

A regular meeting of the Keene City Council was held Thursday, May 2, 2019. The Honorable Mayor Kendall W. Lane called the meeting to order at 7:00 PM. Roll called: Carl B. Jacobs, Janis O. Manwaring, Thomas F. Powers, Terry M. Clark, Randy L. Filiault, Margaret M. Rice, Robert B. Sutherland, George S. Hansel, Gary P. Lamoureux, Stephen L. Hooper, David C. Richards and Mitchell H. Greenwald were present. Bartolmiej K. Sapeta and Philip M. Jones were absent. Councilor Bettina A. Chadbourne arrived at 7:05 PM. Councilor Clark led the Pledge of Allegiance. A motion by Councilor Greenwald to accept the minutes from the April 18, 2019 regular meeting was duly seconded by Councilor Jacobs. The motion passed with a unanimous vote in favor.

ANNOUNCEMENTS – MAYOR

The Mayor announced that the proposed operating budget books have been distributed. The Finance, Organization and Personnel Committee will start its review of the budget at their regular meeting on Thursday, May 9, 2019.

The Mayor announced that the 23rd Annual City of Keene Fourth Grade Water Science Fair will occur on Saturday, May 4, 2019 at the City's Drinking Water Treatment Facility on Roxbury Road. Judging starts around 9:00 AM and winners will be announced at noon. The Mayor encouraged everyone to attend.

The Mayor announced that the Councilor's have received an invitation from the Veteran's Council to participate in the Memorial Day Ceremony and Parade on Monday, May 27, 2019. The program starts 9:00 AM and the parade starts at 10:00 AM and will form on Gilbo Avenue and proceed up to the Veterans Monument at the Parks and Recreation Center.

PROCLAMATION – BIKE MONTH

The Mayor presented a proclamation to Mary Brunner, City Planner, proclaiming the month of May 2019 as Bike Month in the City of Keene and encouraging people to commute to work and engage in recreational bicycling.

PRESENTATION OF RETIREMENT RESOLUTION – MIKE MARTELL

The Mayor presented a Retirement Resolution to Mike Martell in honor of his recent retirement. The Resolution noted his many accomplishments during his tenure with the City and expressed gratitude for his years of service.

CONFIRMATION

A motion was made by Councilor Greenwald and duly seconded by Councilor Jacobs to confirm the following nomination: Allen Raymond to serve as a regular member on the Agricultural Commission with a term to expire December 31, 2021. On a roll call vote, with 13 Councilors present and voting in favor the nomination was confirmed. Councilors Sepata and Jones were absent.

COMMUNICATION – PETITION – URGING THE US GOVERNMENT TO LEAD A GLOBAL EFFORT TO PREVENT NUCLEAR WAR

A petition was initiated by the Keene Peace Vigil, requesting the City of Keene through the adoption of a Resolution encourage the US Government to help lead a global effort to prevent nuclear war. The petition has 56 signatures. The request was referred to the Municipal Services, Facilities and Infrastructure Committee.

MSFI REPORT – PERIODIC REPORT - ASHUELOT RIVER PARK ADVISORY BOARD

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 – KEENE SWAMPBATS – REQUEST TO DISCHARGE FIREWORKS

Planning, Licenses and Development Committee report read recommending that the Keene SwampBats be granted permission for the discharge of display fireworks on the following dates: Wednesday, July 3rd, 2019 and Saturday, July 20th, 2019 on Alumni Field at no later than 10:00 PM subject to the customary licensing requirements of the City Council; submittal of a signed letter of permission from SAU 29 for use of their property; and obtainment of a Class B fireworks permit for each display date. In addition, the petitioner agrees to comply with all recommendations of City staff. This permission is conditional upon the Petitioner absorbing the charges for any City services provided for the July 20th display. The Petitioner agrees to absorb the cost of any City services over and above any amount of City funding allocated in the FY 20 Community Events Budget for the July 3rd display. Said payments shall be made within 30-days of the date of invoicing. 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.

PLD REPORT – PATHWAYS FOR KEENE – REQUEST TO USE CITY PROPERTY – 4 ON THE 4TH ROAD RACE

Planning, Licenses and Development Committee report read recommending that the City Council grant permission to Pathways for Keene to sponsor a running race on July 4, 2019, subject to the customary licensing requirements of the City Council. In addition, the Police Department shall identify Railroad Street immediately adjacent to Railroad Square as a No Parking zone from the hours of 6:00 AM to 11:00 AM. This license is conditional upon the petitioners providing an adequate number of volunteer race marshals to ensure runner safety along the course, and subject to any recommendations of City staff. The Petitioner agrees to absorb the cost of any City services over and above any amount of City funding allocated in the FY 20 Community Events Budget. Said payment shall be made within 30-days of the date of invoicing. 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.

PULLED FORWARD – CONSERVATION COMMISSION LETTER REGARDING GREATER GOOSE POND FOREST STEWARDSHIP PLAN

A letter was received from Alexander Von Plinsky submitted on behalf of the Conservation Commission encouraging the Council to adopt the Greater Goose Pond Forest Stewardship Plan, which was prepared by Moosewood Ecological LLC. The letter was filed as informational.

