

City of Keene
New Hampshire

MUNICIPAL SERVICES, FACILITIES AND INFRASTRUCTURE COMMITTEE
MEETING MINUTES

Wednesday, June 12, 2019

6:00 PM

Council Chambers

Members Present:

Janis O. Manwaring, Chair
Randy L. Filiault, Vice-Chair
Stephen L. Hooper
Robert B. Sutherland

Members Not Present:

Gary P. Lamoureux

Staff Present:

Elizabeth A. Dragon, City Manager
Thomas P. Mullins, City Attorney
Beth Fox, HR Director/Assistant City Manager
Terri Hood, Assistant City Clerk
Andy Bohannon, Director of Parks, Recreation
& Facilities
Kürt Blomquist, Public Works
Director/Emergency Management Director
Don Lussier, City Engineer
Nancy Vincent, Library Director

Chair Manwaring called the meeting to order at 6:00 PM, welcomed the public, and explained the rules of procedure.

1) Periodic Report from Boards & Commissions: Human Rights Committee

The Director of Parks, Recreation & Facilities, Mr. Andy Bohannon, is also the staff liaison to the Keene Human Rights Committee (HRC) and he provided an update on the Committee's naming process. In the last year with committee and staff support, Mayor Lane renamed the Martin Luther King Jr/ Jonathan Daniels Committee (MLK/JD) as the Human Rights Committee, expanded the Committee's charge, and increased and diversified membership. This changed the perspective of the MLK/JD Committee, which was to foster social equity, and gave the Committee a higher profile/bigger role in the community. Concerns about racial diversity, gender equality, and racial tolerance in the community all fit within the realm of social equity. The City of Laconia has a Human Rights Committee that provided a template for Keene to learn from. The Keene Human Rights Committee has accepted the following charge:

- 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, and
- 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.

Mr. Bohannon reported that the new charge has reenergized the diverse Committee, whose members have focused actively on educational opportunities and outreach to potential community partners. He said the Committee's actions so far have been genuine and effective. The Committee has also focused on community events. A group of Keene teachers held the first International Festival in September 2018 at Jonathan Daniels School. The event was successful with 400 to 500 people attending. The group of teachers have partnered with the City in 2019 to hold the festival at the Recreation Center as a part of City events. The HRC and Department of Parks and Recreation together will host this event on September 21.

Mr. Bohannon continued highlighting the Committee's work and cited a recent proclamation before City Council for the LGBTQ community. Last year the Martin Luther King Jr. breakfast did not happen. It used to be a partnership with the interfaith group but that group lost some leadership through retirements and the HRC was always a secondary component of that event. This year with the new, energized membership, the Committee will be the driving force behind that breakfast and recognition. The town of Jaffrey also hosts a similar event and there might be opportunities for cost sharing speakers throughout the day.

Finally, Mr. Bohannon invited the public to a forum on human rights in Keene in October similar to last years' state presentation on diversity at the Recreation Center. This is an opportunity to revisit changes in the last year, which outside groups like the University of New Hampshire could help facilitate.

Mr. Bohannon said this was a summary of the HRC's current direction. The Committee's next meeting will be July 10, when more scheduling will be determined. In the past, the Committee was less active in the summer, and it is positive to see Committee members eager to meet.

Councilor Sutherland remarked on Mr. Bohannon's mention of diversity and asked if the HRC is collaborating with Keene State College (KSC), which he said is probably the most diverse aspect of the community. Mr. Bohannon agreed and noted that KSC's Associate Vice President for Institutional Diversity and Equity, Dr. Dottie Morris, is a member of the HRC and was a long-time member of the MLK/JD Committee. He said the college largely welcomes the HRC endorsing events at the college and next year, the Committee will help promote those events more in the community. He agreed the college adds great diversity to the City and stated personally, as a life long resident, that it saddens him to hear students do not feel welcome in the City outside the campus. He wants them to know they are welcome.

