00 PM. Roll called: Janis O. Manwaring, 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, David C. Richards and Mitchell H. Greenwald were present. Carl B. Jacobs, Bartolmiej K. Sapeta, and Robert B. Sutherland were absent. Councilor Filiault led the Pledge of Allegiance. A motion by Councilor Greenwald to accept the minutes from the March 21, 2019 regular meeting was duly seconded by Councilor Jones. The motion passed with a unanimous vote in favor.

#### ANNOUNCEMENTS – MAYOR

The Mayor reminded the Councilors that the solar array ribbon cutting and tour will be held on Monday, April 8, 2019 at 1:30PM at 350 Marlboro Street. This is one of the State's largest solar array projects and will save the City of Keene millions of dollars while generating enough power to offset the electric load of nearly 100 homes. The array includes 2,010 solar panels on the rooftops of the Keene Ice and the adjacent Public Works Department building.

The Mayor announced the 12<sup>th</sup> Annual Green Up Keene Event will be held on April 20, 2019 from 8:00 AM to Noon. There will be a table in Railroad Square for folks to stop by and get their assignments. The Public Works Department encourages individuals and groups to get their assignments ahead of time by contacting Public Works.

The Mayor announced the City of Keene has been designated by the Arbor Day Foundation as a 2019 Tree City USA Community. This is the 40<sup>th</sup> year the City has been designated. The Tree City USA program began in 1976. The City of Keene was first designated in 1979 and is the second oldest Tree City in New Hampshire, Durham NH at 41 years is the oldest.

#### NOMINATIONS

The following nominations were received from the Mayor: Kira Wadsworth to serve as a regular member of Agriculture Commission with a term to expire December 31, 2021; Doug Brown to serve as a regular member of the Building Board of Appeal and the Housing Standards Board of Appeal with a term to expire December 31, 2021. The nominations were tabled until the next regular meeting.

#### CONFIRMATIONS

A motion was made by Councilor Greenwald and duly seconded by Councilor Jones to confirm the following nominations: Samuel Temple to serve as a regular member on the Historic District Commission with a term to expire December 31, 2019; Peter Starkey to serve as a regular member on the College City Commission with a term to expire December 31, 2020. On a roll call vote, with 12 Councilors present and voting in favor the nomination was confirmed. Councilors Jacobs, Sapeta, and Sutherland were absent.

#### COMMUNICATION – ANTHONY & FANELLA LEVICK/GRANITE ROOTS BREWING – REQUEST TO SELL BEER AT KEENE FARMERS' MARKET

A communication was received from Anthony & Fanella Levick, from Granite Roots Brewing, requesting to sell beer produced by them at their nano brewery at the Farmers' Market of Keene. The request was referred to the Planning, Licenses and Development Committee.

COMMUNICATION – PABLO FLEISCHMANN/KEENE MUSIC FESTIVAL – REQUEST FOR ADDITIONAL COMMUNITY SPONSORED EVENT FUNDING – KEENE MUSIC FESTIVAL

A communication was received from Pablo Fleischmann, from the Keene Music Festival, requesting an additional \$3,000.00 of Community Sponsored Event funding to cover an expanded footprint for the event to encompass a “block party” on the north side of Main Street between Eagle Court and Cypress Street. The request was referred to the Finance, Organization and Personnel Committee to be considered as part of budget discussions.

COMMUNICATION – MAGICAL HISTORY TOUR – REQUEST TO USE CITY PROPERTY – WALLDOGS MURAL FESTIVAL

A communication was received from Judy Rogers and Peter Poanessa, from the Magical History Tour, requesting a license to hold the Walldogs Mural Festival in downtown Keene from June 19-23, 2019. The request was referred to the Planning, Licenses and Development Committee.

COMMUNICATION – PETITION – REQUESTING THE REMOVAL OF THE KIOSK – WEST SIDE OF CENTRAL SQUARE

A petition was received with 84 signatures requesting the replacement of the parking kiosk on the west side of Central Square with traditional coin operated parking meters. The petition was filed as informational.

COMMUNICATION – COUNCILOR FILIAULT – OPERATING HOURS FOR FOOD VENDORS

A communication was received from Councilor Filiault indicating his intent to offer an amendment to Ordinance O-2019-03 to allow for unrestricted hours of operation for vendors operating in Keene. The communication was accepted as informational.

MSFI REPORT – DORRIE MASTEN – REQUESTING A DISCUSSION ABOUT DOWNTOWN PARKING OPTIONS

Municipal Services, Facilities and Infrastructure Committee report read recommending that the City remove the kiosk on the western side of Central Square, and replace it with meters that are still in stock by the City; and, that the whole issue of parking be followed up by the City Manager with a report back to City Council. The Chair referred the matter to the Finance, Organization and Personnel Committee.

MSFI REPORT – NOTIFICATION OF DRAWDOWN – GOOSE POND DAM  
IMPROVEMENTS PROJECT – PUBLIC WORKS DEPARTMENT

Municipal Services, Facilities and Infrastructure Committee report read recommending accepting the report as informational. The report was filed into the record as informational.

PLD REPORT – TIM ZINN/LET IT SHINE – REQUEST TO USE CITY PROPERTY – 2019  
PUMPKIN FESTIVAL

Planning, Licenses and Development Committee report read recommending that a license be granted to Let It Shine, Inc. to use the Downtown area including Central Square and Downtown City rights-of-way and City property along with closing of any City Street and/or public right-of-way as identified by City staff on Sunday, October 27, 2019 to hold the “Keene Pumpkin Festival, In the HeART of Downtown Keene, NH” subject to the following provisions:

- The Petitioner agrees to limit the number of pumpkins to 5,000;
- That the actual event will be held from 1:00 PM to 7:00 PM with the times for set up and clean up to be established with City staff;
- There shall be no changes to the agreed upon event footprint presented in March 2019;
- No changes to the license and/or the associated protocol documents will be accepted after September 1, 2019;
- The Petitioner shall absorb the cost of any City services over and above the amount of City funding allocated in the FY 20 Community Events Budget, and agrees to remit said payment within 30-days of the date of the invoicing from the City;
- That the Petitioner is permitted to place 10 porta-potties in City parking spaces located at the base of Washington Street from Friday, October 25, 2019 to Monday October 28, 2019, which will be chained together and affixed to ensure they are not vandalized while unattended overnight;
- That free parking be granted under the provisions of the free parking policy for City parking spaces on Washington Street needed for storage of equipment from Friday, October 25, 2019 to Monday October 28, 2019, and spaces within the event footprint on the day of the event;
- The furnishing of a certificate of liability insurance in the amount of \$1,000,000 naming the City of Keene as an additional insured;
- The signing of a standard revocable license and indemnification agreement and associated protocol documents; and
- That the Petitioner complies with any and all other recommendations of City staff.

A motion by Councilor Richards to carry out the intent of the report was duly seconded by Councilor Greenwald. The motion passed with 11 in favor and Councilor Powers opposed.

PLD REPORT – MILONE & MACBROOM ON BEHALF OF PEOPLE’S LINEN –  
REQUEST TO USE CITY PROPERTY – MONITORING WELL

Planning, Licenses and Development Committee report read recommending that the City Manager be authorized to do all things necessary to negotiate and execute a license with People’s Linen Services, LLC for the installation and maintenance of a groundwater monitoring well on City of Keene parcel 534-004, 300 North Lincoln Street. A motion by Councilor Richards to

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

FOP REPORT – MELANSON & HEATH – AUDIT FOR FISCAL YEAR ENDED JUNE 2018

Finance, Organization and Personnel Committee report read recommending report read recommending the presentation be accepted as informational. The report was filed into the record as informational.

FOP REPORT – APPLICATION AND ACCEPTANCE OF GRANT – TAXIWAY A RECONSTRUCTION AND EXTENSION – PUBLIC WORKS DEPARTMENT

Finance, Organization and Personnel Committee report read recommending that the City Manager be authorized to do all things necessary to apply for, accept and execute a grant offering from the New Hampshire Department of Transportation, Bureau of Aeronautics and/or the Federal Aviation Administration for the design and construction phases of the Taxiway A Reconstruction/Extension Project at the Dillant-Hopkins Airport. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded by Councilor Powers. The motion passed with a unanimous vote in favor.

FOP REPORT – HOMELAND SECURITY GRANT PROGRAM – POLICE DEPARTMENT

Finance, Organization and Personnel Committee report read recommending that the City Manager be authorized to do all things necessary to accept a grant of up to \$851.99 from the FY 2016 Homeland and Security Law Enforcement Terrorism Prevention Program (LETPP) to send one member of the police department to the 2019 New York Tactical Officers Association conference in April, 2019. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded by Councilor Powers. 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 that the City Manager be authorized to do all things necessary to accept a monetary State drug forfeiture in the amount of \$604.25. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded by Councilor Powers. The motion passed with a unanimous vote in favor.

FOP REPORT – REQUEST TO ACCEPT A MONETARY DONATION – POLICE DEPARTMENT

Finance, Organization and Personnel Committee report read recommending that the City Manager be authorized to do all things necessary to accept a \$50 donation to be used for the Keene Police Department K-9 program. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded by Councilor Powers. The motion passed with a unanimous vote in favor.

FOP REPORT – ATTORNEY GARY KINYON/372 MARLBORO STREET, LLC –  
PURCHASE PROPOSAL FOR CITY PROPERTY ADJACENT TO 372 MARLBORO  
STREET

Finance, Organization and Personnel Committee report read recommending that the City Manager be authorized to do all things necessary to negotiate and execute the sale of the 3,700 square foot parcel. Staff does not recommend the sale of the other parcel referenced on east side of 372 Marlboro Street at this time. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded by Councilor Powers. The motion passed with a unanimous vote in favor.

FOP REPORT – ZACH LUSE/PARAGON DIGITAL MARKETING – APPLICATION FOR  
COMMUNITY REVITALIZATION TAX RELIEF INCENTIVE (79-E) – FORMER GRACE  
METHODIST CHURCH AT 34 CHURCH STREET

Finance, Organization and Personnel Committee report read recommending that the City Council finds as follows:

That the structure proposed for redevelopment located at 34 Court Street is a qualifying and historic structure as defined by RSA 79-E; that the structure is located within a City designated RSA 79-E district, but is not within a currently defined Tax Increment Financing District; that the structure is not a residential property subject to an election for tax assessment relief under the low income housing tax credit program of RSA 75:1-a; that the proposed rehabilitation cost estimates exceed the threshold amount of \$75,000.00 and constitutes substantial rehabilitation; that at least \$5,000.00 of the total rehabilitation cost is devoted to energy efficiency in accordance with the U.S. Secretary of the Interior's Standards for Rehabilitation; that the proposed rehabilitation is consistent with the City's Master Plan; and that the proposed rehabilitation provides the following public benefits as required by Resolution R-2018-33:

1. It enhances the economic vitality of downtown areas;
2. It enhances and improves a structure that is culturally or historically important on a local, regional, state, or national level, either independently or within the context of an historic district, town center, or village center in which the building is located;
3. It promotes the preservation and reuse of existing building stock throughout a municipality by the rehabilitation of historic structures, thereby conserving the embodied energy in accordance with energy efficiency guidelines established by the U.S. Secretary of the Interior's Standards for Rehabilitation;
4. It promotes efficient design, safety, and a greater sense of community in a manner consistent with the Keene Comprehensive Master Plan;
5. It will add to the City's employment base by creating at least one new, full-time job in Keene's downtown area.

Therefore, the Committee recommends that the Application for real property tax relief on any assessed tax increment resulting from the substantial rehabilitation of the qualifying structure be granted for a period of five years beginning with the completion of the substantial rehabilitation as determined by the City's Community Development Department, and conditioned upon the property owner granting to the City at the time of substantial completion a covenant ensuring

that the structure shall be maintained and used in a manner that furthers the public benefits for the period of the tax relief, to be recorded at the Cheshire County Registry of Deeds at the cost and expense of the property owner. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded by Councilor Powers. The motion passed with a unanimous vote in favor.

#### FOP REPORT – ACQUISITION OF THE RAIL SPUR THAT BISECTS TWO PARCELS OF PROPERTY – CORNER OF RALSTON AND EMERALD STREETS

Finance, Organization and Personnel Committee report read recommending that the City Manager be authorized to negotiate with Nancy Sheldon, on behalf of Shalldu, Ltd., regarding her request to acquire the rail spur that bisects two parcels on the corner of Ralston and Emerald Streets. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded by Councilor Powers. The motion passed with a unanimous vote in favor.

#### CITY MANAGER COMMENTS

The City Manager announced that the City's Spring Street Sweeping Program has begun and will continue for the next 3 weeks. She continued with the week of April 8<sup>th</sup> is National Work Zone Awareness Week. Spring is here and construction activities on City Streets and State Highways will be ramping up. Each year thousands of workers, vehicle drivers and passengers are hurt in work zone accidents. The Public Works Department is asking drivers be alert when approaching and driving through work zones. These work zones are where our employees go to work each day and we want them to go home each night.

The City Manager updated the Council on the Library Project from Facilities as of March 29, 2019. The elevator is installed and waiting for a phone connection and then the final inspection on Friday, April 12, 2019. The connector between the two buildings is mostly completed, and just needs minor things to be completed. The Friend's of Keene Public Library basement is cleared for occupancy of book storage. The basement spaces still have plumbing fixtures needed, but will be completed in the next few weeks. Heberton Hall has had the final coat of urethane and the new maple flooring looks amazing. The Temple Room carpet has been installed and only needs minor touch up work. The second floor rooms, Cheshire TV area is completed and they are starting to move into their space. The first floor rooms, two conference and office space are completed. The restroom still needs fixtures. The sprinkler system is live, however, the fire alarm systems will not be ready for a few more weeks. The last piece is the HVAC connection and commissioning, of which we still do not have a date for this piece. There have been a variety of issues trying to get the contractors to the site, so a purchase of a few hundred gallons more fuel has been needed to get through the heating season. The estimated time to complete the interior work should be by the end of April. The exterior work should be completed by the end of May.

The City Manager provided some updates from the Fire Department. Probationary Firefighter/AEMT Zachary Burke started his orientation training on Tuesday, April 2, 2019. He comes from Franklin Fire Department where he has served as a fulltime Firefighter/AEMT since 2016. Before that he was a firefighter with the Gilmanton Fire Department. He is a Certified Level II Firefighter and an Advanced Emergency Medical Technician. He obtained his



Associates Degree in Fire Science from the Lakes Region Community College in 2014. He is currently in Paramedic School with a tentative completion scheduled for summer 2019. This brings the Fire Department to full staffing.

The City Manager provided some updates regarding City Hall. Facilities is preparing for the installation of key fobs for City Hall. Currently the wiring is being distributed throughout the building. This will provide all exterior doors to be under a system for greater security management of City Hall. The fobs will also offer increased control for building operations and will allow emergency services complete access without keys. The system has the capacity for future expansion when the City is ready to do so. The project is estimated to be complete at the end of May.

The City Manager announced Beth Wood has been selected for the role of Downtown Coordinator and is scheduled to start on May 1, 2019. She will be an employee of MEDC which is where her office will be located. Beth lives in Keene, is active with the downtown group and has been involved in several local nonprofits. The last eleven years she has been serving as a General Manager for one or more local restaurants. She has a Bachelor's degree in psychology from Keene State College.

**MEMORANDUM – ENERGY AND CLIMATE COMMITTEE – HB 165 “RELATIVE TO NET ENERGY METERING BY LOW-MODERATE INCOME COMMUNITY SOLAR PROJECTS”**

A memorandum was received from the Energy and Climate Committee recommending the City Council draft a letter to the State Legislature stating they support HB 365 “Relative to net energy metering by low-moderate income community solar projects.” The item was referred to the Finance, Organization and Personnel Committee.

**MEMORANDUM – MAYOR LANE AND ORDINANCE O-2019-07 RELATING TO MEMBERSHIP ON THE ENERGY AND CLIMATE COMMITTEE**

A memorandum was received from the Mayor along with Ordinance O-2019-07 Relating to Membership on the Energy and Climate Committee. The memorandum was filed as informational. Ordinance O-2019-07 was read for the first time. The Ordinance was referred to the Finance, Organization and Personnel Committee.

**PLD REPORT AND ORDINANCE O-2019-03 RELATING TO VENDORS – TIME LIMITATIONS FOR CERTAIN ACTIVITIES**

Planning, Licenses and Development Committee report read recommending the adoption of Ordinance O-2019-03 Relating to Vendors – Time Limitations for Certain Activities. The report was filed into the record. Ordinance O-2019-03 was read for the second time. A motion by Councilor Richards for adoption of the Ordinance was duly seconded by Councilor Hansel. Discussion ensued. A motion to amend the Ordinance to have no restrictions on hours of operation for all vendors was made by Councilor Filiault and duly seconded by Councilor Clark. Lengthy discussion occurred. The motion to amend failed with six in favor, Councilors

Manwaring, Powers, Rice, Hansel, Lamoureux and Richards opposed, and the Mayor breaking the tie with a vote in opposition. Relative to the main motion on the floor for the adoption of Ordinance O-2019-03, on roll call vote, 12 Councilors were present and voting in favor. Councilors Jacobs, Sapeta, and Sutherland were absent. Ordinance O-2019-03 declared adopted.

**FOP REPORT AND RESOLUTION R-2019-13: RELATING TO AN APPROPRIATION FOR THE MAIN STREET CROSSWALK IMPROVEMENTS PROJECT**

Finance, Organization and Personnel Committee report read recommending the adoption of Resolution R-2019-13. The report was filed into the record. Resolution R-2019-13 was read for the second time. A motion by Councilor Greenwald for the adoption of Resolution R-2019-13 was duly seconded by Councilor Powers. On roll call vote, 12 Councilors were present and voting in favor. Councilors Jacobs, Sapeta, and Sutherland were absent. Resolution R-2019-13 declared adopted.

**FOP REPORT AND RESOLUTION R-2019-14: RELATING TO THE ALLOCATION OF FUNDS FROM THE SEWER INFRASTRUCTURE CAPITAL RESERVE TO FUND A PORTION OF A WATER/SEWER RATE STUDY**

Finance, Organization and Personnel Committee report read recommending the adoption of Resolution R-2019-14. The report was filed into the record. Resolution R-2019-14 was read for the second time. A motion by Councilor Greenwald for the adoption of the Resolution R-2019-14 was duly seconded by Councilor Powers. On roll call vote, 12 Councilors were present and voting in favor. Councilors Jacobs, Sapeta, and Sutherland were absent. Resolution R-2019-14 declared adopted.

**MEMORANDUM AND RESOLUTION R-2019-22: APPROVING AN APPLICATION FOR CDBG FUNDS**

A memorandum was received from Rebeckah Bullock, of Southwest Regional Planning Commission, along with Resolution R-2019-22. The memorandum was filed into the record. Resolution R-2019-22 was referred by the Chair to the Finance, Organization and Personnel Committee. The Mayor set a public hearing for Thursday, April 18, 2019 at 7:00 PM.

**TABLED ITEM – COUNCILORS GREENWALD, MANWARING, & RICHARDS – TAX DEEDING - KINGSBURY**

The Chair announced this item will remain tabled indefinitely.

**NON-PUBLIC SESSION**

At 8:12 PM, a motion by Councilor Greenwald 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, 12 Councilors were present and voted in favor. Councilors Jacobs, Sapeta, and Sutherland were absent. Discussion was limited to the subject matter. The session concluded at 8:45 PM. A motion by Councilor Greenwald to keep the minutes in non-public session was duly seconded.

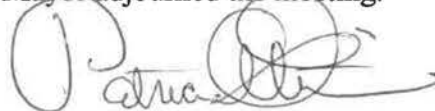
04/04/2019

On a roll call vote, 12 Councilors were present and voting in favor. Councilors Jacobs, Sapeta, and Sutherland were absent.

ADJOURNMENT

At 8:45 PM, there being no further business, the Mayor adjourned the meeting.

A true record, attest:

A handwritten signature in black ink, appearing to read "Patricia", written over a circular stamp or seal.

City Clerk



## PUBLIC HEARING

Notice is hereby given that a Public Hearing will be held before the Keene City Council relative to a proposed application to the NH Community Development Finance Authority for \$500,000 in Community Development Block Grant (CDBG) funds. A portion of the CDBG proceeds from the New Hampshire Community Development Finance Authority (CDFA) will be sub-granted to the Monadnock Economic Development Corporation (MEDC) who will make a loan to the for-profit entity created by Monadnock Food Co-op. The remaining CDBG proceeds will be sub-granted by the City of Keene to the Monadnock Food Co-op. The Co-op will use the CDBG funds towards costs associated with the purchase and expansion of the building they currently lease from MEDC. The Co-op will create up to 25 new jobs as a result of this project. The total project is anticipated to exceed \$2 million of new investment in downtown Keene.