PLD REPORT – GREATER GOOSE POND FOREST STEWARDSHIP PLAN

Planning, Licenses and Development Committee report read recommending that the City Council adopt the Greater Goose Pond Forest Stewardship Plan prepared by Moosewood Ecological LLC for the City of Keene. A motion by Councilor Richards to carry out the intent of the report was duly seconded by Councilor Rice. The motion passed with a unanimous vote in favor.

FOP REPORT – ACCEPTANCE OF DONATION – SUMNER KNIGHT CHAPEL – PARKS, RECREATION AND FACILITIES DEPARTMENT

Finance, Organization and Personnel Committee report read recommending that the City Manager be authorized to do all things necessary to accept the donation of \$161.00 and that the monies be used for the upkeep of the Sumner Knight Chapel. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded by Councilor Jacobs. The motion passed with a unanimous vote in favor.

FOP REPORT – HG JOHNSON REAL ESTATE – FEE AGREEMENT – 560 MAIN STREET – FROLING ENERGY

Finance, Organization and Personnel Committee report read recommending the acceptance of this item as informational. A motion by Councilor Hansel to amend the Committee Report to recommend the City Manager be authorized to do all things necessary to negotiate a finder's fee agreement with HG Johnson Real Estate relating to the position of 560 Main Street and report the results of that negotiation back to the Council for their approval was duly seconded by Councilor Sutherland. A brief discussion ensued. The amended motion failed with a five vote in favor and 8 opposed. Councilors Jacobs, Powers, Clark, Filiault, Rice, Lamoureux, Richards and Greenwald voted in opposition. The Chair filed the report as informational.

FOP REPORT – SUBDIVISION AND SALE OF A PORTION OF 560 MAIN STREET

Finance, Organization and Personnel Committee report read recommending that the City Council authorize the City Manager to do all things necessary to execute a subdivision and sale of a portion of City owned property located at 560 Main Street to 560 Main Street LLC for the agreed upon price of \$250,000. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded by Councilor Jacobs. The motion passed with a unanimous vote in favor.

CITY MANAGER COMMENTS

The City Manager recognized the entire Finance Department for their efforts to the production of the FY 2020 operating budget. She specifically recognized Merri Howe, Finance Director;

Karen Gray, Fund Manager; and Elizabeth Fox, Human Resources Manager. She noted there were many late nights putting this together.

The City Manager explained that the City has a fiscal policy which aims to limit property tax increases to a rolling 3-year average of the Boston's CPI, net of any expenditures required by law. This year that percent is 2.37%. Staff worked diligently to bring forward a budget, which excluding debt increases is a 1.55% increase to property taxes to the General Fund.

The City Manager announced that Friday, May 10, 2019, the City is celebrating Arbor Day at 11:00 AM. There will be a celebration at the corner of Dunbar Street and Main Street by Cumberland Farms. The Mayor and some students will be planting a tree.

The City Manager continued with a Safe Routes to School update. She reminded everyone that the City has been working with the Keene Middle School to put on a Safe Routes to School educational programming and also encouraging activities to promote kids safely walking and biking to school. The maps that you have in front of you were designed by the staff in the Community Development Department which is coordinating the project. She recognized our Safe Routes to School Coordinator, Tiffany Manning; Acting Planner, Mari Brunner; and GIS Technician, William Schoefmann for their hard work on this project.

The City Manager reminded the Council about the Aged Focused Planning Effort happening with Southwest Planning Commission. They are conducting a survey to collect information as part of an Aged Focused Study for southwest New Hampshire. Through this project, they are going to examine current demographics and gain an understanding of the wants and needs of the residents. The survey is posted on the website, www.swprc.org, a hard copy could be obtained by calling their office.

The City Manager discussed the Green Up Keene Event. 5,100 pounds of trash was collected from the City's streets and trails. She stated the numbers will come in with more details in weeks to come.

The City Manager continued with the construction season underway, the next project will be the Ralston/Winchester Street Drainage improvements. They will begin mobilizing on May 6, 2019. Drivers that use Winchester Street and Ralston Street can expect delays, as construction activities will be restricting travel one lane at a time. The Public Works Department is suggesting the use of alternative routes of travel during construction. This construction should last about 6 weeks. The Public Works Director reminded the public to remain alert when driving through work construction zones.

MORE TIME

More time was granted by the Chair for the following items in Committee: Roger Weinreich – Request to Use City Property – Block Party – Main Street; Ed and Kathleen (Kennedy) Burke – Beauregard Trust Property and 0 Chapman Road.

