



City of Keene
New Hampshire

**FINANCE, ORGANIZATION
AND PERSONNEL COMMITTEE
AGENDA
Council Chambers B
July 25, 2019
6:30 PM**

Mitchell H. Greenwald
Carl B. Jacobs
Terry M. Clark
Thomas F. Powers
Bettina A. Chadbourne

-
1. Bradford Todd - Request to Increase Veterans Tax Credit
 2. Gate Replacement Project at the Wastewater Treatment Plant
 3. Library Campus Development Project - Parks, Recreation and Facilities Director
 4. Relating to the Library Campus Development Project Funding
Resolution R-2019-28
 5. Continued Discussion - Campaign Finance Ordinance

MORE TIME ITEMS:

- A. Toby Tousley - Request to Purchase City Property - Adjacent to Bicycle/Pedestrian Path -
160 Emerald Street
- B. Ed and Kathleen (Kennedy) Burke - Beauregard Trust Property and 0 Chapman Road

Non Public Session
Adjournment



Transmittal Form

July 16, 2019

TO: Mayor and Keene City Council

FROM: Bradford Todd

THROUGH: Patricia A. Little, City Clerk

ITEM: 1.

SUBJECT: Bradford Todd - Request to Increase Veterans Tax Credit

COUNCIL ACTION:

In City Council July 18, 2019.

Referred to the Finance, Organization and Personnel Committee.

ATTACHMENTS:

Description

Communiation - Todd

BACKGROUND:

Bradford Todd, US Army retired, is requesting that the City Council increase the optional property tax credit ceiling for veterans with a service-connected total disability from \$2,000 to \$4,000.

Bradford Todd
468 Marlboro St.
Keene, NH 03431
603 398 2622

RECEIVED
CITY OF KEENE

JUL 16 2019

OFFICE OF
CITY CLERK

3:45 PM

Office of City Clerk
3 Washington St
Keene, NH

7/16/2019

Dear Mayor Kendall W. Lane,

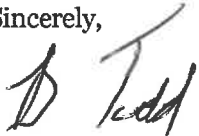
I am writing today in hopes that the Keene City Council and the Finance, Organization & Personnel Committee, Chaired by Mitchell H. Greenwald would review RSA 73:35 I-a, (72:27-a) where the State of New Hampshire has raised the optional property tax credit ceiling for veterans with service-connected total disability from \$2,000 to \$4,000.

I would hope that you feel our 100% complete and total disabled veterans have earned this credit by bearing everlasting disabilities as a result of their service. Recent increases in the tax rate have negated, to a degree, the existing level of credit.

The financial impact to the city, using 2018 numbers expressed by City Assessor Dan Langille, would increase from \$82,000 to \$164,000 If the property tax credit were increased from \$2,000 to \$4,000. Approximately 41 disabled veterans receive the current tax credit and I know they could surely use the extra income to diffuse the loss of utility associated with their disabilities.

Thank you for your consideration.

Sincerely,



Bradford Todd
Army 1983-1985

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



Deputy City Clerk



City of Keene, N.H.
Transmittal Form

July 2, 2019

TO: Finance, Organization and Personnel Committee

FROM: Aaron Costa, Public Works Department Operations Manager

THROUGH: Elizabeth A. Fox, ACM/Human Resources Manager

ITEM: 2.

SUBJECT: Gate Replacement Project at the Wastewater Treatment Plant

RECOMMENDATION:

Move the Finance, Organization, and Personnel Committee recommend that the City Manager be authorized to do all things necessary to execute a sole source professional services contract with Underwood Engineers for engineering and technical services for the Gate Replacement Project at the Wastewater Treatment Plant (WWTP) for an amount not to exceed \$40,400.

BACKGROUND:

The Wastewater Treatment Plant (WWTP) is a conventional activated sludge treatment facility and treats wastewater-using microorganisms. This biological process occurs in the Aeration Basin of the facility. The aeration basin is a rectangular tank divided into eight individual cells and holds a total 1.6 million gallons of wastewater.

