



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

Roll Call
Pledge of Allegiance

MINUTES FROM PRECEDING MEETING

- June 20, 2019

A. HEARINGS / PRESENTATIONS / PROCLAMATIONS

1. CDBG Public Hearing - Southwestern Community Services - Renovations and System Upgrades to Homeless Shelter Facilities
2. Presentation - Safe Routes to Schools

B. ELECTIONS / NOMINATIONS / APPOINTMENTS / CONFIRMATIONS

1. Confirmations
Human Rights Committee
Ashuelot River Park Advisory Board
2. Nominations
College City Commission
Energy and Climate Committee

C. COMMUNICATIONS

1. James Griffin - Request to Prohibit the Use of Engine Brakes
2. Keene Elm City Rotary - Request for Event License - Clarence DeMar Marathon
3. Petition from Barcomb and Sullivan Streets - 10 Signatures - Request for No Parking on Barcomb Street
4. Pablo Fleischmann - Request for Event License - Keene Music Festival
5. Bradford Todd - Request to Increase Veterans Tax Credit

D. REPORTS - COUNCIL COMMITTEES

1. Katie Schwerin – Public Art Proposal – Peace Pole
2. Water Monitoring at Closed Landfill – Public Works Department
3. Charles McIntyre - NH Lottery Commission - Keno on 2019 Municipal
4. Acceptance of Grant Funds – NH Division of Historical Resources Certified Local Government Grant for Historic Barn Inventory - Community Development Department

5. Municipal Services Agreement with Keene State College - City Manager
6. Continued Discussion - Campaign Finance Ordinance

E. CITY MANAGER COMMENTS

F. REPORTS - CITY OFFICERS AND DEPARTMENTS

1. Declarations of Candidacy and Process to Fill City Council Vacancies - City Clerk
2. Library Campus Development Project - Parks, Recreation and Facilities Director

G. REPORTS - BOARDS AND COMMISSIONS

H. REPORTS - MORE TIME

I. ORDINANCES FOR FIRST READING

1. Relating to Smoking, Tobacco Products and Equipment
Ordinance O-2019-15
2. Relating to Social Service and Congregate Care Uses and License
Ordinance O-2019-13
Ordinance O-2019-14
3. Relating to Zone Change - 560/580 Main Street
Ordinance O-2019-12

J. ORDINANCES FOR SECOND READING

1. Relating to Rules of Operation
Ordinance O-2019-10
2. Relating to the College City Commission
Ordinance O-2019-11

K. RESOLUTIONS

1. Relating to the Rooms and Meals Tax
Resolution R-2019-32
2. Relating to Approving an Application for CDBG Funds
Resolution R-2019-27
3. Relating to the Library Campus Development Project Funding
Resolution R-2019-28
4. In Appreciation of Nancy T. Vincent Upon Her Retirement
Resolution R-2019-31

L. TABLED ITEMS

1. Relating to the Discontinuance of Ammi Brown Road and the Layout of Ammi Brown Trail
Resolution R-2019-08
Resolution R-2019-09
Resolution R-2019-10
Resolution R-2019-11

A regular meeting of the Keene City Council was held Thursday, June 20, 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, George S. Hansel, Gary P. Lamoureux, Bettina A. Chadbourne, Philip M. Jones, David C. Richards and Mitchell H. Greenwald were present. Bartolmiej K. Sapeta, Margaret M. Rice, Robert B. Sutherland, and Stephen L. Hooper were absent. Councilor Greenwald led the Pledge of Allegiance. A motion by Councilor Greenwald to accept the minutes from the June 6, 2019 regular meeting was duly seconded by Councilor Jacobs. The motion passed with a unanimous vote in favor.

ANNOUNCEMENTS – MAYOR

The Mayor announced the July 4, 2019 City Council Meeting will be canceled. The Committee Meetings scheduled on June 26, 2019 and June 27, 2019 will also be canceled. The Fiscal Policy Workshop is scheduled for Tuesday, July 30, 2019 at 6:30 PM. The City Council's summer break schedule will start after the August 1, 2019 City Council Meeting. The August 7, 2019 and August 8, 2019 Committee Meetings will be canceled as well as the August 21, 2019 and August 22, 2019. The City Council Meeting on August 15, 2019 will also be canceled. Standing Committee meetings will resume on August 28, 2019 and August 29, 2019. The City Council meeting will resume its normal meeting schedule on September 5, 2019.

The Mayor announced Rick Blood, a member of the Airport Marketing and Development Committee, has an exhibit of aviation artwork. There will be a reception on the afternoon of July 7, 2019 in the airport terminal lobby. He encouraged everyone to see Mr. Blood's photography.