CDBG funds are awarded on a competitive basis in New Hampshire and may be used for housing, public facilities, and economic development projects, which have primary benefit to low- and moderate-income people. A municipality can apply for up to \$500,000 in the housing and public facilities category, up to \$500,000 in the economic development category, and \$12,000 for feasibility studies.

A second public hearing will be held to review and adopt the Housing and Community Development Plan. A third public hearing will be held to review and adopt the Relocation and Anti-Displacement Plan specific to this project.

Interested persons are invited to attend and provide comment. Please contact the City of Keene, 3 Washington Street, Keene, NH 03431, at 603-352-0133 five days in advance if you need assistance to attend or participate in the hearing. Anyone wishing to provide written comments should address them to the City Manager, City of Keene, 3 Washington Street, Keene, NH 03431 and submit them by the close of business on the day preceding the hearings.

Hearing Date; Thursday, April 18, 2019

Hearing Time: 7:00 p.m.

Hearing Place: Council Chambers, Keene City Hall

Per order of the Mayor and Council of the City of Keene, this sixth day of April two thousand and nineteen.

Attest:

Patricia A. Little  
City Clerk

## New Hampshire Community Development Block Grant Program

The New Hampshire Community Development Block Grant (CDBG) Program represents federal funding from the United States Department of Housing and Urban Development (HUD). CDBG projects must target low to moderate income individuals and households. The program is administered by the New Hampshire Community Development Finance Authority (CDFA). Following are the four categories of CDBG projects that are available to municipalities:

### **CDBG Housing and Public Facilities Grants - up to \$500,000 annually**

- Affordable housing and housing rehabilitation grants to purchase, rehabilitate, expand, and improve the condition and supply of housing for low and moderate income homeowners and tenants.
- Public Facilities grants include water and sewer system improvements, transitional and homeless shelters, sidewalks, handicapped access, and neighborhood or community centers that provide public services to low and moderate income people.
- Applications for housing and public facilities applications are accepted on the last Monday of January and July of each year.

### **CDBG Economic Development - up to \$500,000 annually**

- CDBG Economic Development grants provide funds through an annual set-aside for activities, which create and retain employment, primarily for low and moderate income people.
- Can providing business financing through Regional Development Corporations (RDC) and Economic Development Entities (EDE), or through public facility improvements to support economic development efforts.
- CDBG Economic Development Funds can be used for acquisition of land and buildings, construction of commercial buildings, purchase of machinery and equipment, employee training, and public facilities improvements. Applications are accepted on a first-come, first-served basis.

### **CDBG Microenterprise - up to \$500,000 annually**

- CDBG Microenterprise grants provide support for low to moderate income microenterprise businesses, through training, technical assistance, and loans.
- Grant funding is sub-granted to a Subrecipient entity that provides the services to the microenterprise businesses.

### **CDBG Feasibility Studies Grants**

- The objectives of a feasibility study grant are to determine whether or not a proposed CDBG project is feasible and/or to recommend specific action(s) to be undertaken and that at least 51% of the intended beneficiaries will be of low or moderate income.
- Eligible activities include income surveys, preliminary architectural and engineering design, cost estimates, and market analysis.
- Applications are accepted on the last business day, Monday through Friday, of April and October each year.

### **CDBG Emergency and Unanticipated Events Grants - up to \$500,000 annually**

- Grant funds are available for eligible CDBG projects which result from emergencies and unanticipated events that have a serious and immediate threat to public health and safety and must benefit low to moderate income people.
- Applications are accepted on a first-come, first-served basis.

STATE: NEW HAMPSHIRE

SECTION 8 INCOME LIMITS

PROGRAM  
Boston-Cambridge-Newton, MA-NH USA

1 PERSON 2 PERSON 3 PERSON 4 PERSON 5 PERSON 6 PERSON 7 PERSON 8 PERSON

Boston-Cambridge-Quincy, MA-NH BMEFA  
FY 2016 MET: 98100

EXTR LOW INCOME 20650 23600 26550 29450 31850 34200 36730 40890  
 VERY LOW INCOME 34350 39250 44150 49050 53000 56900 60850 64750  
 LOW-INCOME 51150 58450 65750 73050 78900 84750 90600 96450

Lawrence, MA-NH BMEFA  
FY 2016 MET: 84100

EXTR LOW INCOME 17700 20200 22750 25250 28440 32580 36730 40890  
 VERY LOW INCOME 29450 33650 37850 42050 45450 48800 52150 55550  
 LOW-INCOME 46000 52600 59150 65700 71000 76250 81500 86750

Portsmouth-Rochester, NH BMEFA  
FY 2016 MET: 83400

EXTR LOW INCOME 17500 20000 22500 25000 28440 32580 36730 40890  
 VERY LOW INCOME 29200 33400 37550 41700 45050 48400 51750 55050  
 LOW-INCOME 46000 52600 59150 65700 71000 76250 81500 86750

Western Rockingham County, NH BMEFA  
FY 2016 MET: 101800

EXTR LOW INCOME 21400 24450 27500 30550 33000 35450 37900 40890  
 VERY LOW INCOME 35650 40750 45850 50900 55000 59050 63150 67200  
 LOW-INCOME 46000 52600 59150 65700 71000 76250 81500 86750

Manchester-Nashua, NH BSA

Hillsborough County, NH (part) BMEFA  
FY 2016 MET: 84700

EXTR LOW INCOME 17800 20350 22900 25400 28440 32580 36730 40890  
 VERY LOW INCOME 29650 33900 38150 42350 45750 49150 52550 55950  
 LOW-INCOME 46000 52600 59150 65700 71000 76250 81500 86750

Manchester, NH BMEFA  
FY 2016 MET: 72400

EXTR LOW INCOME 15900 18150 20400 24300 28440 32580 36730 40890  
 VERY LOW INCOME 26450 30200 34000 37750 40800 43800 46850 49850  
 LOW-INCOME 42300 48350 54400 60400 65250 70100 74900 79750

Nashua, NH BMEFA  
FY 2016 MET: 89200

EXTR LOW INCOME 19150 21900 24650 27350 29550 32580 36730 40890  
 VERY LOW INCOME 31950 36500 41050 45600 49250 52900 56550 60200  
 LOW-INCOME 46000 52600 59150 65700 71000 76250 81500 86750

Bellamy County, NH

Bellamy County, NH  
FY 2016 MET: 69400

EXTR LOW INCOME 15000 17150 20160 24300 28440 32580 36730 40890  
 VERY LOW INCOME 25000 28600 32150 35700 38600 41450 44300 47150  
 LOW-INCOME 40000 45700 51400 57100 61700 66250 70850 75400

Carroll County, NH

Carroll County, NH  
FY 2016 MET: 60400

EXTR LOW INCOME 15000 17150 20160 24300 28440 32580 36730 40890  
 VERY LOW INCOME 25000 28600 32150 35700 38600 41450 44300 47150  
 LOW-INCOME 40000 45700 51400 57100 61700 66250 70850 75400

Cheshire County, NH

Cheshire County, NH  
FY 2016 MET: 64900

EXTR LOW INCOME 15000 17150 20160 24300 28440 32580 36730 40890  
 VERY LOW INCOME 25000 28600 32150 35700 38600 41450 44300 47150  
 LOW-INCOME 40000 45700 51400 57100 61700 66250 70850 75400

Cook County, NH

Cook County, NH  
FY 2016 MET: 55200

EXTR LOW INCOME 15000 17150 20160 24300 28440 32580 36730 40890  
 VERY LOW INCOME 25000 28600 32150 35700 38600 41450 44300 47150  
 LOW-INCOME 40000 45700 51400 57100 61700 66250 70850 75400

Dea County, NH

Dea County, NH  
FY 2016 MET: 70700

EXTR LOW INCOME 15000 17150 20160 24300 28440 32580 36730 40890  
 VERY LOW INCOME 25000 28600 32150 35700 38600 41450 44300 47150  
 LOW-INCOME 40000 45700 51400 57100 61700 66250 70850 75400

Harrisack County, NH

Harrisack County, NH  
FY 2016 MET: 83200

EXTR LOW INCOME 17500 20000 22500 24950 28440 32580 36730 40890  
 VERY LOW INCOME 29150 33300 37450 41600 44950 48300 51600 54950  
 LOW-INCOME 46000 52600 59150 65700 71000 76250 81500 86750

Sullivan County, NH

Sullivan County, NH  
FY 2016 MET: 67700

EXTR LOW INCOME 15000 17150 20160 24300 28440 32580 36730 40890  
 VERY LOW INCOME 25000 28600 32150 35700 38600 41450 44300 47150  
 LOW-INCOME 40000 45700 51400 57100 61700 66250 70850 75400

## MEDC/Monadnock Food Co-op Expansion

### CDBG Applications Summary

Applicant:	City of Keene
Proposed Subrecipient:	Monadnock Economic Development Corporation
Proposed Business:	Monadnock Food Co-op
Proposed Grant Administrator:	Southwest Region Planning Commission
Needs Addressed:	Job creation for low to moderate income individuals. The Co-op will create up to 25 new jobs as a result of this expansion project, of which at least 60% will be filled by individuals from low to moderate income households.
Project:	A portion of the CDBG proceeds from the New Hampshire Community Development Finance Authority (CDFA) will be sub-granted to the Monadnock Economic Development Corporation (MEDC) who will make a loan to the for-profit entity created by Monadnock Food Co-op. The remaining CDBG proceeds will be sub-granted by the City of Keene to the Monadnock Food Co-op. The Co-op will use the CDBG funds towards costs associated with the purchase and expansion of the building they currently lease from MEDC. The Co-op will create up to 25 new jobs as a result of this project. The total project is anticipated to exceed \$2 million of new investment in downtown Keene.
Amount of CDBG funds:	Up to \$500,000
Use of CDBG funds:	Economic Development
Other funds:	An estimated \$1.7 million of additional capital will be invested in the project.

## CITY OF KEENE

### HOUSING AND COMMUNITY DEVELOPMENT PLAN

The Housing and Community Development Plan goals reflect those goals outlined in the 2008-2010 Community Visioning process which has resulted in a new Comprehensive Master Plan, the 1995 Community Goals Statement, the Land Use Plan (updated 1983), and the Housing Plan adopted in 1990. The Housing and Community Development Plan is divided into five sections: the Downtown, Housing, Economic Development, Health and Human Services, and CDBG Impact Area. Each section describes the existing conditions, and specific short and long-term actions which would be implemented to alleviate the needs.

The Plan's goals and objectives are identified below and are consistent with the National Housing and Community Development Act of 1974, as amended, and the state's objectives listed in the Community Development Block Grant Program Rules (Cdfa 305.01 and 310.01.) Both short- and long-term goals and objectives are included. Priority will be given to the needs of low and moderate income persons, minorities, and disadvantaged persons.

#### **THE DOWNTOWN.**

The Downtown Section of the Comprehensive Master Plan emphasizes the long-term goal of preserving the downtown as the social, economic, and cultural center of the community:

"We will maintain the distinctive, historic, and scenic character of our downtown while ensuring that it remains the heart of our community and the region." This includes having a downtown "that consists of a mix of uses where people can socialize, have access to services, and retail that creates a vibrant city core."

The importance of Keene's downtown indicates that activities which support and enhance the vitality of the area will receive priority in the City budget process, and where possible, in Community Development projects.

The land use plan for the downtown area revolves around the basic concept of retail and service center flanked to the north by a government center, and to the south by the college. The downtown area should be surrounded by and integrated with high-density residential uses that complement the downtown area, fulfill the demand for residential units within walking distance of services, and create 24-hour activity. The warehousing and industrial uses in the immediate downtown area are continuing to convert to uses more compatible with the central business district.

The development of Keene's downtown area has followed the plan. Main Street remains the central shopping core--the service and retail area with parking facilities located behind the stores. The ground floors are occupied by retail shops. The north end has many offices,



government facilities, and the Chamber of Commerce. Public improvements to Main Street have been accomplished. This work, which included improvements to traffic flow, sidewalks, lighting, and landscaping, has stimulated and been accompanied by major private improvements to the buildings on Main Street. The rehabilitation of buildings of historic significance, such as the Cheshire County Courthouse, City Hall, the United Church of Christ, the Chamberlain Block and the Colony Block (now Central Square Terrace), has contributed significantly to maintaining Central Square as the focal point of the community.

Substantial renovation of existing storefronts and downtown buildings began during the 1980's, and has continued since then. Formerly vacant space such as the Woodward building and two industrial buildings on Emerald Street were rehabilitated for residential, commercial or office use. Monadnock Economic Development Corporation rehabilitated the former Woolworths' building into office and retail space. In addition, it assisted a hotel developer to rehabilitate the adjacent E. F. Lane Block into a downtown hotel.

Keene's downtown area is a major source of housing for city residents. From 1975 through 2016, a variety of federal funding programs were used to greatly increase the amount of affordable and subsidized housing for elderly and disabled persons and families in the downtown area. These include: the Cleveland Building, Central Square Terrace, Eastside Housing, Bennett Block, the Chamberlain Block, Railroad Square Senior Housing, and CitySide Family Housing. Senior Housing is currently under construction along Railroad Street.

Over the past thirty years, the industrial uses in the downtown area have gradually transitioned to more traditional downtown uses: the renovation of the Colony Mill into shops and offices, the conversion of the Central Screw building into a retail mall, and the rehabilitation of Beaver Mills (formerly Princess Shoe) for residential and office use are examples.

A major short-term goal for the downtown area is the completion of the redevelopment of the railroad yard which was acquired by the City, and then sold to Monadnock Economic Development Corporation in 2006. MEDC has undertaken an ambitious project for this area and has completed the development of a new hotel, an office building with residential condominiums, and the infrastructure necessary to support these uses. Southwestern Community Services has developed Railroad Square Senior Housing and CitySide Apartments, creating a total of 48 new apartments for low and moderate income households. SCS is planning to develop further housing on land it owns on Railroad Street. In 2013, the Monadnock Food Cooperative opened on this site creating 35 new jobs. The railroad yard is being reclaimed from a neglected and deteriorating site to a mix of successful residential and commercial opportunities. Short-term goals include additional residential and commercial development creating both housing and employment opportunities.

The plan also included the redevelopment of the former Wright Silver Polish building adjacent

to the railroad yard. This building was rehabilitated is now occupied by the offices and Head Start program of Southwestern Community Services; until recently, it was also occupied by culinary business incubator. The City developed an Industrial Heritage trail along the former railroad tracks. The City continues to monitor the parking situation in the downtown area, with the intention of expanding parking facilities as additional uses are added to this area. A two-level parking garage was constructed on the east side of Main Street in the late 1990's.

As the redevelopment of the railroad yard progresses well, a different problem has arisen on the northeast side of the central business district. The Keene Middle School on Washington Street and the Keene Family YMCA on Roxbury Street have both relocated outside the central business district, leaving large vacant facilities. In addition, there is a vacant attorneys' office on Roxbury Street as well. Redevelopment of this area which surrounds City Hall is the next priority.

## **HOUSING**

For many years, Keene's biggest housing problem was the severe shortage and resulting high costs of housing in Keene. During the 1980's, Keene's vacancy rate was at 1% or 2%. The unusually tight housing market was caused by the lack of on-campus housing for Keene State College students and strong commercial growth accompanied by the state's lowest unemployment figures. As a result, it had been relatively easy to find a job in Keene (although it might be a low-paying job with no benefits) but very difficult to find affordable housing.

During 1990, that situation changed slightly with the construction of a 300-bed dormitory by KSC and a softening commercial sector with fewer jobs. For a time, the apartment vacancy rate was a more normal 5% or 6%, but many families and individuals still had great difficulty paying for their housing. Rents leveled off, but never decreased significantly except in the highly inflated apartments surrounding the college. Because there was a high turnover of apartment buildings during the late 1980's, many landlords had high mortgage payments and could not afford to reduce rents.

By 1999, the situation had reversed itself, and the housing shortage was again as severe as it was during the 1980's. The vacancy rate went down and rents increased. A fourth transitional housing shelter was opened for families. CDBG funds were used in 2000 to rehabilitate an attractive historic property for use as a men's shelter; this property is now undergoing a more extensive rehabilitation using CDBG funds. In 2010, CDBG funds were used to open transitional housing for formerly incarcerated persons. The shelters and the transitional housing are full at all times.

Since 1988, the City has emphasized the concept of "permanently affordable" housing. While this does not rule out all assistance to private landlords, it places a much higher priority on funding projects owned by nonprofit organizations or the Housing Authority. Since 1988,

several CDBG housing grants have been utilized to assist Cheshire Housing Trust, an organization created to acquire and create permanently affordable housing for lower income persons. This includes a 19-unit rooming house located in downtown Keene. Beaver Mills is another example of the use of CDBG funds to assist in the development of permanently affordable housing. Since 2000, Southwestern Community Services has developed 40 apartments at Highlands, and Keene Housing Authority has developed 57 apartments at Stone Arch Village, both using CDBG and Low Income Housing Tax Credits. Monadnock Family Services has used CDBG funds to build three apartments for families affected by mental illness. Southwestern Community Services has utilized CDBG and Low Income Housing Tax Credits to build 24 units of senior housing in the railroad area, and 24 units of family housing in the same area. SCS is now constructing senior housing in this area.

A more recent problem is the need and difficulty of maintaining permanently affordable housing, especially when it is located in older or historic properties. Cheshire Housing Trust has successfully completed a CDBG program to make improvements to some of its affordable housing located in older buildings. Keene Housing (formerly "Keene Housing Authority") completed a project to transform its public housing for seniors and families with a new funding source, thus gaining money for necessary improvements and escaping the funding problems of the public housing program. The former Cheshire Homes has completed a redevelopment, now known as Brookbend East and Brookbend West. These 75 subsidized and affordable units could not be brought up to current standards and were therefore in need of complete replacement on the existing site. Both the Brookbend West and Brookbend East sites are completed and occupied. CDBG funds have been used to make essential improvements at Central Square Terrace and Meadow Road Apartments. Maintenance of permanently affordable housing continues to be both a short-term and long-term goal.

CDBG funds were used for a Feasibility Study in 2010 of the utilities at the Base Hill Cooperative, a resident-owned manufactured housing park. During the feasibility study, it became apparent that the principal problem was the substandard and deteriorating on-site sewer system. CDBG funds were awarded to the Cooperative in 2013 to replace the on-site failing sewer system. The CDBG project made a permanent improvement to the Cooperative's system, making it code compliant and eliminating health and sanitation issues. In a separate project, the City replaced the City-owned sewer connection line. This project was successfully completed in 2014.

In 2010, the Planning Board adopted a new Housing Plan which is incorporated herein by reference. Goals in the plan includes:

- Have a variety of housing options available that are affordable, accessible, eco-efficient, and supportive of varied lifestyles.
- Have housing that is located in proximity to basic services and transportation options and is adaptable, over time, to changes in technology, climate, and demographics.

- Have housing that uses innovative technologies and green building standards that improve energy efficiency and conserve resources.
- Have a majority of rental housing be locally owned and maintained.
- Increase owner-occupied housing.
- Achieve, with the support of the institutions of higher education, a balanced ratio between student and citizen housing in our neighborhoods which surround these institutions. Improve student rental stock in surrounding neighborhoods so that they are well maintained and a benefit to neighborhood quality of life.

## **ECONOMIC DEVELOPMENT**

As a long-term Community Development goal, land that lends itself to manufacturing should be preserved to provide areas for this uses which add value to a product, provide labor intensive employment, and bring import dollars into the community. For a strong economic base, a balance between non-manufacturing and manufacturing industries needs to be maintained. In accordance with the Land Use Plan, the City installed sewer, water, and roads to open up development of 300 acres in the Black Brook area for corporate park use. Monadnock Economic Development Corporation has been extraordinarily successful in locating businesses for this area. Short-term goals now include filling the remaining industrial sites at Black Brook, and filling the few remaining privately owned industrial sites and buildings. In order to help attract C & S to Black Brook, the City seriously examined the need for childcare in the Black Brook corporate park. This was accomplished by the YMCA development of a new recreation and childcare facility on land donated by C & S.