The Gate Replacement Project replaces six manually operated gates that are used to divert wastewater into different units of the Aeration Basin and two gates that are used to isolate two aerated grit chambers. The gates are original to the plant and are at the end of their useful life.

A Request for Proposals for engineering services for this project was solicited by the City. The City received only one proposal for \$82,000, which exceeded the budget by over \$18,000 and was rejected. Since that time staff contacted several other firms to see if interest could be generated for the project, but only one firm, Underwood Engineers, expressed interest. During the discussions with the various firms, it was relayed to the City the combination of being a small project and Keene's isolated geographical location is a drawback for firms that are generally farther away.

Underwood Engineers has an office in Concord, NH and has successfully performed several projects for the City in the past. These projects include chlorine booster evaluation, low-pressure zone study and an asset management plan. Underwood has qualified personnel and performs quality work. Underwood submitted a proposal for engineering and technical services required for the Gate Replacement Project for \$40,400 or \$23,000 less than the City's budget. Therefore, staff is recommending Underwood perform the work.

Section 2-1336. Waiver of Requirements allows the City Council on recommendation from the City Manager to waive the purchasing requirements when deemed inadvisable to solicit bids because of a single source of supply

or because of the need of standardization of the materials, supplies, equipment or services for other stated reasons.

The City Manager has authority to implement professional services contracts up to \$25,000. The proposed professional service contract exceeds this authority and requires City Council authorization.



July 12, 2019

TO: Mayor and Keene City Council

FROM: Andy Bohannon, Parks, Recreation and Facilities Director

THROUGH: Elizabeth A. Fox, ACM/Human Resources Director

ITEM: 3.

SUBJECT: Library Campus Development Project - Parks, Recreation and Facilities Director

COUNCIL ACTION:

In City Council July 18, 2019.

Referred to the Finance, Organization and Personnel Committee.

RECOMMENDATION:

Refer to the Finance, Organization and Personnel Committee to be accepted as informational.

BACKGROUND:

In 2017, The City of Keene entered into a Public-Private Partnership with Monadnock Economic Development Corporation, LLC (MEDC) for the purposes of developing a Library Campus. Working together with the Trustees of the Library and the Friends of the Library, architectural designs were prepared for a construction project of \$8,442,230 rehabilitating and renovating the historic Annex and Library Mansion, and building an atrium connector and new campus entrance on West Street. During this time, library supporters launched a capital campaign that accomplishing a monumental fundraising effort to raise over \$5,100,000.00 in donations. A project-financing program, that included these donations, a city bond and New Market Tax Credits, was assembled to bring to reality this exciting project taking the City of Keene to the forefront of library services from traditional to tomorrow and beyond. The Library Campus project was celebrated on June 23, 2019 eighteen months after breaking ground on November 27, 2017.

Public-Private Partnership projects are typically complex. The City has successfully used this model for a number of projects of great benefit to the City including Railroad Square, the Courthouse Project, Keene ICE and now the Library Campus. The Library Campus Project is by far the most complex of these efforts.

The initial project anticipated a 12 month construction cycle. During the early spring of 2018, the project had been moving along, and meeting the timelines; primarily, demolition, excavating the Connector location and excavating under the Annex. As materials were removed, testing protocols for contaminants were followed. While a Level 1 and 2 Site Assessment had been completed prior to the project, many building conditions were an unknown as the Annex (former Masonic Temple) construction dated back to 1928. As additional lead abatement requirements were identified in excavated materials, these costs were applied to project allowances and contingency.

As the soils were being excavated an additional problem arose, with steady spring rains creating a higher than normal water table, impairing progress specifically at the elevator shaft. The shaft was a critical component of

the project. To dewater, four pumps operating 24 hours a day were necessary for four months to manage these conditions halting project progress. Work in the central part of the building was stalled delaying critical interior infrastructure including framing, drywall, stairways, plaster, HVAC systems, audio-visual and electrical lines.

The cost of running the pumps was an additional unforeseen project expense to the project.