PRESENTATION – AMERICAN LEGION GORDON-BISSELL POST #4 – 100TH BIRTHDAY CELEBRATION

The Mayor presented a proclamation to the members of the American Legion Gordon-Bissell Post #4: Ron Willett, Commander; Rob Campbell, Junior Vice Commander; George Potter, Adjutant/Treasurer, proclaiming their 100th year anniversary celebration.

POWERPOINT PRESENTATION – WASTEWATER AND STORMWATER ASSET MANAGEMENT PLAN

The Mayor recognized City Engineer Don Lussier. Mr. Lussier was accompanied by Matt Manchisi from the Hazen & Sawyer Consulting firm, and Sharon Nall from the Department of Environmental Services (DES). Mr. Lussier began with a brief presentation on a draft asset management plan related to the City's storm water and sewer collection systems. Tonight is the culmination of about a year of work that the consultants have been doing. This was born out of action by the Council in the adoption of the FY 18 Fiscal Policy. This policy stated that the City wanted to develop capital asset management plans to better guide and direct our asset investments. We have been looking for opportunities to fulfill that Fiscal Policy. With this project, we applied for, and received funding from DES. The City is eligible for up to \$90,000 worth of principle forgiveness through the State's revolving loan fund, so our partners have been instrumental in obtaining this funding. At this point Mr. Lussier turned the presentation over to

Ms. Nall to discuss asset management generally and why DES is interested in this topic.

Ms. Nall commented that DES started promoting asset management for storm water, drinking water and wastewater infrastructure because so many communities, not just in New Hampshire but nationwide, have aging infrastructure and there is a lack of communication between the city or town management and the folks that maintain and keep this infrastructure running. A key part of why asset management is so important, is understanding the value of the water infrastructure that you own and the value of the staff that is maintaining it. Making that connection is so important, and it is the reason this principle forgiveness program includes the presentation we are doing this evening. Ms. Nall applauded the City staff for their efforts, and the consultants from Hazen & Sawyer for setting up this presentation. The staff at the Keene Public Works Department has done a great job and remained engaged throughout the project, and she looks forward to it moving forward.

Mr. Manchisi stated that now that Mr. Lussier and Ms. Nalls have introduced asset management, he will go into greater detail and discuss what they specifically did in Keene. The goal of an asset management plan is to provide informed decision making on the physical assets related to the sewer and storm water collection systems. It is a business-like process using a risk-based approach to figure out which assets should be repaired or replaced, when they should be, how much it will cost, etc. It is a proactive planning process as opposed to being reactive and fixing things once they have failed. Their approach involved seven specific tasks.

Task 1 was an asset inventory and analysis from Keene's management system and GIS data. A data gap analysis was completed to determine what data is currently being collected, how complete that data is, and whether the right data is being collected. Specific things they were looking for included: the age of a particular sewer pipe, what material that pipe was and its length and location. Task 2 was to assess levels of service and align strategies with the asset management plan. He went on to point out examples of levels of service such as the number of sewer overflows per 100 miles of pipe and the repair/replacement rate. Strategy informs what level of service the organization wants to provide, and that in turn drives operations, and the operations drives performance. Task 3 is the essence of the asset management plan. This portion is prioritization and risk assessment. Within any asset management plan, you establish the probability of an asset's failure. Failure is not necessarily when a pipe breaks or blows up, but it also includes things like not meeting levels of service, not meeting capacity, etc. The consequence of failure in terms of a pipe breaks, focus on the consequences. These are typically defined by social factors such as impacts to critical facilities like hospitals, fire departments or schools. The other measure of consequences is cost based failures; a roadway is damaged due to a leak would be an example of a high impact. A total risk score is then determined based on these factors. Each of those scores are provided for every asset in the system. Task 4 was to perform an asset rehabilitation cost analysis and recommend actions based on the probability of failure scores. The risk scores are what establishes prioritization; assets with a higher risk score would require attention more quickly than those with a lower risk score. Task 5 was the funding strategy, in which they looked at the current investments in both the storm water and sewer systems. They looked at the operating budget as well as grants and other considerations to fund the capital and operating budgets, including the feasibility of a storm water enterprise fund. Task 6 was the implementation plan, which included looking at aligning the leadership, ensuring

everyone knows their role and responsibilities, as well as identifying ways to continually improve the plan and the reasons for change. Task 7 was creation of a communications plan to foster effective internal communication, build trust and credibility with external stakeholders, and management of communications and outreach efforts and protocols.