Samson Manufacturing moved its manufacturing to Black Brook North renting an existing building owned by MEDC. CDBG funds were used to make leasehold improvements and to purchase equipment for Samson to relocate to Keene and for the business expansion. This grant successfully brought 10 jobs with the company and created an additional 25 new jobs in Keene. Samson Manufacturing had plans to apply for CDBG funds through the City to purchase the building, however this had been postponed until after an addition was made to the building. MEDC has used CDBG funds to expand the building at 4 Forge Street, Keene. The additional space has allowed Samson to introduce a new process (anodizing), expand their business offerings, and create an additional 25 new jobs. Construction was completed in 2015, and the project has met its job creation goal.

Another economic development goal is the expansion of training opportunities, especially for at-risk or disabled individuals and for youth who do not go to college. This needs to be coordinated with the needs of local employers.

An additional economic development goal is to assist new and existing businesses obtain financing to start up and/or expand, increasing the number of jobs available.

The 1993 Economic Development Plan made a number of findings and recommendations. Some, including the development of the Black Brook corporate park, have been largely accomplished, but others are still relevant:

The public and private sector need to work together in a concerted, professional effort to attract new industries and to encourage those industries already located here to remain and expand.

Orderly retail and other commercial growth should be encouraged within the bypass system.

The City should work with Cheshire Medical, Keene Clinic, Keene State College, Antioch University and others to allow their expansion to meet growing needs of these institutions in the community.

Keene should cooperate with other towns in Cheshire County to address regional issues on traffic, solid waste disposal, and housing which have a bearing on the economic development of the area.

The City should support the private sector in its tourism outreach.

The City should also keep up with technological advances in communication and other fields.

The 2010 Vision process resulted in additional short and long-term goals for economic development and employment:

- Have a vibrant, resilient, environmentally sound and sustainable economy that fosters individual economic well-being.
- Provide investment programs for small business development, to allow them to grow and thrive.
- Have a strong, local food-based sector of our economy that connects local farms to businesses and the community in various ways, such as through a food coop and farmers market.

In 2015, MEDC used CDBG funds to make a loan to help Tree Free Greetings renovate an existing empty manufacturing building on Krif Road in Keene. Tree Free Greetings had purchased the building but needed a loan to make it suitable for its greeting card business. This project will result in 15 new jobs and will allow the company to expand its products.

## **HEALTH AND HUMAN SERVICES.**

The major goal listed in the Health and Human Services section of the Community Goals Statement is:

To make available to all the people in the region the best possible health care and comprehensive, efficiently delivered and coordinated preventive and supportive services and opportunities, all designed to nurture and meet the needs of our citizenry and to encourage and allow all people to live with dignity and self-sufficiency.

Included in this goal is prevention education in areas such as sanitation, nutrition, substance abuse, smoking HIV/AIDS, dental care, and parenting.

CDBG funds have been used to improve public service facilities for low and moderate-income residents of the entire county, including the completion of the Community Kitchen, and improvements at Keene Day Care Center, the YMCA's day care program, Southwestern Community Services' program for developmentally disabled persons, and the Keene Senior Center. In addition, *Rise...for baby and family* completed the construction and rehabilitation of its facility on Washington Street. Home Health Care, Hospice and Community Services (HCS) completed the rehabilitation of an old mill into a 30,000 s.f. center for its offices, the program to provide day care to elderly and disabled persons in need of that service (Castle Center) and a hospice center. Monadnock Family Services purchased a building on Main Street to provide a stable place from which to provide services. Monadnock Developmental Services leased and then purchased a large space in Beaver Mills in order to provide its services for developmentally disabled persons. A transitional housing facility for persons leaving Cheshire County House of Correction opened in 2013.

Short-term and long-term objectives for additional public service facilities improvements include:

- permanent stable facilities for Keene's substance abuse programs, including transitional housing
- improved facilities for MAPS Counseling Services and Monadnock Peer Support
- improvements to the Community Kitchen
- Increased and accessible space for service organizations to accommodate need, preferably coordinated with Monadnock United Way

## **CDBG IMPACT AREA**

As part of its Housing and Community Development Plan, the City established a "CDBG Impact Area" in the downtown area and the neighborhoods to the immediate east and north of the downtown. This area has a large percentage of low and moderate income residents, has seen substantial benefits from CDBG and other federally funded projects, and is the likely location of many future CDBG and other redevelopment projects. The characteristics of this area are

outlined below:

### **Location**

The boundaries of the area are shown on the attached map. In general, the area includes both sides of Main Street in the downtown area. It extends north a few blocks into the neighborhood bounded by Washington and Court Streets, and it extends into the multi-family areas located east of the downtown area.

### **Low and Moderate Income Residents**

As described in the Downtown section of the Plan, federal funds have been used on numerous occasions over a period of thirty years to construct and rehabilitate housing for low and moderate-income persons in this area, especially elderly and disabled persons. Although millions have been invested in building and street improvements, the area has not been “gentrified”; it has a far higher concentration of low and moderate-income residents than it did when the process began. For that reason, the City and Keene Housing have access to income levels of several hundred residents of the area.

When all housing units are occupied, there are 740 households living in this area. Including both permanent housing and the two housing shelters in the area, 322 low or moderate income households are always living in this area. From time to time, Keene Housing uses its own documentation or obtains outside documentation of additional low or moderate income households in the area. Based on the characteristics of the housing in the area (mostly built before 1900, downtown apartments without elevator access or parking, many housing units located in the floodplain, predominantly multi-family), Keene Housing estimates that the percentage of low and moderate income households in this area is always over 60%.

**Documentation for the actual number and percentage of Low or moderate income residents in the CDBG Impact Area at any particular time is on file at Keene Housing and will be used as necessary to provide documentation for grant applications for projects in this area.**

Subsidized housing in this area includes the following properties owned or managed by Keene Housing: Central Square Terrace, Bennett Block, and 17-19 Roxbury Court. Keene Housing also owns two shelters located at 32 Water Street and 139 Roxbury Street. In addition, the Cleveland Building is a privately-owned subsidized apartment building. Cheshire Housing Trust owns properties rehabilitated with CDBG funds at 29 Elm Street and 86 Winter Street. Southwestern Community Services owns 30 apartments at Beaver Mills developed with Low Income Tax Funds and CDBG funds, 24 apartments at Railroad Square Senior Housing, and 24 workforce apartments at the CitySide development on Water Street. Cheshire Housing Opportunities owns group homes on Emerald Street and Spring Street. CDBG funds have been used to rehabilitate privately owned apartments on Spring Street, Main Street, Church Street,

Elm Street, Water Street, and Roxbury Street.

### **Characteristics of buildings in the area**

This area contains much of the oldest housing in Keene, with many units built before 1900. Until the Beaver Brook Dam was built in 1984, the area east of Main Street suffered from flooding once or twice a decade. Many of the properties in this area have participated in CDBG programs--and there is still a substantial need for rehabilitation. The same is true of Central Square and Main Street where most of the presently existing structures were built between 1880 and 1920. The area which has seen the most recent redevelopment is the railroad yard and adjacent buildings and formerly vacant lots on Water Street. The most problematic building was the rear of the Latchis Theater, but this has been razed and is now being redeveloped by the County into a parking area to serve the new Courthouse currently under construction. The current area most in need of redevelopment is the former Keene Middle School on Washington Street and the former Keene Family YMCA on Roxbury St. The area also contains many fine historic buildings.

### **Economic Development and Social Services in area**

The CDBG Impact Area has many social services for families and individuals of all ages, including those shown on the following table:



Economic Development and Social Services in project area	Address	Type of service
Monadnock Family Services	64 Main Street	Mental health services and administrative offices
Monadnock Family Services	93rd Street	Services for persons with long-term mental illness
Monadnock Developmental Services	Railroad Street	Services for persons with developmental disabilities
Community Kitchen	37 Mechanic Street	Meals and pantry boxes for low-income persons
Center for Violence Prevention	12 Court Street	Services for victims of domestic abuse
City of Keene Human Services Dept	3 Washington Street	Cash assistance and services for low-income persons
Men's shelter	139 Roxbury Street	Emergency shelter for males
Transitional family	29 Elm Street	Transitional housing for families and women
Salvation Army	Roxbury Place	Assistance for low income persons
Marathon House of Keene	Roxbury Street	Services for persons with substance abuse problems
AIDS Services of Monadnock	Center Street	Prevention and services for HIV-positive persons
Samaritans	Roxbury Street	Suicide prevention agency
Phoenix House	Roxbury Street	Substance abuse programs
Rise for Baby and Family	Washington Street	Special education services
Familystrength	Roxbury Street	Human Services
Southwestern Community Services	Community Way	Housing, Child Care, Fuel Assistance
Monadnock Economic Development Corp	Railroad Street	Economic Development
NH FastRoads	Railroad Street	Open Access Internet Network
Monadnock Food Cooperative	Cypress Street	Community Centered Market
Head Start	Community Way	Pre School low-mod families
MAPS Counseling Services	19 Federal Street	Assisting families to find answers to life's problems
Monadnock United Way	23 Center Street	Works with providers to identify and address emerging issues
New Hope New Horizons	Community Way	Assistance developmentally disabled adults
Hannah Grimes Center	Roxbury Street	Assists development of small business & entrepreneurs

**Other Public Services in Area**

In addition to economic and social services, the area has many other public services and governmental agencies:

Keene Fire Department (new in 2013)	Vernon Street
Keene District Court	Winter Street--relocated to new Courthouse in 2014
Cheshire County Superior and Probate Courts	Winter Street--relocated to new Courthouse in 2014
Victims advocates	Court Street
Cheshire County Human Services	West Street
Public Defender Program	West Street
Social Security Administration	Mechanic Street

**Past CDBG Projects in CDBG Impact Area**

CDBG Year	Project	Purpose
1982	Central Square Terrace	90-unit Section 8 elderly rehabilitation
1984	Housing Rehabilitation	Rehabilitation of privately owned apartments
1984	Beaver Brook Dam	Reduce flood damage in east Keene

1985	Social Service building	Not funded; would have moved Monadnock Family Services and Southwestern Community services to railroad yard; this has since been accomplished
1986	Housing Rehabilitation	Includes mental health group home at 139 Roxbury St, Church Street, Main St, and Water Street
1988	Housing Rehabilitation	Cheshire Housing Trust: Dover Street
1991	Affordable housing	CHT Latchis, shelter
1993	Bagel Works	Economic Development for downtown business
1994	Chamberlain Block	Rehabilitation of downtown block with 12 apartments
1995	Social Service facilities	Community Kitchen, YMCA child care
1996	Keene Senior Center	Immediately outside area but serves residents
1997	Community Kitchen	Construction of pantry for community kitchen
1998-99	Beaver Mills	Rehabilitation of old mill to create 30 senior apartments
2000	Two Group Homes	Rehab of group home and men's shelter
2001	Hampshire House	CHT: Acquisition and rehab of rooming house
2003	Vision Financial	Economic development for downtown business
2007	SCS Senior Housing	SCS: Railroad Square Senior Housing
2007	SCS Head Start	Cheshire County: SCS Head Start in Wright building
2005	Railroad yard/Hotel	MEDC: Development of infrastructure and hotel
2006	Wright/First Course	MEDC: Purchase of Wright Silver Polish/First Course
2008	Central Square Terrace	KHA: Rehab of 90 units of elderly housing
2009	CitySide Family Housing	SCS: Construction of 24 affordable units for families
2010	Cheshire Housing Trust	Rehabilitation of permanently affordable apartments
2010	Vision Financial	MEDC: Loan to Vision Financial Corporation
2010	EF Lane Hotel	MEDC: Rehabilitation of EF Lane Hotel
2011	Hannah Grimes MicroEnterprise	Training and technical assistance to microentrepreneurs
2011	Monadnock Food Cooperative	MEDC: Construction and Lease of Food Coop Building
2012	Hannah Grimes MicroEnterprise	Training and technical assistance to microentrepreneurs

**Planned Projects for CDBG Impact Area**

- Relocation of MAPS Counseling office to UCC—project approved in April, 2016
- Improvements to Community Kitchen on Mechanic Street

**CDBG projects underway in CDBG Impact Area**

- Rehabilitation of Men's shelter at 139 Roxbury Street
- Senior Housing on Railroad Street

Based on the need for continuing rehabilitation and redevelopment, the City designated this area as a CDBG Impact Area.

**DISPLACEMENT AND RELOCATION POLICY FOR THE CITY OF KEENE**

**It is the policy of the City of Keene that the involuntary displacement of households from their neighborhoods should be minimized.** The City of Keene does not usually undertake activities that would cause the permanent displacement of households or businesses. When it is impossible to accomplish the project without permanent or temporary displacement and relocation, the City certifies that it shall comply with the Uniform Relocation Act and Section 104(d) of the Housing and Community Development Act of 1974, as amended.

Signature: \_\_\_\_\_

Date adopted by City Council: April 18, 2019

### **History of Housing and Community Development Plan**

Originally prepared by Keene Planning Department and adopted by City Council, about 1984

Most recent date adopted or readopted by City Council and submitted to CDFA:

1. December 17, 2009, submitted with YMCA application
2. March 18, 2010, submitted with Vision application
3. May 20, 2010, submitted with FastRoads application
4. July 15, 2010, submitted with Cheshire Housing Trust application
5. January 20, 2011, submitted with Brookbend (Cheshire Homes) application
6. April 2011, submitted with Monadnock Community Market Cooperative application
7. May 2011, submitted with Hannah Grimes Micro Enterprise application
8. December, 2011, submitted with Hannah Grimes 2012 application
9. January, 2012, submitted with Base Hill Cooperative application
10. July, 2012, submitted with Base Hill Cooperative application
11. January 2013, submitted with Base Hill Cooperative application
12. September 2013, approved by City Council for Samson Manufacturing application
13. November 2013, submitted with Meadow Road Apartments application
14. February 2014, submitted with Samson Manufacturing Expansion application
15. October 2014, submitted with MEDC: Social Services Building planning application
16. October 2014, submitted with MAPS Counseling Services planning application
17. December 2014, submitted with Keene Housing Shelter Rehabilitation application
18. April, 2015 submitted with MEDC Tree Free Greetings revised application
19. December, 2015, submitted with MAPS Counseling Services application
20. April, 2016, submitted with Monadnock Area Peer Support Agency Feasibility study
21. August, 2016, submitted with MamaSezz application
22. November, 2016, to be submitted with the Community Kitchen application

**CITY OF KEENE**  
**RESIDENTIAL ANTIDISPLACEMENT AND RELOCATION ASSISTANCE PLAN**

Every effort will be made to minimize temporary or permanent displacement of an individual due to a project undertaken by the municipality.

However, in the event of displacement as a result of a federally funded award, the City of Keene will comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, to any household, regardless of income which is involuntary and permanently displaced.

If the property is acquired, converted, or demolished, but will not be used for low/moderate income housing under 104 (d) of the Housing and Community Development Act of 1974, as amended, the Residential Anti-Displacement and Relocation Assistance Plan shall provide that before obligating and spending funds that will directly result in such demolition or conversion, the City will make public and submit to CDFA the following information:

- a. Comparable replacement housing in the community within three (3) years of the commencement date of the demolition or rehabilitation;
- b. A description of the proposed activity;
- c. The general location on a map and approximate number of dwelling units by number of bedrooms that will be demolished is converted to a use other than as low and moderate income dwelling units as a direct result of the assisted activity;
- d. A time schedule for the commencement and completion of the demolition or conversion;
- e. The general location on a map and approximate number of dwelling units by number of bedrooms that will be provided as replacement dwelling units;
- f. The source of funding and a time schedule for the provision of replacement dwelling units;
- g. The basis for concluding that each replacement dwelling unit will remain a low/moderate income dwelling unit for at least ten (10) years from the date of initial occupancy;
- h. Relocation benefits for all low and moderate income persons shall be provided, including reimbursement for moving expenses, security deposits, credit checks, temporary housing, and other related expenses and either:
  1. Sufficient compensation to ensure that, for at least five (5) years after being relocated, any displaced low/moderate income household shall not bear a ratio of shelter costs to income that exceeds thirty (30) percent, or
  2. If elected by a family, a lump-sum payment equal to the capitalized value of the compensation available under subparagraph 1. above to permit the household to secure participation in a housing cooperative or mutual housing association, or a Section 8 certificate or voucher for rental assistance provided through New Hampshire Housing Finance Authority or Keene Housing.
- i. Persons displaced shall be relocated into comparable replacement housing that is decent, safe, and sanitary, adequate in size to accommodate the occupants, functionally equivalent, and in an area not subject to unreasonably adverse environmental conditions;
- j. Provide that persons displaced have the right to elect, as an alternative to the benefits in subparagraph 2. Above, to receive benefits under the Uniform Relocation Assistance and Real Property acquisition Policies Act of 1970 if such persons determine that it is in their best interest to do so.
- k. The right of appeal to the executive director of CDFA where a claim for assistance under subparagraph 2. above, is denied by the grantee. The director's decision shall be final unless a court determines the decision was arbitrary and capricious.

- I. Paragraph a. through k. above shall not apply where the HUD Field Office objectively finds that there is an adequate supply of decent, affordable low/moderate income housing in the area.

#### CERTIFICATION OF COMPLIANCE

The City of Keene anticipates no residential displacement or relocation activities will be necessitated by this project.

Should some unforeseen need arise, the City certifies that it will comply with the Uniform Relocation Act and Section 104 (d) of the Housing and Community Development Act of 1974, as amended.

Printed Municipal Official name:

Title:

Signature: \_\_\_\_\_

Date of Adoption:

April 18, 2019



City of Keene, N.H.  
*Transmittal Form*

April 3, 2019

**TO:** Mayor and Keene City Council

**FROM:** Mayor Kendall W. Lane

**ITEM:** B.1.

**SUBJECT:** Confirmations

---

**COUNCIL ACTION:**

In City Council April 18, 2019.

Voted unanimously to confirm the nominations.

In City Council April 4, 2019.

Tabled until the next regular meeting.

**ATTACHMENTS:**

**Description**

Background - Wadsworth

Background - Brown

**BACKGROUND:**

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

Agricultural Commission

Kira Wadsworth, slot 7

32 Colorado Street

Term to expire Dec. 31, 2021

Building Board of Appeal

Housing Standards Board of Appeal

Doug Brown, slot 3

46 Edgewood Avenue

Term to expire Dec. 31, 2021

# Kira Wadsworth

[kyeomans@antioch.edu](mailto:kyeomans@antioch.edu)

(714) 470-8801

## SKILLS

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- Strong Interpersonal Communication
- Works Independently
- Collaboration and Teamwork
- Community Building & Outreach
- Group Facilitation
- Task Prioritization
- Social Marketing

## EDUCATION

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**MS in Environmental Studies/Advocacy for Sustainability and Social Justice**  
*Antioch University New England*                      *Keene, New Hampshire (Aug 2018)*

**BA in Environmental Studies/Ecology and Conservation Science**  
*Humboldt State University*                      *Arcata, California (May 2015)*

## WORK EXPERIENCE

---

**Owner/Founder**    *(June 2018-current)*  
*Elm City Compost*

**Bar Manager**    *(October 2017-current)*  
*Machina Arts*

**Board Member-Volunteer**  
*New Hampshire Peace Action*                      *(Jan 2018-current)*

**UNH Sustainability Fellow**                              *(May 2018-September 2018)*  
*NH Food Bank*

**Civic Engagement Fellowship, Provost Office**  
*Antioch University*                                      *(Oct 2017-May 2018)*

**Assistant Sustainability and Social Justice Coordinator**  
*Sustainability and Social Justice Committee (SSJ) at AUNE*                      *(Aug 2016-May 2018t)*  
-Community organizing, sustainable practices monitoring, group facilitation and organization on politics, race, and gender inclusion, symposium organizing

**Development Coordinator**

*Center for Tropical Ecology and Conservation at AUNE* (Aug 2016-May 2017)

-Fundraising, organizational development, symposium organizing

**Office Manager**

*Positive Change Consulting* (Dec 2015-Jun 2016)

-Bookkeeping and Office organizing/management

-Managing Quick books

**Scientific Aid/Fish Biologist**

*California Department of Fish and Wildlife* (Nov 2011-Dec 2015)

-Data Collection, public outreach in resource management

-published article in quarterly newsletter

**ACCOMPLISHMENTS**

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- Organized/co-facilitated *Unpacking Systemic Racism* 4-part workshop series in Keene NH, 2018
- Co-organized for the *CTEC Symposium* and *Mindfulness and Social Change Institute* 2017
- Created Social Media platform for recycling materials within a community
- Presented a paper in social and environmental justice at the *California Geographical Society* meeting, May 2015
- Lead a workshop in slow violence and privilege in the Environment at the *Social Justice Summit* at Humboldt State University, March 2014

**REFERENCES**

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Danya Landis  
Owner, Machina Arts

(603) 205-0135  
danya@machinaarts.org

Kelly Walsh

(802) 498-5551



SSJ coordinator

Will Hopkins  
NHPA Executive Director

[Kwalsh1@antioch.edu](mailto:Kwalsh1@antioch.edu)

(603) 254-4727  
[will@nhpeaceaction.org](mailto:will@nhpeaceaction.org)

## **Douglas M. Brown**

Doug has been in the construction business for over thirty years having started out as a laborer for Pizzagalli Construction of Burlington, VT, immediately after receiving a BA in economics from the University of Vermont. In 1986 he went to work for The MacMillin Company of Keene and progressed through field clerk, carpenter, and assistant field supervisor, eventually working in the office as an estimator and project manager. In 1997 he joined Monadnock Economic Development Corporation in Keene and managed the construction of seven projects ranging from downtown renovations to office/industrial parks worth over twenty million dollars. Since 2004 Doug has estimated and managed projects for Bergeron including the St. Bernard Convent office renovations (\$800,000) and Warwick Meadows Elderly Housing (\$1.9 million), Spofford Fire Station (\$1.5 million), Carlisle Wide Plank Floor plant additions (\$2.5 million), Meadow Road Senior Housing apartments in Newport, NH (\$3.1 million), renovations to 7 Emerald Street (\$1 Million), renovations to Vision Financial Corporation (now Selman) in Downtown Keene \$300,000, BNA Corporation in Downtown Keene (\$250,000), CIJ Containment Project Markem-Imaje, Keene (\$170,000) EAI Analytical Labs in Swanzey (\$300,000), numerous residential projects up to \$600,000, and recently the interior trims and casework at the Hermitage Club Base lodge in Wilmington, Vermont (\$750,000) .