The initial project design reflected a new HVAC system for Annex Building and Connector only. As project construction moved forward, additional evaluation of the entire Campus HVAC system occurred. Recognizing obsolescence and long standing issues with the main Library HVAC system, installed as part of the 1999 renovation project, and the opportunity to enhance operations, efficiency and achieve environmental goals, city staff proposed that the system be replaced with one central system to control the entire campus. The new system would be a propane operating system that was more environmentally friendly than the current No.2 fuel system. Benefits were two-fold: more energy efficient, and by installing the control system into the Annex and tying the two buildings an opportunity to apply the NMTC incentive to full system upgrade created additional financial benefits for the City. At this evaluation point, the soil contamination and dewatering conditions had not developed. It was determined that full upgrade of the Library Campus HVAC, at an additional cost of \$73,499, should move forward. Funding source was anticipated to be allowances or project contingency.

Impacts from required lead abatement and dewatering when they occurred created a ripple effect impacting the project schedule extending it from 12 months to 20 months at this point. Because of the schedule shift, contractors now were being met with multiple obligations, and not able to meet the demands of revised deadlines further impacting project costs. Excesses in allowances and contingency expenses total \$110,707 and include fuel costs for the dewatering pumps, winter heaters, additional electric cost, general conditions, insurance, bonding and additional lead abatement requirements. In the end, the original construction contract \$8,442,230, increased to \$8,626,436, creating project cash shortfall of \$184,206 including the full Library Campus HVAC system. In all, this difference is 2.14% of the total construction contract, and 1.4% of project's overall budget. Closing out the project's finances is critical at this time, as further delays have negative ramifications for the New Market Tax Credit financing portion of the project.

To provide the cash required to close out the project, a proposal sharing 50/50 of this responsibility is recommended. The City will provide the initial \$186,204, and then entering into a loan agreement securing repayment by MEDC of its 50% share totaling \$92,103 to be at a rate of \$3,000 monthly until repaid (approximately 2 ½ years). The net fiscal impact of the cost to the City, \$92,103, is mitigated by \$89,000 remaining in unexpended funds allocated in the FY19 budget, which was expected to be directed to library campus operations if the facility had been completed within its original construction timeline.

Library Campus Development Project	
Construction Contract Cash Shortfall	\$ 184,206
Components:	
Campus wide HVAC System Upgrade	\$ 73,499
Excess Allowances & Contingency	\$ 110,707
Funding Source: Unassigned Fund Balance	\$ 184,206
Partner Allocation of Shortfall	
MEDC (loan agreement securing repayment)	\$ 92,103
City of Keene	\$ 92,103
FY19 Operating funds (01328) available to offset impact	\$ 89,000
Net additional cost to City Unassigned Fund Balance	\$ 3,103



City of Keene, N.H.
Transmittal Form

July 12, 2019

TO: Mayor and Keene City Council

FROM: Merri Howe, Finance Director

THROUGH: Elizabeth A. Fox, ACM/Human Resources Director

ITEM: 4.

SUBJECT: Relating to the Library Campus Development Project Funding

COUNCIL ACTION:

In City Council July 18, 2019.

Referred to the Finance, Organization and Personnel Committee.

RECOMMENDATION:

That Resolution R-2019-28 relating to an appropriation of up to \$184,206 for the purpose of providing funding for the Library Campus Development Project be introduced and read at the July 18, 2019 meeting of the City Council and be referred to the Finance, Organization and Personnel Committee for consideration, discussion and a recommendation back to City Council.

ATTACHMENTS:

Description

Resolution R-2019-28

BACKGROUND:

A resolution providing funding to meet a construction project cash short fall attributable primarily to dewatering, lead abatement, and HVAC for this Public-Private Partnership is advanced. Information regarding factors contributing to this cash shortfall in the project, a loan agreement securing repayment at a rate of \$3,000 monthly of 50%, \$92,103 with Monadnock Development Corporation, and City resources available to offset much of the net impact of this action, is included in an information memo dated July 12, 2019 from Andy Bohannon, Parks, Recreation and Facilities Director included with this agenda item.