Mr. Lussier stated that with this project the City specifically wrote into the scope of the consultants work a deliverable that would be in electronic format rather than just on paper. This will allow the data they collected to be leveraged by incorporating it directly into the City's Cartegraph system, which is how we are currently doing asset management in the Public Works Department, as well as how we are managing our everyday workforce. That electronic data will allow us to take the information and parse it in different ways. We will be able to filter through a list of maintenance issues, such as pipes needing relining, and determine, based on various criteria, which ones have the highest likelihood of failure. The product of this labor will be seen in the next CIP development, which is starting shortly. The other piece the electronic deliverable allows us to address is levels of service. This is the metric we measure ourselves by in terms of services. Now that we have this information digitally and know what information to collect in the field, we can continually assess how we are doing.

The Mayor asked if there were any comments or questions from the Council. In response Councilor Jones stated this sounds like proactive planning versus being reactive. He applauded the effort. He further commended the State for their involvement in this process. With no further questions or comments, the Mayor thanked the presenters for their presentation.

NOMINATIONS

The following nominations were received from the Mayor: Sofia Cunha-Vasconelos to serve as a regular member on the Human Rights Committee and Suzanne Krautmann to serve as a regular member on the Ashuelot River Park Advisory Board. Both terms will expire December 31, 2022. The nominations were tabled until the next regular meeting.

COMMUNICATION – KEENE KIWANIS CLUB- REQUEST TO USE CITY PROPERTY – 2019 TREE LIGHTING EVENT

A communication was received from Elizabeth Sayre, Keene Kiwanis Club, requesting permission to host the Tree Lighting Celebration on November 29, 2019 and to leave the string lights installed on the center median light poles in place throughout the year. The communication was referred to the Planning, Licensing and Development Committee.

COMMUNICATION – KATIE SCHWERIN – PUBLIC ART PROPOSAL – PEACE POLE

A communication was received from Katie Schwerin, Monadnock Mindfulness Center, submitting a public art proposal for a permanent art display to locate a Peace Pole at the location of the Mt. Monadnock Labrynth. The communication was referred to the Municipal Services, Facilities and Infrastructure Committee.

COMMUNICATION – MALAISE LINDENFELD – PHO KEENE – REQUEST TO SERVE ALCOHOL AT SIDEWALK CAFÉ

A communication was received from Malaise Lindenfeld, Pho Keene, requesting permission to serve alcohol at her sidewalk café located at 11 Central Square and that the service extend onto City property in front of City Hall. A motion by Councilor Richards to suspend section 26 of the Rules of Order to act upon the request to serve alcohol at the Pho Keene Restaurant was duly seconded by Councilor Hansel. On a roll call vote, 11 voted in favor, the motion passed unanimously to suspend the rules. Councilors Sepata, Rice, Sutherland and Hooper were absent. A motion by Councilor Richards was duly seconded by Councilor Hansel, to recommend that the Pho Keene restaurant be granted permission to serve alcoholic beverages in connection with their Sidewalk Café License, subject to the customary licensing requirements of the City Council, and compliance with the requirements of Section 46-1191 through 46-1196 of the City Code. This license shall expire on March 1, 2020. A brief discussion took place. On a show of hands, 11 Councilors were present and voting in favor. Councilors Sapeta, Rice, Sutherland and Hooper were absent.

COMMUNICATION – COUNCILOR MARGARET M. RICE – RESIGNATION – WARD FOUR COUNCILOR

A communication was received from Councilor Margaret M. Rice, as her resignation as a Ward Four Councilor. Pursuant to the Rules of Order in Section 37, in accordance with Sections 8, “Vacancies” and 19 “Mayor” of the City Charter, the Mayor declared the Ward Four City Councilor held by Councilor Rice as vacant. The Mayor set the filing period that starts at 8:00 AM on Tuesday, July 2, 2019 and extends until Monday, July 15, 2019 at 4:30 PM. The election by the City Council will occur on August 1, 2019.

The Mayor stated that Councilor Rice has served almost 2 years on the City Council. He enjoyed having her on the City Council. She has been a very good councilor. She has grown and learned a lot while she has been a Councilor. She will be missed. The Mayor appreciates the fact that she was willing to extend herself and is now not living in the ward which has caused her resignation.