Doug's community service includes being past President of the Keene Rotary Club, past Chairman of the Board of the Colonial Theatre, past Chairman of the Board of the Keene Health Alliance, Past Chairman of the building committee for Cheshire Medical Center, and Past President of the Board of Directors of the Cheshire YMCA. He currently serves on the Board of Trustees of the Historical Society of Cheshire County.



City of Keene, N.H.  
*Transmittal Form*

April 16, 2019

**TO:** Mayor and Keene City Council

**FROM:** Mayor Kendall W. Lane

**ITEM:** B.2.

**SUBJECT:** Nomination

---

**COUNCIL ACTION:**

In City Council April 18, 2019.

Tabled until the next regular meeting.

**RECOMMENDATION:**

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

Agricultural Commission

Allen Raymond, slot 6

85 Carroll Street

Term to expire Dec. 31, 2021

**ATTACHMENTS:**

Description

Background\_Raymond

# Allen Raymond

85 Carroll St Keene, NH 03431

(603) 762-7381

**OBJECTIVE:** Young professional seeking an opportunity that will utilize strong communication, problem solving, leadership skills and a passion for the local community. Looking to have an impact on my community and gain a better understand of the local agriculture structure.

## EXPERIENCE:

- Sales, Returns & Vendor Issues
- Customer Service
- Time Management
- IT troubleshooting/Maintenance
- Leadership
- Phone Etiquette
- Project Management
- Training Implementation
- Merchandising, floor resets
- Inventory Management/Stocking
- Product Knowledge
- Department Manager: Cookware, Electrics, Cutlery
- Payroll
- Cashier
- Open/Closing Supervisor
- Receiving
- Evaluations
- Hiring
- Farmer Relations
- Leading a team of 9 people
- Achieving sales and margin goals.
- Facilitating meetings
- Product sourcing
- Purchasing
- Culinary Program Implementation
- Culinary Instructor
- Knife Sharpener
- Point of Sale System Maintenance
- Trade Show and Vendor Relationship Management & Communication
- Forklift Operation
- Collaboration with Vendors, Staff and Consumers
- Critical Thinking & Problem Solving
- Conflict Resolution
- Mediation Advisor
- Active Listening Advisor
- Diffusing Stressful Situations Advisor
- Presenter
- Public Speaker
- Anti-Bullying/Anti-Violence Facilitator
- Working in fast paced, continually changing environment

## WORK HISTORY:

**Produce Manager** Monadnock Food Co-op Keene, NH August 2018- *Present*

**Produce Assistant Manager** Monadnock Food Co-op Keene, NH June 2016- *August 2018*

**Retail Sales/Customer Service Associate** Your Kitchen Store Keene, NH July 2010 - *Present*

**Multiple Positions (Consultative Sales Land's End/Merchandising Associate/Receiving Associate** Sears Keene, NH August 2007 – *July 2010*

**Peer Mediation Advisor** Keene High School Keene, NH August 2009 – *January 2013*

## EDUCATION:

**Keene High School** Keene, NH August 2005-June 2009 High School Diploma

**Cheshire Career Center** Keene, NH 2007-2009 Completed Culinary Arts Program & Received Outstanding Culinary Arts Student Award

**River Valley Community College** Keene, NH Fall 2009 – *Spring 2013* Working towards an Associates in Liberal Arts

## REFERENCES:

Dean Eaton Owner of Your Kitchen Store (603) 986-5661 cell

Shannon Hundley Store Manager Your Kitchen Store (603) 400-0434 cell

Stephanie Wright Store Manager Monadnock Food Co-op (603) 355-8008 work

Michael Faber Monadnock Food Co-op (603) 355-8008 work



City of Keene, N.H.  
*Transmittal Form*

April 16, 2019

**TO:** Mayor and Keene City Council

**FROM:** Mayor Kendall W. Lane

**ITEM:** B.3.

**SUBJECT:** Appointment of ad hoc Land Use Code Steering Committee

---

**COUNCIL ACTION:**

In City Council April 18, 2019.

Voted unanimously to confirm the nominations.

**RECOMMENDATION:**

I hereby appoint the following individuals to serve on ad hoc committee that would review proposed revisions to the City Code for the purpose of the creation of a Land Development Code.

Mayor Kendall Lane, Chair  
Gary Spykman  
David Richards  
George Hansel  
Margaret Rice  
Douglas Barrett  
Jim Phippard  
Katie Cassidy Sutherland



City of Keene, N.H.  
*Transmittal Form*

April 9, 2019

**TO:** Mayor and Keene City Council

**FROM:**

**THROUGH:** Patricia A. Little, City Clerk

**ITEM:** C.1.

**SUBJECT:** Marcia Kayser - Resignation - College City Commission

---

**COUNCIL ACTION:**

In City Council April 18, 2019.

Voted unanimously to accept the resignation with regret and appreciation for years of service.

**ATTACHMENTS:**

Description

Communication\_Kayser

**BACKGROUND:**

Marcia Kayser is submitting her resignation from the College City Commission. She has been a member since March 2017 and has most recently been serving as the Co-Chair of the Commission.

MJK


April 8, 2019

Dear Mayor Lane,

It has become necessary for me to resign from the College - City Commission. I have appreciated having the opportunity to work together to help make Keene a more welcoming community.

Sincerely, Patricia Kayser

In City Council April 18, 2019.  
Voted unanimously to accept the  
resignation with regret and  
appreciation for years of service.

  
City Clerk



City of Keene, N.H.  
*Transmittal Form*

April 15, 2019

**TO:** Mayor and Keene City Council  
**FROM:** Kevin Watterson, President Keene Swampbats  
**THROUGH:** Patricia A. Little, City Clerk  
**ITEM:** C.2.  
**SUBJECT:** Keene Swampbats - Request to Discharge Fireworks

---

**COUNCIL ACTION:**

In City Council April 18, 2019.  
Referred to the Planning, Licenses and Development Committee.

**ATTACHMENTS:**

Description

Communication\_Watterson

**BACKGROUND:**

This is the annual request from the Keene Swampbats for two Class B fireworks displays on Alumni Field, one to be held on July 3rd as part of their Independence Eve Celebration and the other to be held on July 20th.





www.swampbats.com  
303 Park Ave. • Keene, NH 03431 • (603) 357-5464

April 12, 2019

City OF Keene  
Keene City Council  
3 Washington St.  
Keene, NH 03431

City Council Members:

Per this letter, the Keene SwampBats request your approval to host a Class B Fireworks Display on two separate dates:

Weds., July 3rd

Sat., July 20th

These events would take place at Keene's Alumni Field on Arch St., immediately following the regularly scheduled SwampBats game on those nights, at approximately 9:45 pm. We will supply a letter of approval from SAU 29 and an insurance rider naming the city of Keene as a co-insured. Thank you in advance for your consideration.

Sincerely,

Kevin D. Watterson, Pres.  
Keene SwampBats

In City Council April 18, 2019.  
Referred to the Planning, Licenses  
and Development Committee.

City Clerk



External Communication  
*Transmittal Form*

April 16, 2019

**TO:** Mayor and Keene City Council

**FROM:** Greg Johnson, HG Johnson Real Estate

**THROUGH:** Patricia A. Little, City Clerk

**ITEM:** C.3.

**SUBJECT:** HG Johnson Real Estate - Fee Agreement - 560 Main Street - Froling Energy

---

**COUNCIL ACTION:**

In City Council April 18, 2019.

Referred to the Finance, Organization and Personnel Committee.

**ATTACHMENTS:**

Description

Communication\_Johnson

**BACKGROUND:**

Greg Johnson is requesting that the fee agreement for his real estate services relating to Froling Energy and the sale of 560 Main Street be executed.

April 16, 2019

**TO:** Honorable Mayor and Keene City Council

**FROM:** H. Gregory Johnson / HG Johnson Real Estate

**RE: Real Estate Fee Agreement / Froling Energy / City of Keene, NH / 560 Main St. land.**

I was informed by the Keene City Manager to submit this letter to the mayor and council in regards to having the "Fee Agreement" executed by the proper city officials for our real estate services relating to Froling Energy of Peterborough, NH and the City of Keene on the sale of 560 Main St., a tract of land.

The attached "Fee Agreement" was delivered to H. Gregory Johnson at the initial meeting of the parties by Ms. Elizabeth Dragon, Keene City Manager on October 12, 2018 at the first meeting held at HG Johnson Real Estate offices at 17 Elm St in Keene between the buyer and seller.

HG Johnson Real Estate is pleased to have participated in providing professional services to initiate and assist in bringing this transaction to this point of negotiations between the parties.

Please advise if you have any questions or need further information.

Respectfully,

  
H.Gregory Johnson

HG Johnson Real Estate

17 Elm St. MacMillin Building

Suite D-4

Keene, NH 03431

In City Council April 18, 2019.  
Referred to the Finance, Organization  
and Personnel Committee.

  
**City Clerk**

Draft

**FACILITATION FEE AGREEMENT  
(SALE)**

**Date:** \_\_\_\_\_

THIS AGREEMENT by the parties as stated below concerns the following property:  
Street Address: 560 MAIN ST., KEENE, NH ;  
description LAND ; recorded in the Cheshire County Registry of  
Deeds Book \_\_, page \_\_\_\_ ("Property").

**In consideration of the mutual covenants and agreements herein contained, the undersigned Seller and the undersigned Broker agree as follows:**

1. The Seller engages the Broker to act as Facilitator between Seller and Buyer in the sale of the above referenced Property as defined by RSA 331-A. Seller hereby acknowledges and understands that the Broker will provide customer level service to the Seller, does not represent the Seller, and has no duty to hold confidential any information provided by the Seller unless required by law, regulation, or other agreement of the parties. This Agreement shall not create an agency relationship between the Broker and the Seller, and, as such, the Seller shall not be liable for the acts of the Broker. Broker shall not act as agent for the Buyer unless specifically disclosed to Seller in writing.
2. The Broker agrees to use reasonable efforts to procure a ready, willing, and able Buyer of the Property in accordance with the price, terms, and conditions of this Agreement. The Broker will assist in communication between a prospective Buyer and Seller so that they may bring about a mutually agreeable transaction.
3. The Broker acting as the Facilitator will not advocate for the interest of either party, unless otherwise indicated, and is not required to offer opinions regarding value, negotiation strategy or matters directly related to the sale or regarding either parties financial interests. The Facilitator will disclose information as required by law and account for funds.
4. The Broker will be compensated as follows: 3% of the final sales price due and payable upon the transfer of title.
5. This Agreement may be terminated by either the Seller or the Broker at any time with prior written notice to the other. In the event the Seller terminates the Agreement, the Broker will have seven days from the termination notice date to notify the Seller in writing of the names of the potential buyers the Broker introduced to the Property. In the event the Seller terminates this Agreement and enters into a contract for sale of the Property with one of the named Buyer(s) introduced by the Broker within six (6) months of the termination of the Agreement, the Broker will have been deemed to have earned the fee contemplated in paragraph 4; provided, however, that Seller reserves the right to continue its own efforts to sell the Property to Buyers not introduced to Seller by the Broker, in which sale event no fee shall be payable to Broker.

6. Notwithstanding any other provision in this Agreement to the contrary, any sale of the Property is subject to, and conditioned on, the final approval of the sale by the City Council for the City of Keene.

7. This Agreement shall be governed and construed by the laws of the State of New Hampshire.

**The Seller and the Broker have hereunto set their hands and acknowledge receipt of an executed copy of this Agreement.**

Broker: HG Johnson Real Estate

By \_\_\_\_\_  
(Broker's Signature), duly authorized

Seller: City Of Keene

By \_\_\_\_\_  
(Seller's Signature), duly authorized



External Communication  
*Transmittal Form*

April 16, 2019

**TO:** Mayor and Keene City Council

**FROM:** Roger Weinreich

**THROUGH:** Patricia A. Little, City Clerk

**ITEM:** C.4.

**SUBJECT:** Roger Weinreich - Request to Use City Property - Block Party - Main Street

---

**COUNCIL ACTION:**

In City Council April 18, 2019.

Referred to the Planning, Licenses and Development Committee.

**ATTACHMENTS:**

Description

Communication\_Weinreich

**BACKGROUND:**

Roger Weinreich is requesting permission to use City property for a block party that would close a portion of Main Street on Saturday, June 1 in front of their store, Good Fortune Jewelry.

# GOOD FORTUNE JEWELRY

April 15, 2019

The Honorable Mayor and City Council  
Keene City Hall  
3 Washington Street  
Keene, NH 03431

Dear Honorable Mayor and City Council,

We writing to ask permission to host a block party on Saturday, June 1st in front of our store on Main Street. This family oriented event will take place in conjunction with Art Walk and will feature live music, local food vendors, participatory games and art activities. We will arrange small tents (10' x 10') on the street and may invite several local bands to perform in the afternoon.

The block party will run from 10 am until 8 pm and involves closing the northbound section of Main Street from Eagle Court to Cypress Street. A temporary banner describing the event will be displayed at each end of the closed street and northbound traffic will be routed onto Eagle Court. The event will be very similar to the block party that we produced last year.

Our goal is to create a small event that serves to increase the vitality of our downtown community. We look forward to working with city staff in protocol meetings to create a safe and enjoyable experience for everyone.

Sincerely,



Roger Weinreich  
President, Good Fortune Jewelry & Pawn

In City Council April 18, 2019.  
Referred to the Planning, Licenses  
and Development Committee.



Patricia Cottle  
City Clerk

110 Main Street • Keene • New Hampshire 03431 • (603) 357-7500

[www.GoodFortuneJewelry.com](http://www.GoodFortuneJewelry.com)



City of Keene, N.H.  
*Transmittal Form*

April 16, 2019

**TO:** Mayor and Keene City Council

**FROM:** Ed and Kathleen (Kennedy) Burke

**THROUGH:** Patricia A. Little, City Clerk

**ITEM:** C.5.

**SUBJECT:** Ed and Kathleen (Kennedy) Burke - Beauregard Trust Property and 0 Chapman Road

---

**COUNCIL ACTION:**

In City Council April 18, 2019.

Referred to the Finance, Organization and Personnel Committee.

**ATTACHMENTS:**

Description

Communication\_Kennedy\_Burke

**BACKGROUND:**

Ed and Kathleen (Kennedy) Burke are writing about the City's proposed purchase of a 27 acre parcel of property owned by the Beauregard Trust. In particular, they are concerned over public access to this property and whether there would be any negative impact to their parcel located at 56 Chapman Road. To mitigate their concerns, the Burkes would like to purchase the 50 foot wide corridor that is adjacent to their property line and merge it with their current property.



Honorable Mayor and City Council

City Hall

3 Washington Street

Keene, NH 03431

April 16, 2019

Re: Beaugard Trust property; 0 Chapman Road

Dear Mayor and Council:

We are writing about the City's proposed purchase of the 27 acre lot off Chapman Road that is now owned by the Beaugard Trust.

The property abuts our home at 56 Chapman Road, both on our eastern lot line for about 280 feet, as well as on our northern line for a bit over 500 feet. It is with respect to the latter that we express our concerns here. That line marks one side of a fifty foot wide corridor that appears as Lot 4B on the subdivision plan that also created three building lots. We are Lot 4C. (4D has the Segal home on it and the other, 4A, is unimproved but for sale.)

It would appear to us that Lot 4B, listed as .59 acres, was created to maintain access from Chapman Road to the 27 acre piece, which might otherwise be left landlocked. Our concern is that the subdivision plan provides for access to the 27 acre parcel via the shared private driveway that is sometimes referred to as Lilac Lane. If the City buys the property, we are concerned that the general public might then be entitled to use our driveway to access the larger piece (which lot would merge, presumably, with other City-owned land on Beech Hill, and which might have access from Woodside Avenue). We have some anxiety about the prospect of people or vehicles travelling so close to our yard, not to mention the impact on our property value. The Segals would also be impacted by foot and auto traffic on Lilac Lane.

To be clear, we think the idea of the City picking up the 27 acres is a good one. We just want to know that our concerns will be considered. In this regard, we are interested in purchasing Lot 4B from the City and merging it with our houselot, leaving only one lot of record.

We look forward to discussing the matter further with City staff.

Thank you.

  
Ed and Kathleen (Kennedy) Burke



56 Chapman Road

352-6168

In City Council April 18, 2019.  
Referred to the Finance, Organization  
and Personnel Committee.



City Clerk



City of Keene, N.H.  
*Transmittal Form*

April 10, 2019

**TO:** Mayor and Keene City Council

**FROM:** Planning, Licenses and Development Committee

**ITEM:** D.1.

**SUBJECT:** Anthony & Fanella Levick/Granite Roots Brewing - Request to Sell Beer at Keene Farmers' Market

---

**COUNCIL ACTION:**

In City Council April 18, 2019.

Voted unanimously to carry out the intent of the report.

**RECOMMENDATION:**

On a vote of 3-0, the Planning, Licenses and Development Committee recommends that Granite Roots Brewing be granted permission to sell alcohol at the 2019 Keene Farmer's Market on City property licensed to the Farmer's Market of Keene and to allow samples to be provided to patrons. Said permission is contingent on the following: submittal of a signed letter of permission from the Farmer's Market of Keene, obtainment of all necessary permits and licenses and compliance with all laws, including the requirements of NH RSA 179:44 II-a.

**BACKGROUND:**

Anthony Levick, of North Main Street, Troy submitting their annual request to sell beer produced by them at their Nano brewery at the Farmers Market of Keene. They plan to have 16 ounce and 22 ounce bottles of beer, and 16 ounce cans for sale this year and would like to offer small 4 ounce samples. The Liquor Commission has approved four ounce samples at Farmer's Markets. In addition, the Farmers Market of Keene has indicated their support for this activity.

Chair Richards verified through City staff that all requirements had been met.

Councilor Rice said she is in favor of the idea and asked how many samples Mr. Levick usually has. Mr. Levick said he has seven to eight different beers to sample at the Farmer's Market, and it is a roped in area.

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 Councilor Rice.

On a vote of 3-0, the Planning, Licenses and Development Committee recommends that Granite Roots Brewing be granted permission to sell alcohol at the 2019 Keene Farmer's Market on City property licensed to the Farmer's Market of Keene and to allow samples to be provided to patrons. Said permission is contingent on the following: submittal of a signed letter of permission from the Farmer's Market of Keene, obtainment of all necessary permits and licenses and compliance with all laws, including the requirements of NH RSA 179:44

II-a.