CITY OF KEENE

R-2019-28

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

A RESOLUTION Related to an appropriation for the Library Campus Development Project.....

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

That the sum of one hundred eighty-four thousand two hundred and six dollars (\$184,206) is hereby appropriated in the 2019-2020 fiscal year for the purpose of funding construction costs of the Library Campus Development Project.

Said appropriation to be funded by the General Fund unassigned fund balance (\$184,206)

Kendall W. Lane, Mayor

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

Deputy City Clerk



City of Keene, N.H.
Transmittal Form

July 11, 2019

TO: Mayor and Keene City Council

FROM: Finance, Organization and Personnel Committee

ITEM: 5.

SUBJECT: Continued Discussion - Campaign Finance Ordinance

COUNCIL ACTION:

In City Council July 18, 2019.

Voted with three opposed to refer the matter back to the Finance, Organization and Personnel Committee for further discussion.

RECOMMENDATION:

On a 3-2 vote, the Finance, Organization and Personnel Committee recommends that staff be directed to draft a campaign finance ordinance that would include the following provisions:

- the reporting requirements would only involve the Mayor's race,
- a \$1,000 threshold would trigger the reporting requirements for contributions and expenditures upon which any single contribution or expenditure of \$50 or more would be reported in detail
- the period for reporting would start from the last municipal election with the reporting timeline to be 20 days before the election, again on October 1 and again on December 1
- that the Ordinance not contain a specific provision for enforcement or penalties,
- that the reporting requirement be a qualification for nomination or election.

BACKGROUND:

City Clerk Patty Little was the next speaker. Ms. Little stated the City Attorney and she have concluded their research regarding campaign finance as it relates to other towns and cities. She indicated she had placed a handout that summarized their research and it was her intent to go through the handout and identify options for the Committee to consider. She continued the underlying headings outlined in the document contains the structural components of any ordinance. The cities staff looked at were Concord, Dover, Manchester, Nashua, and Portsmouth. Ms. Little noted among these cities there is not a single community that has the "ideal" campaign finance ordinance. The Clerk stated there are more variations than similarities between the five ordinances and suggested – if the Committee believes a campaign finance ordinance is necessary for Keene – that they select the best portions from each of these ordinances.

The Clerk then addressed the following bulleted items:

Potential Reporting Entities Impacted by a Campaign Finance Ordinance

- Only Nashua specifically includes "write-in" candidates in the reporting requirements..
- Manchester, Concord and Portsmouth includes Political Action Committees as a reporting entity.
- All cities exclude election officials.

- All cities include Mayor, at-Large and Ward Councilors and in Manchester and Nashua an Alderman as well as ballot measures.

Contribution and Expenditure Thresholds

Ms. Little noted this is an important part of any ordinance and would impact the level of effort by a candidate and/or potentially any incumbent City Councilor. She noted this item is listed in terms of effort needed by a candidate. She reminded the Committee of what the City Attorney had stated in reference to this item when the issue was initially introduced – the lower the monetary threshold reporting requirement the greater the burden becomes. Ms. Little added as the committee looks at the next set of bulleted items, they will notice the contribution and thresholds for the different cities are not the same.

- Dover requires all contributions and expenditures to be reported and itemized – regardless of amount.
- Nashua requires contributions over \$10 to be reported and itemized, and for contributions of \$10 or less, the receipt can be reported as to amount only.
- Nashua requires all expenditures to be reported/itemized – regardless of amount
- Nashua requires incumbents who receive items of value not a campaign receipt to file a statement.
- Concord requires contributions over \$25 to be reported and itemized.
- Concord requires all expenditures to be reported and itemized regardless of amount.
- Portsmouth only requires contributions over \$100 from a single source to be reported and itemized.
- Portsmouth only requires a cumulative total not itemized of expenditures equaling or exceeding a cumulative total of \$100.
- Manchester requires combined contributions of over \$500 to trigger the reporting requirements of all contributions.
- Manchester requires combined expenditures of over \$500 to trigger the reporting requirements of all expenditures.
- Manchester provides the opportunity for the candidate to state that they did not receive any contribution with a cumulative total of \$500.