Councilor Hooper thought the Committee's name change was appropriate, as is the charge to recognize the community's diversity to be accepting and welcoming for all. He thanked Mr. Bohannon.

Chair Manwaring noted she is a member of the HRC Committee and is excited for what is ahead.

Councilor Sutherland made the following motion, which was seconded by Councilor Filiault:

On a vote of 4-0, the Municipal Services, Facilities & Infrastructure Committee recommended accepting the periodic report from the Human Rights Committee as informational.

2) Keene Public Library Trustees – Prohibiting Smoking on the Keene Public Library Campus

Chuck Redfern of 9 Colby St. Keene spoke to the Committee on behalf of the Keene Public Library Board of Trustees. He read from a letter submitted to the Mayor and Council on June 4, 2019 signed with thanks by Nathaniel Stout, President of the Keene Public Library Board of Trustees:

At our most recent meeting, the Keene Public Library Trustees unanimously agreed that I write a letter to the City Council requesting that smoking – to include vaping and e-cigarettes – be prohibited on the entire Keene Public Library campus, which now, of course, includes buildings and grounds both of the Pond mansion, the new extension, and the Annex, formerly known as the Masonic Hall. New outdoor spaces have been developed.

It will be important that we are able to ensure access to our services. The presence of smoke where non-smokers need to pass is objectionable and not supportive of this community's healthy community goal. There are also the associated costs in keeping areas litter free. Please let us know of the proper process to proceed with this request.

Mr. Redfern continued citing the vast library programs that are made available for all ages. He added he shares the Trustees' concern that the presence of smoke on the library campus goes against the Library's mission and is dangerous to the health of patrons trying to use the library. He clarified that this request excludes the public sidewalks that border the library. This effort has the full support for the Cheshire Medical Center Healthy Monadnock program. The City Attorney's office is reviewing a letter from the Attorney General's office on the acceptability of this rule.

Councilor Sutherland thanked Mr. Redfern and said this effort is important. He noted that since smoking was prohibited in restaurants, everyone smokes on the public sidewalks. He suggested a designated smoking section, off library campus, with the proper receptacles to mitigate this issue. He said if the problem is pushed to the sidewalks, more

members of the public would have to walk through the smoke there and contribute to litter; whereas a designated area could contain it. He also suggested a ban on chewing tobacco as well because he said it is gross and that people will look for narrow alternatives in the ruling. Mr. Redfern agreed it could be practical to have designated receptacles on the perimeter and he will bring those suggestions to the Trustees with the help of Mr. Bohannon. Mr. Redfern spoke for himself personally and said receptacles make sense to him to cut down the time people spend sweeping the sidewalks; Councilor Sutherland noted his son collects cigarette butts with a school group and they deliver them to City Hall to raise awareness. He said it is first about the poisonous air and then about the debris. Councilor Sutherland suggested staff approach this with an open mind.

The City Attorney advised placing this item on more time to give staff time to consider the question of an ordinance or rule for the library. An important question will be enforceability. Staff will have to communicate with the owner of Heberton Hall and there could be issues with enforceability to discuss with the Police Department. He will meet with the Trustees and Mr. Bohannon. Chair Manwaring noted receptacles she sees on the perimeter of smoke free business campuses near her home, which she appreciates. Mr. Redfern thanked staff and the Committee for their support.

Councilor Hooper agreed with the City Attorney and said he would like more research on the issue of enforceability; he is concerned about enforcement falling to library staff.

Councilor Filiault made the following motion, which was seconded by Councilor Sutherland:

On a vote of 4-0, the Municipal Services, Facilities & Infrastructure Committee placed the item on more time.