City of Keene, N.H.  
*Transmittal Form*

April 10, 2019

**TO:** Mayor and Keene City Council  
**FROM:** Planning, Licenses and Development Committee  
**ITEM:** D.2.

**SUBJECT:** Peter Poanessa & Judy Rogers/Magical History Tour - Request to Use City Property - Walldogs Mural Festival

---

**COUNCIL ACTION:**

In City Council April 18, 2019.

Voted unanimously to carry out the intent of the report.

**RECOMMENDATION:**

On a vote of 3-0, the Planning, Licenses and Development Committee recommends that a license be granted to Arts Alive, Inc. and The Magical History Tour to use the Downtown area including Railroad Square, Downtown City rights-of-way and City property, along with the closing of any City Street and/or public right-of-way as identified by City staff starting on June 17th through the 23rd, 2019 to host the 2019 Walldogs Mural Festival subject to the following provisions:

- That the Petitioner is permitted to encumber various locations on the City right-of-way and City property during pre-event site preparation and scheduled mural painting dates;
- That the Petitioner is permitted to host activities on Railroad Square daily from Wednesday, June 19th through Sunday, June 23rd, including family activities, non-profit displays and using a location on Railroad Street as a starting point for guided mural tours;
- That the Petitioner is permitted to hold a block party event on Court Street from Winter Street to Vernon Street on Saturday, June 22nd from 11:00 AM to 11:00 PM including food trucks, live entertainment and the serving of alcohol on the City right-of-way in front of the Machina Arts Restaurant space;
- That free parking be granted under the provisions of the free parking policy for the use of City parking spaces encumbered for equipment and storage at murals sites from Wednesday, June 19, 2019 to Sunday, June 23, 2019, and spaces within the Block Party Event footprint on the day of the event;
- The furnishing of a certificate of liability insurance in the amount of \$1,000,000 naming the City of Keene as an additional insured;
- The signing of a standard revocable license and indemnification agreement and associated protocol documents;
- The submittal of signed letters of permission from any private property owners for the use of their property;

- That the Petitioner shall absorb the cost of any City services provided, and agrees to remit said payment within 30-days of the date of the invoicing from the City; and
- Said permission is granted subject to obtainment of any necessary licenses or permits and compliance with all laws; and compliance with any recommendations of City staff.

**BACKGROUND:**

Judy Rogers and Peter Poanessa, of Keene representing the Magical History Tour, are requesting a license to hold the Walldogs Mural Festival in downtown Keene from June 19-23, 2019. Mr. Poanessa reported they already have 150 artists signed up and are expecting between 200 to 250. They will be painting sixteen murals around town.

Kurt Blomquist, Public Works Director/Emergency Management Director complimented the applicants on their protocol plan and efforts thus far. He continued two protocol meetings have already been held and there will be another one before the event. Mr. Blomquist commented this is an exciting time for the City. Addressing the prepared motion Mr. Blomquist noted it is a bit broad in a couple of areas as we are continuing to work with them. Mr. Blomquist noted the uniqueness of the event (three days) being most events in the City are for one day. In addition, they have all the setup and preparations before the event. Mr. Blomquist said staff recommends granting a license for this event.

Chair Richards asked for questions or comments from the public.

Ms. Rogers addressed the motion condition referring to the applicant obtaining signed letters of permission from property owners. She noted the buildings housing the sixteen murals will all have letters of agreement. Ms. Rogers asked about the other properties (parking lots) and if signed letters was needed from them. Mr. Blomquist said he would work with the applicant to make sure they have obtained the necessary permission; he noted emails have been acceptable in the past.

Ms. Rogers continued noting the motion refers to the Magical History Tour and Arts Alive who is their fiscal agent. Arts Alive was added at the request of the City Attorney. She noted the Certificate of Liability is for Magical History Tour and asked if Arts Alive had to be on all the documents. Tom Mullins, City Attorney replied as long as the Certificate of Insurance is properly issued and executed, and lists the City as an additional insured it does not matter from his perspective which entity it comes from. He added Arts Alive is on the contract for the mural going up on City Hall. Ms. Rogers then asked if the license and other documents needed to be signed by both parties. Attorney Mullins stated the license would be issued to both parties; Arts Alive and Magical History Tour. Attorney Mullins added it is up to you how you want to handle the separate contracts with the property owners for the murals.

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 3-0, the Planning, Licenses and Development Committee recommends that a license be granted to Arts Alive, Inc. and The Magical History Tour to use the Downtown area including Railroad Square, Downtown City rights-of-way and City property, along with the closing of any City Street and/or public right-of-way as identified by City staff starting on June 17th through the 23rd, 2019 to host the 2019 Walldogs Mural Festival subject to the following provisions:

- That the Petitioner is permitted to encumber various locations on the City right-of-way and City property during pre-event site preparation and scheduled mural painting dates;
- That the Petitioner is permitted to host activities on Railroad Square daily from Wednesday, June 19th through

Sunday, June 23rd, including family activities, non-profit displays and using a location on Railroad Street as a starting point for guided mural tours;

- That the Petitioner is permitted to hold a block party event on Court Street from Winter Street to Vernon Street on Saturday, June 22nd from 11:00 AM to 11:00 PM including food trucks, live entertainment and the serving of alcohol on the City right-of-way in front of the Machina Arts Restaurant space;
- That free parking be granted under the provisions of the free parking policy for the use of City parking spaces encumbered for equipment and storage at murals sites from Wednesday, June 19, 2019 to Sunday, June 23, 2019, and spaces within the Block Party Event footprint on the day of the event;
- The furnishing of a certificate of liability insurance in the amount of \$1,000,000 naming the City of Keene as an additional insured;
- The signing of a standard revocable license and indemnification agreement and associated protocol documents;
- The submittal of signed letters of permission from any private property owners for the use of their property;
- That the Petitioner shall absorb the cost of any City services provided, and agrees to remit said payment within 30-days of the date of the invoicing from the City; and
- Said permission is granted subject to obtainment of any necessary licenses or permits and compliance with all laws; and compliance with any recommendations of City staff.



City of Keene, N.H.  
*Transmittal Form*

April 10, 2019

**TO:** Mayor and Keene City Council  
**FROM:** Planning, Licenses and Development Committee  
**ITEM:** D.3.

**SUBJECT:** SB 165 "Relative to Net Energy Metering by Low-Moderate Income Community Solar Projects" - Energy & Climate Committee

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**COUNCIL ACTION:**

In City Council April 18, 2019.

Voted with 12 in favor and one opposed to carry out the intent of the report.

**RECOMMENDATION:**

On a vote of 3-0, the Planning, Licenses, and Development Committee recommends that a letter of support be submitted to the NH State Legislators and Governor Sununu for SB 165 "Relative to net energy metering by low-moderate income community solar projects".

**BACKGROUND:**

Terry Clark, Ward 3 Councilor, and Committee liaison said net metering is a rate program that allows customers to use their own renewable energy sources to generate electricity and sell it back to Eversource at the market rate. He provided examples of low-income community solar such as Base Hill and Tanglewood Mobile Home Association. Councilor Clark reported SB-165 crossed over into the House last week. Councilor Clark said the Bill modifies the method of calculating the energy metering credits for low to moderate income communities' solar projects. It gives the opportunity to eliminate the middle man by giving the option of placing an individual's energy credit directly onto the individual's energy bill instead of sending taxable dividends through the mail; credits on the energy bill are not taxable. Councilor Clark outlined how the Bill would benefit individual share-holders including a three cent premium being added to the market rate. This Bill would also help the City reach its 100 percent Renewable Energy goal. The Energy and Climate Committee urges this Committee to send a letter of support to our County delegates and the Governor.

Chair Richards asked for Committee questions or comments.

Councilor Hansel noted this popped up on his radar talking about a potential low-income project in Keene that could benefit from this legislation. Councilor Hansel continued one of the things we have struggled with as we have gone to more renewables and solar is it tends to hit the higher incomes first; so they are looking for ways to make it accessible to lower-income people. He noted the PUC is now required to have two projects a year that qualify as moderate to low-income. Councilor Hansel is looking forward to supporting this Bill and its passing.

There being no further questions or comments 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 3-0, the Planning, Licenses, and Development Committee recommends that a letter of support be submitted to the NH State Legislators and Governor Sununu for SB 165 "Relative to net energy metering by low-moderate income community solar projects".





City of Keene, N.H.  
*Transmittal Form*

April 11, 2019

**TO:** Mayor and Keene City Council  
**FROM:** Finance, Organization and Personnel Committee  
**ITEM:** D.4.  
**SUBJECT:** Acceptance of Donation - Fire Department

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**COUNCIL ACTION:**

In City Council April 18, 2019.  
Voted unanimously to carry out the intent of the report.

**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 donation of \$50.00 from Susan Hood.

**BACKGROUND:**

Fire Chief Mark Howard was the first to address the Committee and made reference to a donation the department had received in the amount of \$50.00 from Susan Hood. The Chairman asked whether it was for any special occasion. The Chief stated it had a note attached extending Ms. Hood's appreciation to the department for their service to the community.

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 donation of \$50.00 from Susan Hood.



City of Keene, N.H.  
*Transmittal Form*

April 11, 2019

**TO:** Mayor and Keene City Council  
**FROM:** Finance, Organization and Personnel Committee  
**ITEM:** D.5.  
**SUBJECT:** Lease Agreement - 12 Gilbo Avenue

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**COUNCIL ACTION:**

In City Council April 18, 2019.  
Voted unanimously to carry out the intent of the report.

**RECOMMENDATION:**

On 5-0 vote, the Finance, Organization and Personnel Committee recommends the City Manager be authorized to do all things necessary to negotiate and execute a lease with Ash Sheehan for the space located at 12 Gilbo Avenue.

**BACKGROUND:**

Parks, Recreation and Facilities Director Andrew Bohannon stated this item is in reference to a lease agreement for 12 Gilbo Avenue with Ash Sheehan. This space is currently leased by Mr. Sheehan under the Taco Odelay lease and this lease expires at the end of this month. Mr. Sheehan is looking to renew the lease and have a new contract to go along with his new business – a nano-brewery which he is opening at the old TD Bank space on Main Street.

Mr. Bohannon stated one item the city requested from Mr. Sheehan is to keep the bathrooms open while his business is open for public use. Mr. Sheehan has agreed to do so. Chair Greenwald stated Lindy's Diner is pleased to have other restrooms that are open downtown. The Chairman asked whether there is anything in the lease which requires him to keep the bathrooms open. The City Manager stated the lease language would need to be negotiated with Mr. Sheehan once this item is approved. She further stated language is going to be added regarding access and the city wants to make sure the space is not going to be turned into storage and to make sure it stays active.

Councilor Clark asked whether there are any set standards the tenant has to meet to be opened a certain number of hours to operate as a restaurant. The Manager stated she was not aware of any set standards and this is something staff will be working out with Mr. Sheehan.

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 be authorized to do all things necessary to negotiate and execute a lease with Ash Sheehan for the space located at 12 Gilbo Avenue.



City of Keene, N.H.  
*Transmittal Form*

April 11, 2019

**TO:** Mayor and Keene City Council  
**FROM:** Finance, Organization and Personnel Committee  
**ITEM:** D.6.  
**SUBJECT:** Downtown Parking Options - City Manager

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**COUNCIL ACTION:**

In City Council April 18, 2019.

Voted with 9 in favor and 4 opposed to amend the recommendation as follows: to remove the existing kiosk; reinstall the meters that were removed; and, direct staff to develop a comprehensive plan for all downtown parking by surveying all stakeholders, (shoppers, store owners, building owners, residents) taking in to consideration kiosks, smart meters, parking time limits, hours of operation, and other issues.

**RECOMMENDATION:**

On 4-1 vote, the Finance, Organization and Personnel Committee recommends that the City Council supports the modification of the Kiosk at Central Square West to a “pay and display” model using a new vendor (IPS), after 30 days of successful implementation and operation the Parking Services Division will return to the Finance, Organization, and Personnel Committee with a plan to convert remaining existing Kiosks; and install additional Kiosks around Central Square using the same technology.

**ATTACHMENTS:**

**Description**

Memorandum\_City Manager

Parking Graph

**BACKGROUND:**

City Manager Elizabeth Dragon stated this item is because of concerns raised by Ms. Masten owner of Pedraza’s regarding parking. The letter was forwarded to the MSFI Committee who made recommendations to the full Council to remove the kiosk and reinstall the old meters. The Council has forwarded the item to the Finance Committee for an in depth review of numbers and how much each option would cost.

The Manager went on to say she is requesting the Committee support the modification of the kiosk at Central Square West to a “pay and display” model using a new vendor - IPS, with 30 days of successful implementation and operation. After which time the Parking Services Division will come before the Finance, Organization, and Personnel Committee with a plan to convert the remaining existing kiosks and install additional kiosks around Central Square using the same technology.

The Manager agreed the City has had some issues with this kiosk and stated the current kiosk vendor is Cale and they use AT&T for communications. She noted there have been some physical hardware issues and AT&T does not have the most reliable service in Keene. There have also been some user issues such as unfamiliarity

with this system.

The Manager went on to say the parking division has, through their review, recommended the pay and display model. The new vendor staff is recommending uses Verizon which has the best coverage in New Hampshire. Another feature of pay and display is that it can also work offline so if there is an issue with communication, the information could be stored and the transaction could be processed at a later time – this would help enforcement officers do a visual inspection of the receipt on the dashboard instead of relying on an update of the software.

The city has also discussed with the vendor adding a tilt sensor to let us know if the kiosk is being jolted and have requested IPS look at turning the kiosk to reduce sun glare.

The Manager went on to say with the Park Mobile app, once the maximum of two hours is reached a driver has to wait 15 minutes before they are permitted to move their vehicle to a different spot. With this new kiosk, that time limit has been changed to five minutes. The city is looking at reducing that even more and relying on chalking of tires for compliance.

Another possibility being considered is if a driver purchased time from the kiosk and has remaining time on their pay and display receipt they will be able to move their cars to other non-kiosk locations, such as traditional meters on Main Street. Parking enforcement will not only check the meter to see if time is expired, but will also do a visual inspection to see if there is time left on a pay and display receipt. Ms. Dragon noted this is for on-street parking kiosks only not for garage/lots which have different rates. This allows for maximum flexibility and addresses other issues the city has been made aware of.

Ms. Dragon noted the Parking Services Division is planning training sessions both at the kiosk and in the office. The other issue is pay and display has a .45 cent transaction fee but there is the option to purchase pre-paid cards at the parking office that have no fees.

Ms. Dragon went on to say phase two would involve locating this model of kiosks around the square to provide for consistency in this area of downtown.

The Manager then talked about the cost - phase one cost would be at no cost to the city for the first 30 days and will not require any permanent changes to the sidewalk.

Phase two would convert all eleven existing kiosks at \$2,800 per unit, for a total cost \$30,800. The Manager stated after 30 days if the city decides to continue with implementation of the new kiosks the city would need to add two kiosks around central square for an additional cost of \$5,600.

Ms. Dragon then provided a comparison of smart meters around Central Square. There are 41 metered spaces at Central Square, there will be four more purchased for repair and malfunction. Each of these will be at a cost of \$473 for a total cost of \$21,285.

The ongoing cost for smart meters is \$8 per meter per month and for 41 meters that would be \$328 per month.

The costs for kiosks covering the same amount of space would be \$55 per month. For three kiosks it will be \$165 per month for an annual difference of \$1,956.

Ms. Dragon then went over what the MSFI Committee recommended. If the old meters were to be installed, the sidewalks would need to be drilled to locate these meters.

Staff has confirmed the city has enough meters for the 14 parking spaces located at Central Square West. There aren't sufficient meter posts but these could be ordered at \$46 per post and this could cost close to \$320. Dig safe would need to mark utilities and this work could take approximately three working days. Once the Kiosk is removed from the sidewalk pad - public works would cut and grind down remaining bolts. The installation

could take two public works employees no more than four hours, which equals approximately \$250 of staff time during regular hours. The installation of these meters would require reconfiguration of the outside seating space.

Ms. Dragon stressed the importance of downtown outdoor dining space. She noted she had a conversation with the owner of The Stage Restaurant who indicated the outdoor dining area is very important to his business. Ms. Dragon stated this owner is not opposed to a kiosk. She went on to say her memo talks about the prior reconfigurations of the area in front of Pedraza's. This was because of some tree and drainage issues but there are also some maintenance issues public works deals with in the winter and summer due to the parking meters and clearing those areas.

The Manager noted the last page of her memo gives pros and cons for mechanical meters, single space meters and multi space meters. She went on to say smart meters are the wave of the future but having a limited amount of space which is important for outdoor dining, becomes an issue. Ms. Dragon referred to a chart prepared by the Parking Manager to show what the trend for usage was for this location and since 2015 all of the areas have trended down in terms of utilization and this area is no different from the rest. She also noted the increase in mobile payments. This concluded the Manager's presentation.

The Chairman thanked staff for all the effort that has gone into this item and indicated every concern that has been raised has been addressed with this memo.

Councilor Powers clarified parking services has received numerous comments about the mechanical aspect of this kiosk- the Manager agreed and noted the review staff did indicate there have been communication issues with all of the kiosks and this definitely indicates it has a lot to do with AT&T being the service provider.

Councilor Chadbourne clarified changing a service provider would not require changing kiosks. Ms. Dragon agreed. The Councilor went on to say she felt this work should coincide with the work being planned for downtown, even though she is not suggesting anything at this time. Ms. Dragon noted new kiosks did not need to be purchased the existing ones could be modified and this was the \$2,800 cost she had mentioned earlier. The two extra kiosks she had requested is to maintain redundancy. The Councilor asked how much loss of outdoor seating staff was anticipating. Ms. Dragon stated staff would have to recalculate the seating and stated she did not have this number today but noted there is a one-foot radius around the meter that would be needed as a buffer as well as space for people to walk through.

Councilor Chadbourne asked whether the new vendor would also carry the .45 cent user fee. Ms. Dragon answered in the affirmative and went on to say this is a part of the park mobile transaction but if customers want to avoid the fee, parking cards could be purchased directly from the parking office. The Councilor noted when she parks in Concord the user fee is included in the parking rate.

Jarred Goodell of 14 Skyview Circle and Dorrie Masten of 326 Matthews Road, Swanzey addressed the Committee next. Mr. Goodell stated he is representing Ms. Masten on this issue as it relates to The Pour House, Pedraza's, Keene Apartments and the other businesses she owns. He noted they have been before the MSFI Committee with respect to this item, and that committee voted 4-1 to remove the kiosk located on the west side of Central Square and replace it with traditional meters, which item has been forwarded to the Finance Committee. He noted they have many concerns with the Memo from the City Manager – Mr. Goodell stated the owner of The Stage had indicated he did not say that he approved a kiosk, but rather that he preferred smart meters and stated he had that in writing from Mr. Benik.

Mr. Goodell went on to say city staff has been very cooperative with this issue. However, these kiosks have negatively impacted the petitioner and added replacing them with the pay and display system just would not work. He stated one of the problems the current system has is not just a software issue, but also a hardware issue where the receipts are getting jammed and added the pay and display also requires a receipt. He explained with the system jamming the receipts that eventually come out are expired tickets. He questioned why the city is

trying to fix a problem that is not broken and pointed out the traditional meters that exist elsewhere in the city are very functional. He stated the petitioner is open to the installation of smart meters which will take time but the petitioner in the meantime demands the kiosk located on the west side of Central Square be immediately removed and replaced with the old meters. He stressed the negative impact this kiosk is having on the petitioner's businesses.

Ms. Masten added to how badly these kiosks operate, she asked the traditional meters be brought back and then the city have a discussion with businesses as to a proper solution. She referred to the many negative comments this item has had on social media and the 27 downtown merchants that have signed a petition and asked the city listen to what the businesses are asking for.

Mayor Lane felt it was strange to be discussing going back to a 1940's model for parking meters – what should be discussed is how the 1940 technology could be eliminated and move forward with a newer version. He agreed the kiosk being discussed does have issues but noted the one at the City Hall deck does work very well. The Mayor went on to say there has been question about waiting until the downtown revitalization happens but noted it is unclear when this is going to happen and the city is a long way from any proposal for this work and asked not to hold up parking based on that plan. The Mayor felt the discussion should be how to make kiosks more user friendly and get rid of the existing meters.

Chair Greenwald clarified if the city was to go with the existing kiosk staff's suggestion is for a different vendor, different software and hardware. The Manager agreed and went on to say staff did look at the data for how many times there have been problems with receipts, the last time was in 2018 and this time it was because of paper installation which caused the jam. The Chairman felt the two-hour limit should also be changed.