PLD REPORT AND ORDINANCE O-2019-04: RELATING TO LICENSES AND PERMITS

Planning, Licenses and Development Committee report read recommending the adoption of Ordinance O-2019-04: Relating to Licenses and Permits. The report was filed into the record. Ordinance O-2019-04 was read for the second time. A motion by Councilor Richards for adoption of the Ordinance was duly seconded by Councilor Hansel. On roll call vote, 13 Councilors were present and voting in favor. Councilors Sapeta, and Jones were absent. Ordinance O-2019-04 declared adopted.

PLD REPORT AND ORDINANCE O-2019-05: RELATING TO VENDORS IN PARKING SPACES OR PARKING LOTS

Planning, Licenses and Development Committee report read recommending the adoption of Ordinance O-2019-05: Relating to Vendors in Parking Spaces or Parking Lots. The report was filed into the record. Ordinance O-2019-05 was read for the second time. A motion by Councilor Richards for adoption of the Ordinance was duly seconded by Councilor Hansel. On roll call vote, 13 Councilors were present and voting in favor. Councilors Sapeta, and Jones were absent. Ordinance O-2019-05 declared adopted.

FOP REPORT AND ORDINANCE O-2019-06: RELATING TO THE HUMAN RIGHTS COMMITTEE

Finance, Organization and Personnel Committee report read recommending the adoption of Ordinance O-2019-06: Relating to the Human Rights Committee. The report was filed into the record. Ordinance O-2019-06 was read for the second time. A motion by Councilor Greenwald for adoption of the Ordinance was duly seconded by Councilor Jacobs. On roll call vote, 13 Councilors were present and voting in favor and one opposed. Councilors Sapeta, and Jones were absent. Councilor Sutherland opposed. Ordinance O-2019-06 declared adopted.

MEMORANDUM AND RESOLUTIONS: R-2019-08: RELATING TO THE ABSOLUTE DISCONTINUANCE OF A PORTION OF THE AMMI BROWN ROAD; R-2019-09: RELATING TO DEEDS FOR THE DISCONTINUED PORTION OF THE AMMI BROWN ROAD; R-2019-10: RELATING TO THE LAYING OUT OF A CLASS A TRAIL TO BE KNOWN AS THE AMMI BROWN TRAIL; AND R-2019-11: RELATING TO EASEMENTS FOR THE LAID OUT TRAIL TO BE KNOWN AS THE AMMI BROWN TRAIL

A memorandum was received from the City Engineer, along with Resolutions R-2019-08; R-2019-09; R-2019-10; and R-2019-11. The memorandum was filed into the record. Resolutions R-2019-08; R-2019-09; R-2019-10; and R-2019-11 were referred by the Chair to the Planning Board and Municipal Services, Facilities and Infrastructure Committee. The Mayor set a public hearing for Thursday, June 6, 2019 at 7:00 PM.

MEMORANDUM AND RESOLUTION R-2019-15: RELATING TO THE 2019/2020 FISCAL YEAR BUDGET

A memorandum was received from the Finance Director, along with Resolutions R-2019-15. The memorandum was filed into the record. Resolutions R-2019-15 was referred by the Chair to the Finance, Organization and Personnel Committee. The Mayor scheduled a special meeting of the Keene City Council for the purpose of holding the public hearing for Thursday, May 30, 2019 at 7:00 PM.

UPDATE ON TABLED ITEM – TAX DEEDING – KINGSBURY

The City Manager updated the Council on the Kingsbury property. The City has received two reports from the environmental contractors that Mr. Thibeault is using. One report talks about the pumping out of the larger tank and the preparation for the pumping out of the other tank. The City Manager stated she had a conversation with Mr. Thibeault since the City has not received the \$100,000.00 tax that he had committed to pay within 10 days. During this conversation, Mr. Thibeault stated that he does have the check and he is going to pay it. When the City Manager checked with the Revenue Office earlier in the day, he did receive a notice on the 2016 tax lien. That lien will be moving forward if no payment is received by next Friday. The City Manager is assuming we should receive the payment prior to that date, as has been Mr. Thibeault's past practice.

The City Manager continued that she has communicated with Southwest Region Planning Commission about the brownsfield grant. She stated that the City is anxious to use the grant funds that are set aside for Phase II Assessment, however, Mr. Thibeault is not as anxious to move forward at this point. The conversation with SWRPC was to have a Phase II A and a Phase II B project and they seemed interested in getting this accomplished. This will allow us to negotiate a reduced scope with Mr. Thibeault so we can potentially move forward in the area he is looking to develop first for potential pad sites. There is a meeting set on Monday, May 13, 2019 with SWRPC to discuss that further. Assuming this would be something that we can move forward on, then the City Manager will meet with Mr. Thibeault and Jim Phippard to come to some sort of agreement on a change of scope that would allow us to use a portion of the brownsfield funds for Phase II and continue to have some positive movement in that property.

The Mayor stated it if it Mr. Thibeault's practice to pay the oldest lien tax before the due date, he hoped that what we would insist upon is payment on the oldest lien and \$100,000 in addition to that.

ADJOURNMENT

At 8:15 PM, there being no further business, the Mayor adjourned the meeting.

A true record, attest:


City Clerk