Time Period Covered Within the Reporting Requirements

Ms. Little stated this is also an important element of an ordinance and impacts the level of effort of a candidate. The bulleted items below are listed starting with the one that has the highest burden.

- Only Nashua requires reporting until all surplus has been deleted or debt obligations settled. Ms. Little noted Nashua keeps this information active for a period of four years so the debts can be settled or any surplus directed to a different purpose.
- Only Portsmouth and Concord require that the reporting period be from the date of the last municipal election. The Clerk noted these two cities are going back to the previous election –something similar is being done by Manchester and Nashua as well.
- Only Manchester and Nashua require all city officials once elected to report contributions throughout the year within 30 days of the end of each calendar quarter.
- Only Manchester requires incumbents to report financial holdings and employment once a year. The Chairman asked for added clarification on this item. Ms. Little explained this refers business relationships – similar to what State employees have to file.
- Manchester, Nashua and Portsmouth provide an opportunity for a candidate to state that they did not receive any monetary contributions.

Reporting Timelines

- Concord – 4 weeks before and 2 weeks after.
- Nashua – 20 days before, again on October 1 and again on December 1.

- Dover – 11 to 15 days before and 10 days after.
- Portsmouth – 7 days before and 14 days after.
- Manchester – 10 days before and 10 days after.

Ms. Little stated before she gets into the enforcement section, she wanted to note she and the City Attorney had had a discussion with Deputy Secretary of State Dave Scanlan where the issue was raised regarding having the City Clerk serve as the investigator or enforcer of any violation. Mr. Scanlan had responded by saying it was not appropriate for the City Clerk to be both the Chief Election Official in charge of the election process and also assume the role of investigator and enforcer. She noted this is an open-ended question as to who is going to assume this enforcement role.

Enforcement

- Concord, Dover, Manchester and Nashua’s ordinance are silent on the process of enforcement.
- Only Portsmouth has language regarding enforcement by a Board of Ethics (5 person Board: one member each from selected by lot from the City Council, the School Board, the Police Commission, and Fire Commission with the City Attorney or other legal counsel serving as an ex-officio member).

Penalties

- Portsmouth – Criminal Sanctions in addition to civil sanctions. Upon conviction in District Court the fine shall be \$1,000 for each offense.
- Concord – fined not less than \$50 nor more than \$1,000.
- Nashua – fined no more than \$100 for each day that lack of compliance exists.
- Dover – violation under State Law.
- Manchester – subject to penalty as provided by law.

Compliance with Reporting Requirements - Qualifications for Nomination or Election

- Concord, Dover and Manchester stipulate that no candidate shall be entitled to nomination or election until the reporting requirements have been met.

Ms. Little noted even though someone might have been the successful candidate at an election, if they failed to file their financial reports, they would not be eligible for the nomination or assume the elected office as of January 1.

This concluded the Clerk’s presentation. She then turned the presentation over to the City Attorney. Attorney Mullins stated the City is going to need to figure out which option it would like to pursue – he added what the City could also do was to place a voluntary cap on expenditures/contributions. A voluntary cap recognizes that for many of these races, the funds used in a campaign are personal and you are not out looking for other campaign funds. If a candidate agreed in writing to the voluntary cap there would not be a financial reporting requirement.

He went on to say as the Clerk had pointed out - except for Portsmouth - the other ordinances don’t have an investigative or enforcement process. The Attorney continued it is all well in good to say “if there is a violation there is a fine”, but there needs to be a way to get from point A to point B, which would include a complaint making process, a process to investigate that complaint, a determination that the complaint is well founded or not, an opportunity – with notice for the candidate to cure the violation and, if not, a process to issue a violation that potentially would go to Circuit Court for enforcement. For the State, this entire process is through the Attorney General’s Office.