The Chairman asked whether staff could address the benefits of a kiosk versus traditional meters. Parking Operations Manager Wendy Walker and Police Chief Steve Russo addressed the Committee next. Ms. Walker stated different communities have different needs, but noted angle parking lends itself to multi-space meters also known as kiosks. People also prefer the view which posts tend to block, Public Works also benefits not having posts in the way for cleanup. The Chairman stressed he would like to know the benefit for the community. Chief Russo added it is not about being easier for Public Works but more so a safety feature being able to remove more of the snow. Ms. Walker added when people are able to pay using credit cards they tend to stay in the downtown much longer and not having to carry coins makes it easier for the public.

Councilor Powers asked why pay and display is better than the other technology of putting in one's license plate. Ms. Walker stated pay by plate isn't as user friendly, it has more steps – which causes user errors. The Councilor noted there is also the need to have to walk back to one's car and put the ticket on the dashboard.

Councilor Clark asked how many instruction steps are required with the pay by plate. Ms. Walker stated with the pay by plate there are three steps.

Councilor Jacobs noted the CIP has an appropriation for smart meters and it has been stated these meters are the wave of the future and asked if this was the case asked how adding more kiosks gets to that plan for the future. Ms. Dragon stated the space restriction that exists on Central Square exists elsewhere in the downtown and the kiosks are to address those space issues. Ms. Dragon stated there still needs to be a decision made as to whether smart meters would work or whether the city should be going with kiosks. Chief Russo noted if there are 14 meters on Central Square there would be the need to purchase 14 individual meters but a kiosk could serve one particular zone and they can be connected should one break down. The Chairman asked whether the City is chalking tires – Ms. Walker stated this depends on the number of available staff on a particular day.

Councilor Hooper stated he would like to slow this process down and not make any decisions without getting more input from the public. He felt pay and display is an easier system compared to the pay by plate. The

Councilor added pay and display is easier but there is still some confusion for those who are not used to it. The Councilor suggested slowing down the decision on this item and giving the public the chance to provide input.

Councilor Filiault stated he agreed we don't want to go back to the 1940's technology but to bring everyone to the same playing field; this might be the best option while the City discusses all of downtown. He felt the city should slow down with this decision, put the meters back temporarily and not "piece meal" it and take time to figure this out. He asked the Finance Committee to do what the MSFI Committee did; take this in two separate phases (1) put everyone on the same playing field – put the meters back. (2) Have the City Manager study the situation and take time to look at the issues. He reminded the Committee this was the second time the city has installed a kiosk that has not worked in the downtown.

Mr. Goodell addressed the Committee again and asked what in the hardware specifically relating to the receipts will be changing. Ms. Dragon stated the outside box will remain but the hardware inside will change which will change the software and the service provider. Mr. Goodell stated they would be happy to provide a detailed list for the next Council meeting regarding this receipt issue which seems to be a consistent problem. He further stated with the issue of people not having change to pay for meters, that problem can be solved with the park mobile app. Mr. Goodell asked for one safety issue that has arisen because of the older meters. He also brought up the issue about not wanting to drill into the sidewalk to install these meters and noted smart meters are going to need the sidewalks to be drilled. With respect to user error, Mr. Goodell felt the public seems to be blamed for the kiosk not functioning and agreed this might be the case but felt the downtown should be something that works for everyone and this kiosk does not work for everyone. He went on to say the petitioner is willing to pay for half of the cost to change the existing kiosk back to what Central Square originally had.

With respect to moving from one kiosk to another one because of kiosk failure –Mr. Goodell asked why anyone would want to waste time moving around from one kiosk to another when there are places like Applebee's where parking is free. He reiterated the need for bringing back the traditional meters and Ms. Masten's willingness to indemnify the City for half its cost.

Councilor Chadbourne felt Councilor Filiault explained this issue well, and felt the City should consider Ms. Masten's offer to indemnify the city for half the cost. She went on to say no-one really is talking about going back to the 1940's and what the public is favoring are the smart meters. She indicated she supports replacing what exists and added neither Mr. Goodell nor Ms. Masten raised any concern about the loss of outdoor seating space.

The Chairman noted the City could on the other hand at no cost try the pay and display for 30 days while working on the long range parking plan.

Councilor Clark felt the parking meters should be taken down and a tax district be brought in. He went on to say he is happy to see this report as it lays out the entire plan. The Councilor stated he likes the idea of fixing the problem and moving forward.

Councilor Chadbourne asked why one of the other existing kiosks could not be converted for the 30-day trial. Ms. Dragon stated one of the reasons for her recommendation is because of the concerns raised about the kiosk before the committee tonight giving the businesses and residents an opportunity to try this change downtown. She also added this change does not cause the need to make any construction changes; the change is only inside the unit.

Councilor Jacobs asked for the timeframe for installation. Ms. Dragon stated it was about a week.

Chair Greenwald went over the two motions suggested by staff:

(1) Move that the City Council recommend that the City remove the kiosk on the western side of Central Square, and replace it with meters that are still in stock by the City; and, that the whole issue of parking be

followed up by the City Manager with a report back to City Council.

(2) The City Council supports the modification of the Kiosk at Central Square West to a “pay and display” model using a new vendor (IPS), after 30 days of successful implementation and operation the Parking Services Division will return to the Finance, Organization, and Personnel Committee with a plan to convert remaining existing Kiosks; and install additional Kiosks around Central Square using the same technology.

Councilor Powers felt a review of the parking situation is not a priority for staff; the priority is to fix the broken meter. This is a conversation that has gone on for a long time but felt the prudent thing to do first is to get the unit fixed first so meaningful data can be obtained.

Councilor Jacobs felt the kiosk seems to work in other parts of the city and felt getting this fixed would be the best solution and stated he favors going with option 2.

Councilor Chadbourne stated a lot of information containing hard facts have been provided to this committee from staff and felt this can happen fast; she noted the Council has control over deadlines and would be making a motion she feels the rest of the committee would approve.

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

On 4-1 vote, the Finance, Organization and Personnel Committee recommends that the City Council supports the modification of the Kiosk at Central Square West to a “pay and display” model using a new vendor (IPS), after 30 days of successful implementation and operation the Parking Services Division will return to the Finance, Organization, and Personnel Committee with a plan to convert remaining existing Kiosks; and install additional Kiosks around Central Square using the same technology.

Councilor Chadbourne voted in opposition.



**City of Keene**  
**New Hampshire**  
**Office of the City Manager**

**Date:** April 11, 2019  
**To:** Finance, Organizational and Personnel Committee  
**From:** Elizabeth A. Dragon, City Manager  
**Subject:** Parking

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**Recommendation:**

The City Council supports the modification of the Kiosk at Central Square West to a “pay and display” model using a new vendor (IPS), after 30 days of successful implementation and operation the Parking Services Division returns to the Finance, Organizational, and Personnel Committee with a plan to convert remaining existing Kiosks; and install additional Kiosks around Central Square using the same technology.

The Central Square West Kiosk has experienced some functional issues including communication challenges due to the cell carrier utilized by our current vendor. Our current Kiosk vendor is Cale and they use AT&T for communications. Most recently there have also been physical hardware issues - cords or wires on the inside of the machine that have become loose or unattached and issues causing a printer malfunction. In addition, there have been issues related to user error and confusion by those unfamiliar with Kiosks utilizing plate numbers. Most people are more familiar with the “pay and display” model used throughout New Hampshire.

- The new vendor (IPS) utilizes Verizon as their service provider. This would provide much more reliable communication service to complete card transactions and communicate with software utilized by the parking division.
- The use of the Pay and Display model is more familiar to people. It also eliminates the frustration for those who reach the kiosk and do not know their plate number.
- The Pay and Display model works offline. Therefore, if there is a communication failure it will still complete the transaction. Enforcement is also not an issue if communication goes offline because the enforcement officers do a visual inspection of receipt on the dash instead of relying on an update of the software.
- We have discussed adding a tilt sensor to let us know if the Kiosk is being jolted.

- We have requested IPS look at turning the Kiosk to reduce sun glare.
- We have reduced the time limit default in Park Mobile before you are able to purchase additional time in a zone. When you reach the maximum of two hours parking allowed the application didn't allow you to re-up (purchase more time in that zone zone) for 15 minutes. We have reduced that time limit to 5 minutes. We are looking at reducing that even more and relying on chalking of tires for compliance.
- If you purchase time from the kiosk and having remaining time on your pay and display receipt- you will be able to move your car to other non-kiosk locations (traditional meters on Main Street). Parking enforcement will not only check the meter to see if your time is expired, they will also do a visual inspection to see if you have time left on a pay and display receipt. This is for on-street parking kiosks only (not a garage/lot which has different rates). This allows for maximum flexibility for the user. It would be an additional level of service and payment flexibility.
- The Parking Services Division is planning training sessions both at the Kiosk and in the office.
- Parkmobile has a \$0.45 transaction fee and it can be used at many locations all across the US (e.g., Boston, Worcester, NYC, DC). We do sell pre-paid cards that have no fee! We have Parkmobile decals on all the meters and kiosks, listing which zone motorists are parked in for app entry.
- Phase two would involve locating this model kiosk around the square. This would allow for consistency in this area of downtown. It would create additional outdoor dining space. It would allow for redundancy - if for some reason there was an issue with one kiosk or multiple people waiting to use a specific kiosk there would be others located within walking distance.

#### Phase one cost -

The initial conversion of the Central Square Kiosk as discussed above will be free of charge for the first 30 days and will not require any permanent changes to the sidewalk.

#### Phase two cost -

Convert all existing kiosks (11 installed kiosks x \$2,800=\$30,800). This should be considered regardless of the Central Square Kiosk decision.

If, after 30 days, the decision is made to continue with implementation of the new model kiosk we would need to add two kiosks around central square (2x \$2,800) = \$5,600

We currently have two kiosks that could be modified and located around the square.

In comparison-installations of smart meters around central square:

TOTAL 41 metered spaces at Central SQ

+10% extra (4 more) for repair/malfunction, totaling 45

X \$473/single space smart meter delivered & installed is \$21,285

The ongoing costs for smart meters is \$8 per meter per month =  $8 \times 41$  meters = \$328 per month. The costs for Kiosks covering the same amount of spaces \$55 per month x 3 kiosks = \$165 per month. Annual difference is \$1,956.

MSFI Committee recommendation to remove Kiosk and install used coin meters:

- We have confirmed that we have enough meters for the 14 parking spaces located at Central SQ West.
- We do not have enough meter posts - once ordered would take approximately 2 days.
- Dig safe would need to mark utilities - takes approximately 3 working days.
- Once the Kiosk is removed from the sidewalk pad - public works would cut and grind down remaining bolts. (unsure of aesthetically how this would be in the end).
- To install takes - 2 public works employees no more than 4 hours. (approx. \$250 of staff time during regular hours).
- There are currently no holes in the sidewalk - this option will require drilling new holes through the concrete sidewalk.
- The installation of parking meters will require a reduction/reconfiguration of outside seating.

Outdoor dining space around Central Square is limited. While making this decision, it is important to consider the entire square. For example, the outdoor dining space in front of The Stage Restaurant would be enhanced with the removal of meters. I have spoken to the owner of The Stage and his outdoor dining area is very important to his business. He stated his restaurant is a destination and therefore parking in front of the restaurant is less of a concern in the evening. During the day time hours parking is a challenge. He is also open to discussion if there is a better system but is opposed to the kiosk model in front of Pedraza's. not opposed to a kiosk as described.

Prior to the reconfigurations of the area in front of Pedraza's it was similar to the area in front of Prime Roast but tighter. The distance - building line to curb at Prime Roast is ten feet without any obstructions such as stairs or ramps. There was a curb line with a five foot sidewalk with steps and ramps with a grass belt behind at Central square West with failing trees. This configuration makes it difficult to perform winter maintenance. It requires the Highway Department to first push the snow between the meter post and then use other equipment to pull the snow into the street/parking stall and then collect it increasing clean up time.

In the more open areas, without grass belts, meter posts also make winter maintenance more difficult. Snow removal equipment gets as close to the meter post as possible. Typically there is a drift of snow left around the meter post. When you have several posts side by side this can extend outwards two feet around each post. The City has received complaints that customers aren't able to get to the meters. Therefore, a follow up action requires the snow be cleared separately out into the street/parking stalls and then collected. In some areas the Highway Department has to use the grader with wing attachment to pull the snow out and around from the meters. Without the meter post, equipment pushes the snow right out into the street/parking stalls eliminating the requirement to come back and pull snow out.

For summer maintenance, the City can use broom attachments to sweep sidewalks. With parking meters the attachment cannot be used because it cannot necessarily easily get the debris to the street. Other methods such as back-pack blowers are used.

During the summer months there are issues with the cafe licenses/outdoor seating. Tables are placed near parking meters making it difficult for the users of the parking stalls and those with strollers to put coins into the meter. In some cases they have to ask patrons of the restaurants/seating areas to put the coins in for them. The seating areas also block access to the sidewalk requiring people (and those with strollers) to walk down the street behind the parked vehicles adjacent to the travel lanes to find an open area to access the sidewalk. Without meter posts there is more room to accommodate the outdoor seating on the public sidewalk/right-of-way.

### Traditional Mechanical Meters

#### PRO

- User friendly / less walking to pay

#### CON

- Limited to coins only
- No proof of purchase option
- More frequent battery replacement (2x /yr.)
- Little to no reports for staff repair (public-dependent)

### Single Space Smart Meters

#### PRO

- User friendly / less walking to pay / more familiar concept
- Coin or credit card purchase capability
- Auto-alerts re issues for staff repair
- Ability to expand customer options (e.g., find-a-space)
- Easy notification system for events & messaging
- Downtime/repair requirements impact only 1 space at a time

#### CON

- Can only obtain proof of purchase online for credit card use
- More expensive batteries (solar lasts 1-3 years)
- Technology repairs also depend on vendor troubleshooting

### Multi-Space Smart Meter/Kiosk

#### PRO

- Receipt option at kiosk regardless of payment type
- Less sidewalk space used
- Vehicles can come & go from area (i.e., 'space' not taken if need to leave but return)

/ no piggybacking

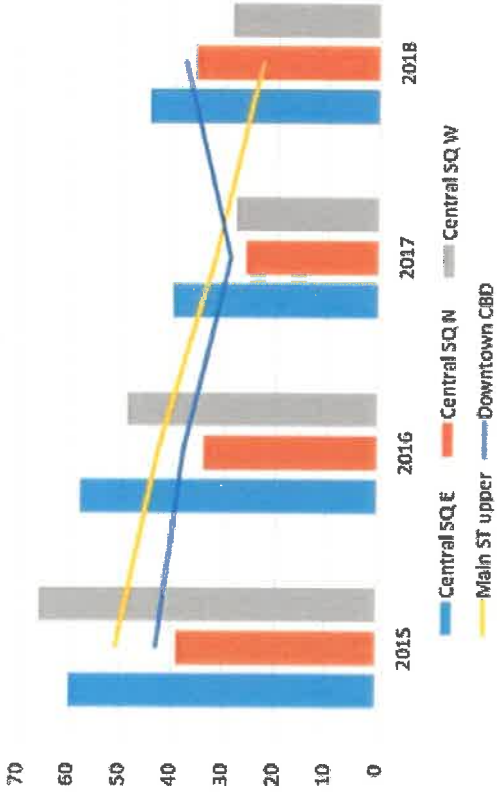
- Safer / better snow removal
- Auto-alerts re issues for staff repair
- Easy notification system for events & messaging
- Different setup options (by space, by plate, by display)

#### CON

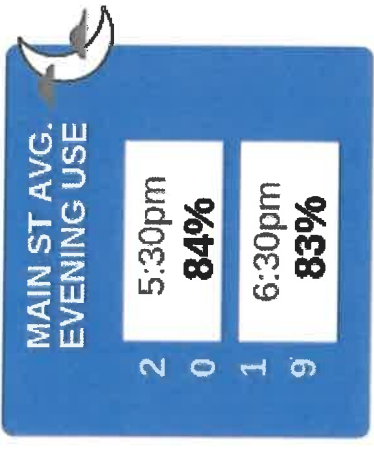
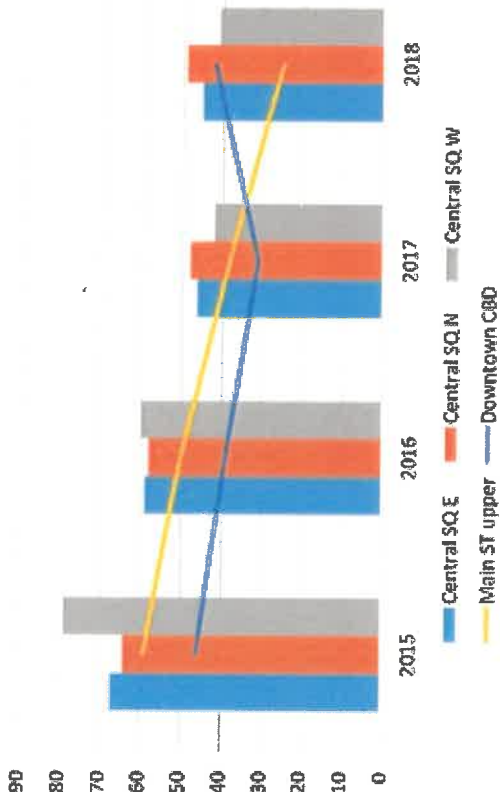
- More expensive batteries (solar last 1-3 years)
- Tech stability dependent on area's best cellular provider
- On-street kiosk location downtime impacts multiple spaces
- Potential learning curve for some users based on setup option chosen
- Technology repairs also depend on vendor troubleshooting / possible public perception issues

# KEENE PARKING & KIOSK STATISTICS

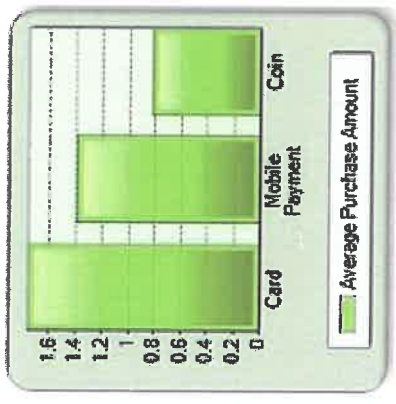
2015-2018 Parking Use @10am



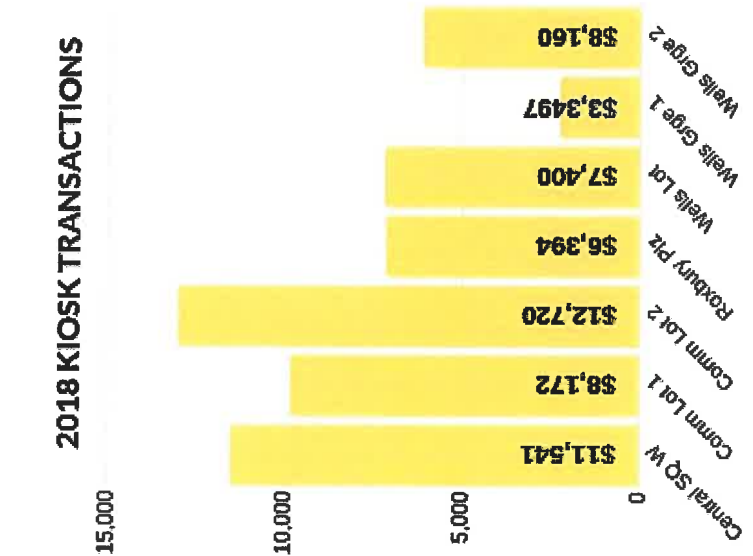
2015-2018 Parking Use @3pm



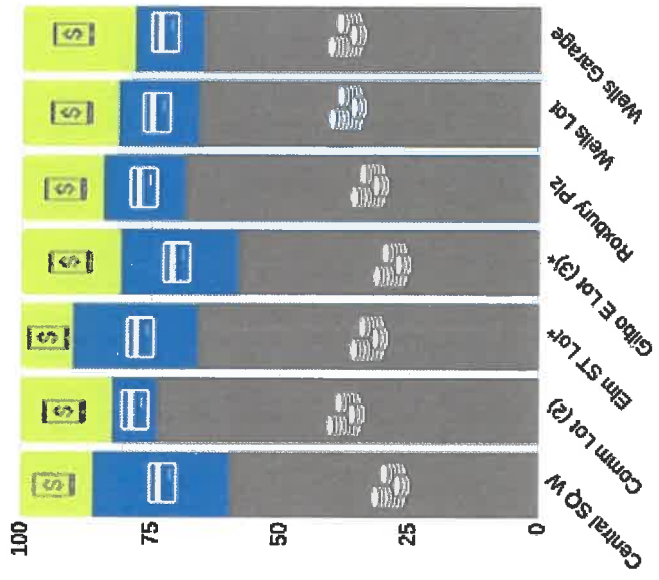
AVG PURCHASE AMOUNT YTD



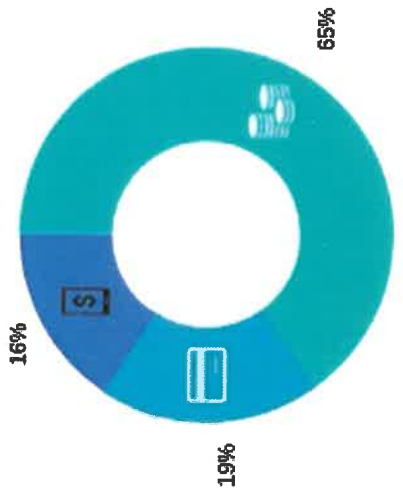
2018 KIOSK TRANSACTIONS



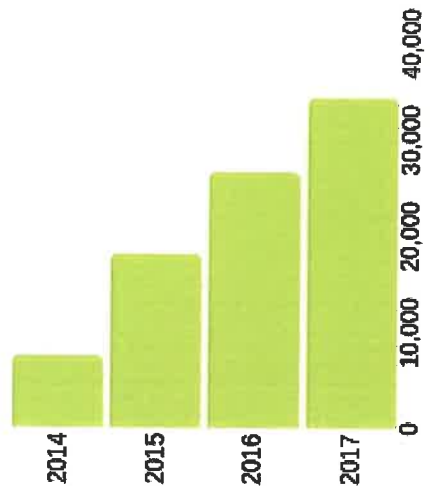
2018 & 2019\* KIOSK PAYMENT PERCENT



2018 AVG. KIOSK PAYMENT



MOBILE PAYMENT USE





City of Keene, N.H.  
*Transmittal Form*

April 16, 2019

**TO:** Mayor and Keene City Council

**FROM:** Rhett Lamb ACM/Community Development Director

**ITEM:** G.1.

**SUBJECT:** Resignation from Southwest Region Planning Commission - Planning Board

---

**COUNCIL ACTION:**

In City Council April 18, 2019.