3) 2019 Warrant for Unlicensed Dogs – City Clerk

The Assistant City Clerk, Terri Hood, was before the Committee to seek authorization to issue the warrant for unlicensed dogs. This action will result in a \$25 fine being issued to all owners who have dogs unlicensed as of April 30. Ms. Hood noted this year we have 454 owners, and 541 dogs remaining unlicensed, which is consistent with past years. The Clerk's office has issued approximately 2,300 licenses so far. Public outreach has included phone calls and post cards for owners who do not provide an email, as well as monthly emails to remind owners. The Clerk's Office will continue public outreach until early July, including sending weekly emails as the deadline approaches. She said that staff go above and beyond the state requirements in an effort to help people avoid fines. Staff might engage social media more next year for public outreach about dog licenses, including the potential for some sort of contest with the prize being the coveted dog tag number 0001. Councilor Filiault applauded the Clerk's office for going above and beyond.

Councilor Sutherland asked how efforts are working to get owners to register before the deadline. Ms. Hood said outreach is very successful and this is the time of year before

warrants are issued when more weekly contact begins. Councilor Sutherland asked what happens if someone pays to license their dog before the warrants are issued in July. Ms. Hood replied that until then, there is only a \$1 per month late fee. Councilor Sutherland asked how often deceased pets are reported to the Clerk's office. Ms. Hood said there are many reports of deceased pets, however some owners do not report this information because many owners do not know that the vet's offices cannot release that information to the City, as they do with rabies vaccinations. She said many who get email reminders will reply letting the office know their pet has passed.

The City Attorney asked if the owner listed on the rabies certificate must be present to license the dog. Ms. Hood said no, as long as the rabies certificate is in the family name. The Clerk's office does not request proof of ownership when licensing dogs.

Chair Manwaring recognized Mr. Redfern, whose dog recently passed. He asked for the best mechanism to let the City Clerk's Office know that a pet has passed. Ms. Hood stated that owner's may call or email the office with this information.

Councilor Hooper made the following motion, which was seconded by Councilor Filiault:

On a vote of 4-0, the Municipal Services, Facilities & Infrastructure Committee recommends the issuance of the annual Warrant for Unlicensed Dogs pursuant to NHRSA 466:14, and the Animal Control Officer is directed to issue a civil forfeiture to those dog owners who have failed to license their dog by April 30, 2019.

4) Discontinuance of Ammi Brown Road and the Layout of Ammi Brown Trail

City Engineer Don Lussier presented a series of resolutions all related to the planned Cheshire Rail Trail expansion. Resolution R-2019-08 will serve to erase from the record Ammi Brown Road, as it currently exists as a Class 6 road. He spoke during the public hearing and site visit on ambiguity about the original layout or revised layout, while the trail's location today is not on either layout. Thus, staff recommend erasing that from the record. R-2019-09 will authorize the City Manager to deliver to the current property owners the deeds for the City's existing rights on Ammi Brown Road. R-2019-10 will immediately layout a new Class A trail over what is largely the same land; where the trail has deviated from its historic layout it will be straightened to correspond with where the public uses it today. R-2019-11 will authorize the City Manager to accept the easements for the public's use of that newly laid out trail.

Councilor Hooper recused himself from voting because he could not attend the site review.

Councilor Sutherland made the following four motions, all of which Councilor Filiault seconded.

On a vote of 3-0 the Municipal Services, Facilities & Infrastructure Committee recommends the adoption of R-2019-08 Relating to the Absolute Discontinuance of a portion of the Ammi Brown Road.

On a vote of 3-0 the Municipal Services, Facilities & Infrastructure Committee recommends the adoption of R-2019-09 Relating to Deeds for the Discontinued Portion of the Ammi Brown Road.

On a vote of 3-0 the Municipal Services, Facilities & Infrastructure Committee recommends the adoption of R-2019-10 Relating to the Laying Out of a Class A trail to be known as the Ammi Brown Trail.

On a vote of 3-0 the Municipal Services, Facilities & Infrastructure Committee recommends the adoption of R-2019-11 Relating to the Easements for the Laid Out Trail to be known as the Ammi Brown Trail.

The public can access copies of these resolutions in this meeting's agenda packet on the City of Keene website.

5) Adjournment

Hearing no further business, Chair Manwaring adjourned the meeting at 6:38 PM.

Respectfully submitted by,
Katryna Kibler, Minute Taker