The Attorney added he has the similar concerns the Clerk has and his office is not staffed to be able to take on

this task and the Council happens to be his employer. Attorney Mullins went on to say there have been initial conversations that have taken place with the Police Department and there might be some willingness with this department – but this is still an open question.

Attorney Mullins stated the first question is whether the Council wants to move forward with this ordinance. He indicated their preference is for them to be advised which of these potential provisions of a campaign finance ordinance they would like staff to focus on.

Councilor Clark thanked staff for putting this together and went over his preference as follows:

Potential Reporting – The Councilor would like to keep it to just the Mayor’s race as well as any write-in candidates. He noted as a City Councilor he has not spent more than \$400.

Contribution and Expenditure Thresholds – The Councilor stated he would like the trigger (combined contribution or combined expenditure) to be \$1,000 and once you have met the trigger of \$1,000 the reporting should be for anything over \$25.00. The reason for \$25.00 is that \$10.00 is too little and \$100 is too much. \$25.00 or even \$50.00 seems to be a more appropriate amount and make it simple

Time Period Covered Within the Reporting Requirements – The Councilor felt it should be from the date of the last municipal election.

Reporting Timelines - The Councilor liked Nashua’s timeline, which is 20 days before, again on October 1 and again on December 1. He felt this gives the public three opportunities to determine where the candidate stands.

Enforcement – The Councilor stated he would not have any enforcement or penalty provisions and noted public exposure would be a candidates’ enforcement and penalty. He went on to say the only reason he is requesting this ordinance is so that the public could be made aware of what a candidate is collecting and what they are spending their contributions on and he wasn’t interested in punishing anyone

The Councilor stated he wasn’t aware of the candidate qualification provision in several of the ordinances, but that would take care of it. The City Attorney stated he could not find an authority to withhold an office from a duly elected candidate.

These provisions would make it very simple and easy for a candidate to comply while allowing the public to know what is going on.

Chair Greenwald stated he understands the logic of going back to the past election, but this would mean that a candidate know that he or she is going to be running at the next election. Councilor Clark stated this is just to provide for a starting date. The Chairman asked if someone took him out for lunch whether this would be considered a contribution. Ms. Little stated the City could follow the State definition of contribution. Attorney Mullins added the Deputy Secretary had advised them not to follow the State regulations too closely. Ms. Little referred to the 2008 defeated ordinance that was presented to the Council, noting it refers to contribution definition as *payment, gift, subscription, assessment, contract for services, and forbearance of a loan to a candidate made to a candidate, political committee or political party to influence the nomination or election.*

The Attorney stated the definition could be whatever the Council wanted it to be. The Ordinance could state only monetary contributions and not include things of value.

Councilor Jacobs stated a candidate could be given a supply of campaign signs and under a definition of only monetary contributions – the value of those signs would not be reported.

Councilor Jacobs felt if an ordinance was going to be put in place, the threshold should be set low and all

contributions should be put out in the open. Ms. Little asked what the committee felt about the voluntary cap suggested by the Attorney. Councilor Jacobs asked for clarification on this. Attorney Mullins explained this would mean a candidate agrees not to raise or expend more than a certain dollar amount set by the City outlined in the ordinance. The candidate would be required to sign off on a form that they would agree to the spending limits there would be no reporting requirements. Ms. Little stated this is what State Representatives are being required to do.

Chair Greenwald asked for clarification on what Manchester is requiring - incumbents to report financial holdings and employment. Ms. Little explained this refers to business relationships – similar to what State employees have to file. Attorney Mullins stated this is a reporting he has to do because he sits on the State Employment Security Appellate Board. He has to file with the Secretary of State on an annual basis as to who he is employed by, does he represent anyone else, is there other income, etc...so the State can check for conflicts of interest.

Councilor Powers asked what happens if someone does not accept donations, but spends \$1,000 from personal funds if they have to file. Attorney Mullins stated if the ordinance exempts personal funds then reporting would not be necessary.