Voted unanimously to accept the resignation with appreciation for service.

**RECOMMENDATION:**

A motion was made by Councilor Hansel to accept Dick Barry's resignation from the Southwest Regional Planning Commission's Board. The motion was seconded by Chair Barrett and was unanimously approved.

**ATTACHMENTS:**

Description

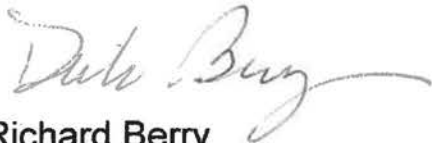
Communication\_Berry

March 5, 2019

Mayor Kendall Lane  
City Hall  
3 Washington St.  
Keene, NH 03431

Dear Kendal, this is to confirm my resignation from the Southwest  
Regional Planning Commission effective March 31, 2019.

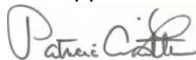
Best regards,



Richard Berry  
27 Felt Road  
Keene, NH 03431

cc. Tim Murphy  
Executive Director  
Southwest Regional Planning Commission  
37 Ashuelot St.  
Keene, NH 03431

In City Council April 18, 2019.  
Voted unanimously to accept the  
resignation with appreciation for service.



City Clerk





City of Keene, N.H.  
*Transmittal Form*

April 18, 2019

**TO:** Mayor and Keene City Council

**FROM:** Rhett Lamb ACM/Community Development Director

**ITEM:** G.2.

**SUBJECT:** Confirmation to the Southwest Region Planning Commission - Planning Board

---

**COUNCIL ACTION:**

In City Council April 18, 2019.

Voted unanimously to confirm the nomination.

**RECOMMENDATION:**

A motion was made by Chair Barrett to nominate Gary Spykman to serve on the Board of Southwest Regional Planning Commission. The motion was seconded by Councilor George Hansel. The motion made by the Chairman carried on a unanimous vote.

**BACKGROUND:**

Chair Barrett stated it is the role of the Planning Board to nominate individuals to serve on the Southwest Regional Planning Commission's Board and it is the role of the Mayor to approve the nomination. The Mayor recused himself from this process.

Mr. Lamb stated there is an individual who had indicated his willingness to serve in this capacity.

A motion was made by Chair Barrett to nominate Gary Spykman to serve on the Board of Southwest Regional Planning Commission. The motion was seconded by Councilor George Hansel.

Mayor Lane noted there are three vacancies.

Mr. Burke asked for an overview of duties of this role. Mr. Lamb explained this position represents the City of Keene on the Southwest Regional Planning Commission Board. The Commission represents 30 towns and their work is closely connected to transportation, they work with the DOT, there is a Brownsfield Advisory Body, they also work closely with state and federal agencies. The Board of Directors are annually selected from the Commissioners. They meet quarterly.

The motion made by the Chairman carried on a unanimous vote.

A motion was made by Councilor Hansel to accept Dick Barry's resignation from the Southwest Regional Planning Commission's Board. The motion was seconded by Chair Barrett and was unanimously approved.



City of Keene, N.H.  
*Transmittal Form*

April 11, 2019

**TO:** Mayor and Keene City Council

**FROM:** Patricia A. Little, City Clerk

**ITEM:** I.1.

**SUBJECT:** Relating to Licenses and Permits

---

**COUNCIL ACTION:**

In City Council April 18, 2019.

Referred to the Planning, Licenses and Development Committee.

**RECOMMENDATION:**

That Ordinance O-2019-04 be referred to the Planning, Licenses and Development Committee for their review and recommendation.

**ATTACHMENTS:**

Description

Ordinance O-2019-04

**BACKGROUND:**

In February staff was before the FOP Committee to discuss the fees charged by the City for various licensed activities. The discussion was prompted by a communication to the Council from Councilor Manwaring in which she raised the issue of whether license fees should account for the staff resources that attend protocol meetings. As this was contemplated, the discussion broadened into a review of all fees charged for activities licensed under Chapter 46 of the Code, and several inconsistencies were noted in terms of applying a fee to the various types of event licenses that are issued.

Staff spent a great deal of time reviewing current license fees and charges, and researching pertinent provisions under State Law, City Ordinances, City Council Policies and Administrative Directives. During this review it became clear that State law stipulates that fees or charges for licenses and permits shall not exceed an amount reasonably calculated to cover the regulatory, administrative, and enforcement costs of the activity. In addition, the City's fiscal policy provides that fees and charges shall be set at something less than full cost recovery when there is no intended relationship between the amount paid and the benefit received. All of the various licensed events are typically activities that benefit the community at large and are generally sponsored by nonprofit organizations for charitable purposes.

Referring back to State Law for guidance, the only administrative activity that may be contemplated in the license fee is the efforts of staff from the City Clerk's Office to facilitate the issuance of the license. With that in mind, staff has drafted Ordinance O-2019-04 Relating to Licenses and Permits, which seeks to establish fees for licenses that have had no fee associated with them in the past (General Use of City Property, Street Fairs or Community Events, Outdoor Periodic Events), and to acknowledge the complexity of licenses for activities like Community Sponsored Events, Footraces, or Parades, requiring protocol reviews. The Ordinance also

provides definitions for the various activities licensed in the Chapter, and takes care of some housekeeping issues to standardize language in each section.

Staff is hopeful this Ordinance will provide parity among the various licensed events in terms of the fees they are paying and the benefits they are receiving.



# CITY OF KEENE

O-2019-04

In the Year of Our Lord Two Thousand and ..... **Nineteen** .....

AN ORDINANCE ..... **Relating to Licenses and Permits** .....

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

That the Ordinances of the City of Keene, as amended, be and are hereby further amended by adding the bolded underlined text, deleting the stricken text and renumbering as needed in the following sections: In Article I. "In General" - Section 46-1; in Article II. "Licensing Generally" – Sections 46-92 and 46-123; in Article XI. "Outdoor Events" – Section 46-642; in Article XII. "Parades, Bicycle and Foot Races" – Section 46-691; in Article XVIII. "Street Fairs and Community Events" – Section 46-1010; in Article XX. "Walkathons" – Sections 46-1106, 46-1108 and 46-1111; Article XXIII. "General Use of City Property" – Section 46-2023 and 46-2025; and by deleting the stricken text and inserting the bolded text in Appendix B – Fee Schedule § 46-642, § 46-695, § 46-1010, § 46-1111 and § 46-2025 as follows:

## ARTICLE I. - IN GENERAL

Sec. 46-1. - Definitions.

**Bicycle race means a race with contestants using bicycles propelled manually by foot pedals that may impact vehicular traffic and may be timed and competitive.**

**Footrace means a race run by contestants on foot that may impact vehicular traffic and may be timed and competitive.**

**Parade means a public procession, especially one celebrating a special day or event, which may impact vehicular traffic and/or include marching bands or floats.**

**Walkathon means a community or school event or fundraiser in which participants raise awareness to a cause, or collect monetary donations or pledges for walking a predetermined distance or course. Participants remain on sidewalks or off the traveled portion of any public right of way, and have no impact on vehicular traffic.**

## ARTICLE II. – LICENSING GENERALLY

Sec. 46-92. - Review process.

Unless an extended time period is otherwise required by the city, all completed license applications received shall be acted upon within thirty days of receipt. The application shall may be reviewed by any appropriate city officials or departments ~~that may be appropriate, including but not limited to the fire department, police department, public works department, community development, parking services and Emergency Management Director,~~ in determining whether or not the license should be granted under this chapter, ~~and in determining any conditions or restrictions which may be appropriate to the operation of the activity proposed to be licensed.~~ Based upon this review, the designated licensing official may require additional licensing stipulations which are deemed necessary to ensure public health, safety and welfare in connection with the licensed activity. The city staff shall confer with the applicant if there are questions or concerns regarding the proposed activity or if discussion or additional information is needed in order to properly review the application. Licenses shall be granted only if the proposed activity can be carried out in accordance with the applicable laws, ~~safely,~~ in compliance with stipulations, and without posing hazard or inconvenience to the public. At the discretion of the city clerk any application received may be referred to the city council for decision.

#### Sec. 46-123. Liability for City Charges.

Unless a waiver of all or a portion of the cost of city services has been extended by the City Council, those persons licensed to engage in activity under this chapter shall be liable for such charges as are required by the city for services provided in support of their license, including but not limited to: security, emergency services, set-up, clean-up, use of city equipment, facilities, parking spaces or electricity.

### ARTICLE XI. – OUTDOOR EVENTS

#### Sec. 46-642. - Fee.

The fee for a license granted under this division shall be as set forth in the schedule of fees in appendix B to this Code. ~~for the duration as specified on the license for activities of a commercial nature. However, no fee shall be required for activities conducted by charitable organizations, by governmental agencies, by neighborhood groups, or by religious organizations, unless such activity is generally considered to be a commercial enterprise.~~

### ARTICLE XII. - PARADES, BICYCLE RACES OR AND FOOTRACES

#### Sec. 46-691. - Required.

No parade, bike race or footrace shall be held on any city right-of-way unless a special license therefor shall first be obtained from the city clerk. If the license is approved, a revocable license and indemnification agreement shall be required. Parades that

**remain on sidewalks, have no impact on vehicular traffic and do not include marching bands or floats shall be considered a walkathon and licensed under the Walkathons section of this Code.**

#### ARTICLE XVIII. – STREET FAIRS OR COMMUNITY EVENTS

##### **Sec. 46-1010. - Fee.**

**The fee for a license granted under this division shall be as set forth in the schedule of fees in appendix B to this Code.**

#### ARTICLE XX. - WALK-A-THONS

Sec. 46-1106. - Required; application.

No walk-a-thon shall be held on any city street or on any city sidewalk until a permit is issued by the city clerk. ~~The application shall be made three weeks in advance of the event.~~

~~Sec. 46-1108. – Liability for city charges.~~

~~The applicant for a walk-a-thon permit shall be liable for such charges as are imposed by the city for electricity, cleanup, police services, or traffic control.~~

Sec. 46-1111. - Fee.

**The fee for a license granted under this division shall be as set forth in the schedule of fees in appendix B to this Code.** ~~A fee as set forth in the schedule of fees in appendix B of this Code shall be required to cover the administrative review of the application for a walk-a-thon permit.~~

#### ARTICLE XXIII. – GENERAL USE OF CITY PROPERTY

Sec. 46-2023. - General license for use of city property.

Unless otherwise specified by state law or city ordinance, permission to use city property for a specified duration, including but not limited to city parking spaces, city sidewalks or rights-of-way shall require specific permission in the form of a revocable license from the city clerk. ~~The city clerk shall impose any other licensing stipulations that may be deemed necessary to ensure public safety.~~ If the license is approved, a revocable license and indemnification agreement shall be required in addition to liability insurance listing the city as an additional insured in an amount specified by the city clerk. At least 15 days prior to the expiration date of the insurance coverage, the licensee agrees to deliver to the city clerk a certificate indicating that a binder certificate

indicating that the insurance coverage will continue during the licensing period and naming the City of Keene as an additional insured.

**Sec. 46-2025. - Fee.**

**The fee for a license granted under this division shall be as set forth in the schedule of fees in appendix B to this Code.**

APPENDIX B – FEE SCHEDULE

§ 46-642. Outdoor periodic event license fee, per day .....	<del>150.00</del>	<b><u>30.00</u></b>
§ 46-695. Parade, bike race or footrace license fee .....	<del>25.00</del>	<b><u>50.00</u></b>
<b><u>§ 46-1010. Street Fairs or Community Events license fee .....</u></b>		<b><u>50.00 per day</u></b>
§ 46-1111. Walkathons permit fee .....	<del>25.00</del>	<b><u>30.00</u></b>
<b><u>§ 46-2025. – General Use of City Property license fee .....</u></b>		<b><u>30.00</u></b>

---

Kendall W. Lane, Mayor

Referred to the Planning, Licenses and  
Development Committee.



City Clerk



City of Keene, N.H.  
*Transmittal Form*

April 16, 2019

**TO:** Mayor and Keene City Council

**FROM:** Patricia A. Little, City Clerk

**ITEM:** I.2.

**SUBJECT:** Relating to Vendors in Parking Spaces or Parking Lots

---

**COUNCIL ACTION:**

In City Council April 18, 2019.

Referred to the Planning, Licenses and Development Committee.

**RECOMMENDATION:**

That Ordinance O-2019-05 be referred to the Planning, Licenses and Development Committee for their review and recommendation.

**ATTACHMENTS:**

Description

Ordinance O-2019-05

**BACKGROUND:**

As part of the staff's continued efforts in responding to a changing business model for mobile food vendors; O-2019-05 is being introduced to provide the opportunity on a first come first serve basis to vend from designated public parking spaces on either a street or in a parking lot or on the public way.

The Ordinance requires that the vendor pay the required parking rate for the parking space, except when a waiver of some or all of the parking fees have been granted by the City Council. The Ordinance exempts the vendor from the parking time restrictions. Failure to pay the posted parking rate would result in the parking enforcement provisions of Chapter 94 to apply.

City staff has identified three vending locations: a location west of the entrance to the Commercial Street Parking Lot; a location in the Commercial Street Parking Lot just inside the Gilbo Street entrance and adjacent to the skate park; and a location on the north side of Emerald Street adjacent to Curry Copy Center.

The Ordinance provides that any parking spaces where vendors are licensed to operate may either be designated through appropriate signage or identified on a list of spaces where vendors are licensed to operate. A map depicting the vending spaces will also be available.





# CITY OF KEENE

O-2019-05

Nineteen

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

AN ORDINANCE .....Relating to Vendors in Parking Spaces or Parking Lots.....

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

That the Ordinances of the City of Keene, as amended, is hereby further amended by deleting the stricken text and inserting the bolded text in Section 94-91 "Vendors Prohibited" in Division 2 "Specific Street Regulations" of Article III "Parking" in Chapter 94 entitled "Vehicular Traffic and Public Ways" as follows:

Sec. 94-91. - Vendors prohibited.

- (a) No person, **entity, mobile food vendor, or frozen confection vendor** ("Vendor") ~~hawker or peddler~~ shall park any motor vehicle or other means of conveyance and/or transportation ("**Vehicle**") in any public parking space, **parking lot** or park on any public way ~~within the city~~ in order to offer to sell, barter or display any ~~goods, wares~~ **food, agricultural and other products** or artisan merchandise of any kind whatsoever, **or place any obstruction in the parking space or in the right of way,** except ~~in the following designated vendor permitted spaces as follows:~~

~~Commercial Parking Lot, 127 feet from the western end of the middle parking island to conduct, operate, manage and maintain a market for the sale, display and merchandising of locally grown farm products and locally produced farm-related crafts.~~

**In parking spaces or parking lots as may be designated from time to time by the city either through the posting of appropriate signage permitting Vendors, or at such locations as otherwise permitted in accordance with the requirements of this section.**

- (b) Vendors shall obtain a license from the City Clerk in accordance with Chapter 46, which license shall be displayed and open for inspection in the Vehicle, together with any other license or permit that may be required by law or City Ordinance, the Vendor shall comply with all public health, safety, and other requirements included in any such license or permit(s); the City Clerk shall maintain an accurate and current listing of parking spaces and parking lots where Vendors are licensed to operate under subsection (a).

- (c) In accordance with section 94-153 (9), maximum time periods for a Vendor to occupy a designated parking space or spaces are suspended during the permitted times of occupancy; provided however, that unless the Vendor has received a waiver of some or all of the parking fees by the city council, the Vendor shall pay the posted parking rate applicable to the Vendor's occupancy of the parking space, or parking spaces, for the time period of occupancy, failing which, the parking enforcement provisions of Chapter 94 shall apply.
- (d) ~~This~~ The prohibition stated in subsection (a) shall not apply to ~~the hawking and peddling of frozen confections~~ frozen confection vendors in residential areas in accordance with the special conditions of section ~~46-481~~ 46-480, excepting for the following streets: Arch Street, Baker Street, Base Hill Road, Beaver Street, Blossom Street, Court Street, Eastern Avenue, East Surry Road, Grove Street, Hastings Avenue, Hurricane Road, Island Street, Key Road, Mechanic Street, North Street, Park Avenue, Roxbury Street, School Street, South Lincoln Street, Summer Street, Swanzey Factory Road, Walpole Road, Water Street, West Street, West Surry Road, Whitcomb's Mill Road, Winter Street, Wyman Road.

---

Kendall W. Lane, Mayor

Referred to the Planning, Licenses  
and Development Committee.

  
City Clerk



City of Keene, N.H.  
*Transmittal Form*

April 16, 2019

**TO:** Mayor and Keene City Council

**FROM:** Mayor Kendall W. Lane

**ITEM:** I.3.

**SUBJECT:** Relating to the Human Rights Committee

---

**COUNCIL ACTION:**

In City Council April 18, 2019.

Referred to the Finance, Organization and Personnel Committee.

**RECOMMENDATION:**

To refer Ordinance O-2019-08 to the Finance, Organization and Personnel Committee for its review and recommendation.

**ATTACHMENTS:**

Description

Ordinance O-2019-08

**BACKGROUND:**

Ordinance O-2019-08 changes the title of the Martin Luther King, Jr./Jonathan Daniels Committee to the Human Rights Committee and updates its charge to be more inclusive and universal in the City's approach to creating a more welcoming community.



# CITY OF KEENE

Ordinance O-2019-08

In the Year of Our Lord Two Thousand and .....~~Nineteen~~.....

AN ORDINANCE .....~~Relating to the Human Rights Committee~~.....

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

That the Ordinances of the City of Keene, as amended, are hereby further amended by deleting Division 14 "Martin Luther King Jr./Jonathan Daniels Committee" in its entirety of Article V "Boards and Commissions" of Chapter 2 entitled "Administration" and inserting in its place a new Division 14, to be titled "Human Rights Committee" as follows

**DIVISION 14. – HUMAN RIGHTS COMMITTEE**

**Sec. 2-991. - Membership.**

The human rights committee shall consist of nine regular members who have a demonstrated interest in the purpose of the committee. One member shall be an educator, and one member shall be an ex-officio member representing the Keene Public Library.

**Sec. 2-992. - Terms.**

All members of the human rights committee shall have three-year terms.