Chair Greenwald questioned what the Council is trying to accomplish. Councilor Clark stated it is so that the public can be informed as to how much money a candidate is getting and how much is being spent. He did not feel the Council race is big enough and felt that not much money is being spent on those races.

Councilor Filiault applauded staff for its efforts and Councilor Clark for bringing this item forward. He noted when it comes to campaign finance the doors are shut in Washington and the same thing seems to be happening in Concord as well. He felt Keene has always been progressive and wanted to get ahead of the curve with this item as well. He felt this Ordinance would keep “honest people honest.”

The Chairman asked whether staff has sufficient information to go on. Ms. Little stated she understands what Councilor Clark was looking for in terms of any ordinance, but suggested that the ordinance not include write-in candidates because write-in candidates are not required to register with the Clerk’s office so they would not know who they are.

Councilor Powers felt it was time for Keene to do something, but he did not feel this should be just for the Mayor’s race. If there is going to be an ordinance, both the Mayor and Councilors should be covered. He does not want to make it complicated, but both Councilors and the Mayor are elected to serve the citizens.

Councilor Chadbourne stated she understands transparency, but noted it is hard to get people to run and this feel like a large commitment for what a Councilor gets paid (\$2,500 a year). She felt this could discourage people from running and stated she has mixed feelings about any campaign finance ordinance. She went on to say there are many cities she could have chosen to live in, but she chose Keene because of its strong sense of community and she did not like what other cities are doing. Councilor Chadbourne went on to say if the City is going to do this there should be consequences in place.

Chair Greenwald felt if a candidate signs off on a document that should be sufficient and he felt there has to be some honor. Ms. Little questioned how the City could have an ordinance and not have enforcement. Attorney Mullins stated there is a general provision in the RSA, which indicates that a violation of a code constitutes a violation. He stated the reason Councilor Clark made the suggestion was because of the clear understanding when you have the enforcement some entity has to be responsible for following up on it.

In response to a comment from Councilor Clark, the City Attorney stated most City Code violations are currently handled by the Police Department.

Councilor Powers suggested we really need to answer the question as to whether we want to move forward and who would be covered by a campaign finance ordinance.

Councilor Jacobs questioned how this brings us better government. How does this help the voter? He stated providing transparency gives comparison to voters, but he felt there should be other factors voters should be able to use for comparison. He stated he preferred a low threshold or a voluntary disclosure.

Councilor Clark made a motion to direct staff to draft a campaign finance ordinance. Councilor Jacobs requested that the parameters of the Ordinance be reviewed again before the vote. Councilor Clark reiterated that the Ordinance would contain the following provisions:

- the reporting requirements would only involve the Mayor's race
- a \$1,000 threshold would trigger the reporting requirements for contributions and expenditures upon which any single contribution or expenditure of \$50 or more would be reported in detail
- the period for reporting would start from the last municipal election with the reporting timeline to be 20 days before the election, again on October 1 and again on December 1
- that the Ordinance not contain a specific provision for enforcement or penalties and that reporting requirement would be a qualification for nomination or election.

The motion was seconded by Councilor Powers.

Councilor Jacobs made an amendment to start the trigger at \$50. The amendment died for lack of second.

On a 3-2 vote, the Finance, Organization and Personnel Committee recommends that staff be directed to draft a campaign finance ordinance that would include the following provisions:

- the reporting requirements would only involve the Mayor's race,
- a \$1,000 threshold would trigger the reporting requirements for contributions and expenditures upon which any single contribution or expenditure of \$50 or more would be reported in detail
- the period for reporting would start from the last municipal election with the reporting timeline to be 20 days before the election, again on October 1 and again on December 1
- that the Ordinance not contain a specific provision for enforcement or penalties,
- that the reporting requirement be a qualification for nomination or election.

Ms. Little noted if the Council approves this item it will not be effective for this year.

Councilor Chadbourne stated she is voting in favor on this item be taken before the full council for a larger discussion – this does to guarantee she will ultimately vote in favor of an Ordinance.