**Sec. 2-993. – Purpose.**

The human rights committee exists to promote the principles of social justice, non-violence, equity, diversity, inclusion, and multiculturalism through educational programs, community service and public events.

Sec. 2-994. – Powers and duties

The human rights committee shall have the following powers and duties:

- To celebrate and honor the significance of the lives of Martin Luther King, Jr. and Jonathan Daniels;
- To promote the principles of social justice, non-violence, equity, and multiculturalism through education programs, community service and public events;
- To encourage the elimination of barriers, which may exist within the Keene community that discourage a more diverse and inclusive community.
- To reassure and support under-represented groups who may feel unwelcome in Keene.
- To educate the community on the advantages of a more diverse and inclusive community.
- The committee is authorized to conduct fundraising events to further its goals. All gifts and donations presented to the human rights committee shall be formally accepted by the city council.

---

Kendall W. Lane, Mayor

Referred to the Finance, Organization  
and Personnel Committee.

A handwritten signature in dark ink, appearing to read "Patricia C. Smith". The signature is written in a cursive, flowing style.

City Clerk



City of Keene, N.H.  
*Transmittal Form*

April 11, 2019

**TO:** Mayor and Keene City Council  
**FROM:** Finance, Organization and Personnel Committee  
**ITEM:** J.1.  
**SUBJECT:** Membership on the Energy and Climate Committee

---

**COUNCIL ACTION:**

In City Council April 18, 2019.

Report filed into the record as informational. Voted unanimously for the adoption of Ordinance O-2019-07-A.

**RECOMMENDATION:**

On 5-0 vote, the Finance, Organization and Personnel Committee recommends the adoption of Ordinance O-2019-07-A as amended.

**ATTACHMENTS:**

**Description**

Ordinance O-2019-07-A\_Adopted

Ordinance O-2019-07-A\_redlined

**BACKGROUND:**

Mayor Lane stated Ordinance O-2019-07 is intended to increase the membership on the Energy and Climate Committee from seven members to 11 members. The Mayor stated the reason for this is the responsibility of the Committee has changed dramatically; the committee is developing a plan to make the city 100% renewable. This requires a certain amount of community involvement. The committee would include representation from the county, businesses in the community – people who could buy into this program to make it successful.

Councilor Powers asked whether this was one of the committees that was restricted only to Keene residents. The Mayor stated he did not think so.

Councilor Clark asked whether there would be specific seats designated for specific representations. Mayor Lane answered in the negative and went on to say the city and an organization could certainly enter into a Memorandum of Understanding but this is something the Council would do, not something that would come from the Committee. Attorney Mullins stated he could not recall any other committee that had this sort of representation. He added this is a legislative body and the City Council has the prerogative to allow membership from outside of the city. If this is something that the Council would like to change, language would need to be added into Section 2-1089. Today it is silent on that issue.

Councilor Clark asked whether language should be added where it indicates membership does not have to be just for Keene residents. Attorney Mullins felt it would be best to add such language.

Ms. Anne Shedd Chair of the Energy and Climate Committee addressed the Finance Committee and stated cities such as Concord and Hanover have 11 members on their Energy and Climate Committee and are doing good work. She extended her appreciation for being able to increase the number. Ms. Shedd noted there is fairly good representation of various sectors on this committee and Ken Dooley who is the Facilities Manager for the School District is a Marlow resident and referred to the good work this individual has done for the school district. She referred to the various sectors represented on this committee; Keene State College, Alumni and a current student from Antioch University, local businesses, Keene School District. She asked whether it would be prudent to request this would take effect 60 days to identify other representation for the committee.

The Mayor stated he would like to have three alternates on this committee

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

That the Finance, Organization and Personnel Committee recommend adoption of Ordinance O-2019-07.

Councilor Clark made an amendment to add the following language to Section 2-1089, Membership: provided however, members shall not be restricted to residents of the City. In addition, three alternates may be appointed to the committee. The amended motion was seconded by Councilor Powers.

Councilor Powers stated some people feel city business should be conducted by city residents while others feel differently; the Councilor felt even though appointing non Keene residents is not a common practice, in this case because of the knowledge some of these members bring to the table, it was a good idea.

Mayor Lane stated one of the challenges he has had to face in his eight years as the Mayor is that Keene's population stands at 23,000 but the day time population doubles and those individuals are as much involved in the community and bring as much expertise to the city.

The amended motion carried on a unanimous vote.

On 5-0 vote, the Finance, Organization and Personnel Committee recommends the adoption of Ordinance O-2019-07-A as amended.



# CITY OF KEENE

O-2019-07-A

In the Year of Our Lord Two Thousand and .....~~Nineteen~~.....

AN ORDINANCE .....~~Relating to Membership on the Energy and Climate Committee~~.....

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

That the Ordinances of the City of Keene, as amended, are hereby further amended by deleting the stricken text in Section 2-1089 "Membership" and Section 2-1091 "Relation to Department" of Division 19 "Energy and Climate Committee" of Chapter 2 entitled "Boards and Commissions" as follows:

## DIVISION 19. - ENERGY AND CLIMATE COMMITTEE

### Sec. 2-1088. - Purpose.

In order to protect Keene's public health, safety and welfare, as well as the economic vitality of the community, the energy and climate committee exists to:

- (1) Monitor and advocate for the reduction of greenhouse gas emissions,
- (2) Promote energy conservation and efficiency, as well as the use and production of renewable energy, and
- (3) Increase awareness of and resilience to the expected impacts of a changing climate.

### Sec. 2-1089. - Membership.

The energy and climate committee shall consist of ~~seven~~ **eleven** regular voting members, one of whom shall be a member of the city council, all of whom represent a cross section of organizations, institutions, businesses and interests in the city. **Three alternates may be appointed to the committee. Membership shall not be restricted to residents of the city.**

### Sec. 2-1090. - Terms.

Members shall be appointed for three-year terms.




Sec. 2-1091. - Relation to department.

The ~~planning department~~ **community development department** will provide staff support to the energy and climate committee. Other departments may be called upon as necessary.

Sec. 2-1092. - Functions and guidelines.

The functions and guidelines in this section are established for the conduct of the energy and climate committee. The committee shall:

- (1) Coordinate the goals and measures of the local action climate plan in order to reduce greenhouse gas emissions and increase the community's adaptive capacity;
- (2) Update the local climate action plan and greenhouse gas inventory as deemed necessary;
- (3) Promote the awards and recognitions the city and community members have received for outstanding work in the climate protection arena;
- (4) Promote and report the successes and efforts of the committee to the council and community on a regular basis;
- (5) Advise city council on matters pertaining to the local climate action plan and sustainable practices such as energy conservation, energy efficiency, and energy generation and zoning practices;
- (6) Advise city council on matters pertaining to the city's interest at the state and national level in climate change policy;
- (7) Assist the city with community outreach and education for the local climate action plan by bringing the benefits of the plan to the attention of the public through educational materials, presentations, and other methods;
- (8) Assist with preparation of grant applications and pursue other funding mechanisms to implement the goals and measures of the local action plan;
- (9) Receive gifts and donations in the name of the city with prior approval of the city council; and
- (10) Perform such other related functions as required by the city council or as requested by the city manager.

  
Kendall W. Lane, Mayor

A true copy, attest:

  
City Clerk

PASSED April 18, 2019

Nineteen

Relating to Membership on the Energy and Climate Committee

That the Ordinances of the City of Keene, as amended, are hereby further amended by deleting the stricken text in Section 2-1089 "Membership" and Section 2-1091 "Relation to Department" of Division 19 "Energy and Climate Committee" of Chapter 2 entitled "Boards and Commissions" as follows:

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Sec. 2-1089. - Membership.

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Sec. 2-1090. - Terms.

Members shall be appointed for three-year terms. ~~However the initial appointment shall be staggered so that three members shall be appointed for one year, three~~

~~members for two years, and three members for three years. In the event of a vacancy, interim appointments may be made to complete the unexpired term.~~

Sec. 2-1091. - Relation to department.

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The ~~planning department~~ **community development department** will provide staff support to the energy and climate committee. Other departments may be called upon as necessary.

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- (3) Promote the awards and recognitions the city and community members have received for outstanding work in the climate protection arena;
- (4) Promote and report the successes and efforts of the committee to the council and community on a regular basis;
- (5) Advise city council on matters pertaining to the local climate action plan and sustainable practices such as energy conservation, energy efficiency, and energy generation and zoning practices;
- (6) Advise city council on matters pertaining to the city's interest at the state and national level in climate change policy;
- (7) Assist the city with community outreach and education for the local climate action plan by bringing the benefits of the plan to the attention of the public through educational materials, presentations, and other methods;
- (8) Assist with preparation of grant applications and pursue other funding mechanisms to implement the goals and measures of the local action plan;
- (9) Receive gifts and donations in the name of the city with prior approval of the city council; and
- (10) Perform such other related functions as required by the city council or as requested by the city manager.

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Kendall W. Lane, Mayor



City of Keene, N.H.  
*Transmittal Form*

April 16, 2019

**TO:** Mayor and Keene City Council

**FROM:** Beth Fox, ACM/Human Resources Director

**THROUGH:** Elizabeth A. Dragon, City Manager

**ITEM:** K.1.

**SUBJECT:** In Appreciation of Frank J. Hoyer Upon His Retirement

---

**COUNCIL ACTION:**

In City Council April 18, 2019.

Report filed into the record as informational. Voted unanimously for the adoption of Resolution R-2019-23.

**RECOMMENDATION:**

That Resolution R-2019-23 be adopted by the City Council.

**ATTACHMENTS:**

Description

Resolution R-2019-23\_Adopted

**BACKGROUND:**

Mr. Hoyer retired from the Highway Division of the Public Works Department effective March 29, 2019, with almost 30 years of service.



# CITY OF KEENE

In the Year of Our Lord Two Thousand and ~~Nineteen~~.....

A RESOLUTION .....~~In Appreciation of Frank J. Hoyer Upon His Retirement~~.....

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

WHEREAS: Frank J. Hoyer began his City of Keene career in the Highway Division of the Public Works Department August 21, 1989, when he was appointed Highway Sidewalk Foreman and, by 1995, the position had evolved to Highway Foreman; and

WHEREAS: His knowledge of construction and repair methods and techniques in every aspect of the division's responsibilities grew to be vast,

WHEREAS: Frank sought to further his skills by completing the rigorous *Master Roads Scholar* program from the University of New Hampshire's Technology Transfer Center; and

WHEREAS: A good project manager, Frank handled large and small projects simultaneously, used all available resources to best advantage, planned ahead to coordinate sharing of equipment and materials, always had a plan in mind to ensure continuity of work, and completed assignments on time—yet adapted to the ever-changing work environment to be maintain productivity; and

WHEREAS: Frank's unsurpassed, consistent quality of work was based on his mantras, "Do the right thing for the right reasons," and "Do the job the way you would want it done in front of your own home," which enabled him to turn sometimes-less-than-pleased customers into pleased ones, while keeping in mind the objectives and communicating in a very professional manner; and

WHEREAS: Frank knew the strengths and potential limitations of his crew members and used that knowledge to gain top-quality work, keeping them informed of both things that might pop up and ongoing concerns, reinforcing the message that they all are on the same team, recognizing their accomplishments, and sharing with them the wisdom of his experience; and

WHEREAS: The City has benefited from Frank's sharing his creative ideas to improve performance and efficiency, taking pride in each job he does, not hesitating to tackle difficult projects, combining good safety practices with common sense to institute the department's original *Work Zone Safety Program*, and conducting the *Road Survey* of all City streets in 1991; and

WHEREAS: Frank retired from the City of Keene effective March 29, 2019, with almost 30 years of honorable service;

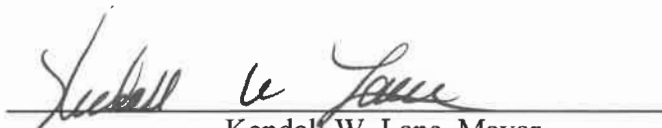
NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Keene hereby extends its sincere thanks to Frank J. Hoyer for his dedication to the City of Keene and wishes him the very best through all his retirement years; and

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

PASSED April 18, 2019

A true copy, attest:

  
City Clerk

  
Kendall W. Lane, Mayor



City of Keene, N.H.  
*Transmittal Form*

April 16, 2019

**TO:** Mayor and Keene City Council

**FROM:** Beth Fox, ACM/Human Resources Director

**THROUGH:** Elizabeth A. Dragon, City Manager

**ITEM:** K.2.

**SUBJECT:** In Appreciation of Michael J. Martell Upon His Retirement

---

**COUNCIL ACTION:**

In City Council April 18, 2019.

Report filed into the record as informational. Voted unanimously for the adoption of Resolution R-2019-24.

**RECOMMENDATION:**

That Resolution R-2019-24 be adopted by the City Council.

**ATTACHMENTS:**

Description

Resoluton R-2019-24\_Adopted

**BACKGROUND:**

Mr. Martell retires from the Operations Division of the Public Works Department effective April 26, 2019, with almost 32 years of service.



# CITY OF KEENE

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

A RESOLUTION ..... In Appreciation of Michael J. Martell Upon His Retirement.....

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

WHEREAS: Michael J. Martell began his career with the City of Keene's Public Works Department effective November 16, 1987, as Wastewater Treatment Plant Operator I; soon was promoted to Treatment Plant Operator II as of November 14, 1988; and the pride he has taken in his plant is evident in his work, in the plant itself, and in its final product; and

WHEREAS: Likely the employee who knows the facility best, Mike is certified in wastewater; and his expertise encompasses all aspects of domestic wastewater, the plant's physical and biological plant processes and operations, the equipment's maintenance requirements and history, NPDES permit requirements, and how doing his job well relates to the operating budget; and

WHEREAS: Understanding well the impact of changes to equipment or processes, Mike is tuned into the plant's state of health, has been vigilant about spotting potential effluent quality variations, does not hesitate to investigate them, and is good at making the appropriate process modification, and offers valuable input when it comes to decisions about equipment or proposed operational alterations; and

WHEREAS: Aware of the long- and short-term goals for the division, Mike not only is a very capable, efficient, and productive operator—maintaining an independent routine yet following policy to the letter—to ensure the plant runs smoothly, but also uses his experience and knowledge to help develop operational improvements and to complete tasks that may have been overlooked or put on the back burner; and

WHEREAS: Mike's leadership abilities have led to his developing co-workers new to the plant into capable, productive, safe, reliable, quality operators; and he has contributed to the employee Safety Committee, Community Nights, and the former *Speak Up!* program; and

WHEREAS: Having high expectations of himself, Mike's integrity is not easily surpassed; and he also is valued for his ability to remain unruffled during times of stress, his willingness to give that little extra, his great communication with Operations and Maintenance Division staff, his professional interactions with the facility's customers, his safety consciousness, and his sense of humor; and

WHEREAS: Mike retires from the City of Keene April 26, 2019, with almost 32 years of dedicated and honorable service to the City of Keene;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Keene hereby extends its sincere thanks to Michael J. Martell for his dedicated service and wishes him the very best through all his retirement years; and

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

PASSED April 18, 2019

A true copy, attest:

  
City Clerk

  
Kendall W. Lane, Mayor



City of Keene, N.H.  
*Transmittal Form*

April 11, 2019

**TO:** Mayor and Keene City Council  
**FROM:** Finance, Organization and Personnel Committee  
**ITEM:** K.3.

**SUBJECT:** Relating to Approving an Application for CDBG Funds

---

**COUNCIL ACTION:**

In City Council April 18, 2019.

Voted unanimously to suspend section 27 of the Rules of Order to allow action on this item. Report filed into the record as informational. Voted unanimously for the adoption of Resolution R-2019-22.

**RECOMMENDATION:**

On 5-0 vote, the Finance, Organization and Personnel Committee recommends the adoption of Resolution R-2019-22.

**ATTACHMENTS:**

Description

Resolution R-2019-22\_Adopted

**BACKGROUND:**

Mr. Jack Dugan of Monadnock Economic Development Corporation (MEDC) and Tiffany Wright store manager of the Food Coop were the next two speakers. Mr. Dugan stated he is before the Committee as they have had to revise and resubmit the Community Development Block Grant Application the Committee approved a while ago. The application is for the same project the committee previously approved. The reason the Community Development Finance Authority is requesting re-submittal of the application is because MEDC is going to be expanding the building it leases to the Food Coop and the Food Coop is going to be purchasing this building as well as the lot next to it and expand the building, which Mr. Dugan felt is a long term commitment on the part of the Food Coop. Ms. Wright added this expansion is going to help with efficiencies and bring their finance and marketing departments under the same (they are currently leasing space at the Hannah Grimes facility). The Chairman noted this project is going to exceed 2.2 million dollars which he felt was a substantial investment in the downtown. Mr. Dugan added this contributes to MEDC's loan fund which in turn could help other businesses in the area as the Coop pays back the money.

Councilor Powers clarified the timeline would work for the applicant as far as getting the necessary documents approved by the City Council. Mr. Dugan agreed it was.

Councilor Jacobs asked whether any action needed to be taken on the Resolution. City Attorney Mullins stated this would be a question for Rebecca Bullock but stated his understanding is that a public hearing needs to happen prior to making a recommendation on the Resolution. Rebecca Bullock of Southwest Regional Planning Commission stated tonight is to provide an update on the project, a public hearing has been scheduled for next Thursday, April 18 at 7 pm, this is when action would be taken on the Resolution.



Attorney Mullins suggested making a recommendation on the Resolution, suspending the rules and voting on it at the City Council on the 18th - the Resolution needs to be approved by the City Council, this Committee is making a recommendation to the Council.

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

On 5-0 vote, the Finance, Organization and Personnel Committee recommends the adoption of Resolution R-2019-22.



# CITY OF KEENE

R-2019-22

Nineteen

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

## APPROVING AN APPLICATION FOR CDBG FUNDS

A RESOLUTION .....

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

WHEREAS, the City of Keene has stated as one of its Community Goals that the economic development base of the City be diversified; and

WHEREAS, the present national economic climate suggests there is a need for development that would provide jobs; and

WHEREAS, the Monadnock Economic Development Corporation (MEDC) has been incorporated for the purpose of working to expand the economic base of the Monadnock region; and

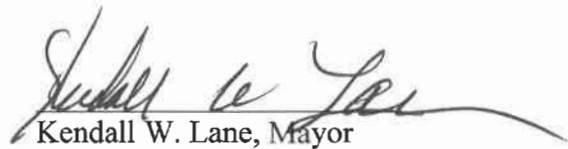
WHEREAS, the U.S. Department of Housing and Urban Development has established a Community Development Block Grant Program which is administered within the State of New Hampshire by the Community Development Finance Authority; and

WHEREAS, the original Community Development Block grant project that was approved by the City Council involved the MEDC expanding the building that it leases to the Monadnock Food Co-op on the Railroad Land in downtown Keene. The project has changed so that the Monadnock Food Co-op will be purchasing the building they lease from MEDC and expanding the building themselves; and

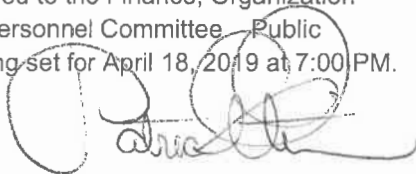
WHEREAS, that City Council approval was through the adoption of Resolution R-2017-38-A, which is hereby rescinded; and

WHEREAS, the new Community Development Block Grant would provide up to \$500,000. A portion of the CDBG proceeds will be sub-granted to MEDC which will make a loan to the for-profit entity created by Monadnock Food Co-op. The remaining CDBG proceeds will be sub-granted by the City of Keene to the Monadnock Food Co-op. The Co-op will use the CDBG funds towards costs associated with the purchase and expansion of the building they currently lease from MEDC.

NOW, THEREFORE, BE IT RESOLVED that the City Council approve and support the City's grant application to the New Hampshire Community Development Finance Authority for an amount up to \$500,000 in Community Development Block Grant funds: that the City will re-adopt the Housing and Community Development Plan; that the City will re-adopt the Residential Anti-Displacement and Relocation Assistance Plan; that the City will accept the grant if it is approved and enter into a contract with the New Hampshire Community Development Finance Authority; and, further, that the City Manager is authorized to execute any documents which may be necessary for the contract.

  
Kendall W. Lane, Mayor

In City Council April 4, 2019.  
Referred to the Finance, Organization  
and Personnel Committee - Public  
Hearing set for April 18, 2019 at 7:00 PM.



City Clerk

PASSED: April 18, 2019

A true copy, attest:



City Clerk