COMMUNICATION – COUNCILOR BARTLOMIEJ K. SAPETA – RESIGNATION – AT LARGE COUNCILOR

A communication was received from Councilor Bartłomiej K. Sapeta, as his resignation as At Large Councilor. Pursuant to the Rules of Order in Section 37, in accordance with Sections 8, “Vacancies” and 19 “Mayor” of the City Charter, the Mayor declared the At Large City Councilor held by Councilor Sapeta as vacant. The Mayor set the filing period that starts at 8:00 AM on Tuesday, July 2, 2019 and extends until Monday, July 15, 2019 at 4:30 PM. The election by the City Council will occur on August 1, 2019.

The Mayor explained that Councilor Sapeta has been out of the country for family issues and now is moving out of Keene, therefore, he will not be able to serve as an At Large Councilor.

The Mayor clarified the terms of both of these vacancies. Both vacancies will have a term expiring on December 31, 2019. The election in November will allow the public to elect a new Ward Four Councilor and an At Large Councilor with a 2 year term.

MSFI REPORT – PERIODIC REPORT FROM BOARDS & COMMISSIONS: HUMAN RIGHTS COMMITTEE

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

MSFI REPORT – 2019 WARRANT FOR UNLICENSED DOGS – CITY CLERK

Municipal Services, Facilities and Infrastructure Committee report read recommending 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. A motion by Councilor Manwaring to carry out the intent of the report was duly seconded by Councilor Filiault. The motion passed with a unanimous vote in favor.

FOP REPORT – COUNCILOR FILIAULT – NH ROOMS AND MEALS TAX REVENUE SHARING

Finance, Organization and Personnel Committee report read recommending that staff be directed to draft a Resolution addressing the rooms and meals tax. 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 – COUNCILORS GREENWALD, MANWARING AND RICHARDS – TAX DEEDING - KINGSBURY

Finance, Organization and Personnel Committee report read recommending to the City Council that the City Manager be authorized to negotiate the terms of an easement and other land acquisitions on this property. The report was tabled until later in the meeting.

FOP REPORT – COUNCILOR CLARK – RECOMMENDING THE CITY COUNCIL ADOPT LOCAL ELECTION REPORTING REQUIREMENTS

Finance, Organization and Personnel Committee report read recommending staff be instructed to further review other financing ordinances for potential components and to report back to the committee. 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 – RECORDS STORAGE AND MANAGEMENT SERVICES – RATE INCREASES FOR CONTRACTED CLIENTS

Finance, Organization and Personnel Committee report read recommending that the proposed rate increase for records storage services as outlined on the schedule, that accompanied the memorandum, be approved with an effective date of July 1, 2019. 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 – ENERGY PLANNING CONSULTANT – COMMUNITY DEVELOPMENT DEPARTMENT

Finance, Organization and Personnel Committee report read recommending the City Council approve the use of \$26,335 of unspent personnel funds from cost center 01910 for a non-personnel use. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded by Councilor Jacobs. The motion passed with 10 votes in favor. Councilor Powers voted in opposition.

FOP REPORT – SALE OF PARKING EASEMENTS – ECONOMIC DEVELOPMENT AND SPECIAL PROJECTS

Finance, Organization and Personnel Committee report read recommending the City Manager be authorized to do all things necessary to negotiate and execute the sale of fourteen (14) parking “easements” at the Monadnock Food Co-op. 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 – USE OF PERSONNEL FUNDS FOR A PROFESSIONAL SERVICES AGREEMENT RENEWABLE ENERGY RFP KEENE WWTF – PUBLIC WORKS DEPARTMENT

Finance, Organization and Personnel Committee report read recommending the City Council authorize the use of unspent personnel funds from the Public Works Department FY18/19 Operating Budget for a Professional Services Contract with Correlate Inc. to develop and execute a renewable energy Request for Proposals for the City's Waste Water Treatment Plant. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded by Councilor Jacobs. The motion passed with 10 votes in favor. Councilor Powers voted in opposition.

FOP REPORT – DOWNTOWN CROSSWALK REPAIRS – CONSTRUCTION CHANGE ORDER – PUBLIC WORKS DEPARTMENT

Finance, Organization and Personnel Committee report read recommending that the City Manager be authorized to do all things necessary to negotiate and execute a Construction Change Order with BDM Sweeper Services, Inc. for an amount up to \$30,000 in the Downtown Crosswalk Replacement Project (90309- 18). A motion by Councilor Greenwald to carry out the intent of the report was duly seconded by Councilor Jacobs. The motion passed with 10 votes in favor. Councilor Filiault voted in opposition.

FOP REPORT – WAIVER TO PURCHASING REQUIREMENTS – WWTP ULTRA VIOLET DISINFECTION EQUIPMENT – PUBLIC WORKS DEPARTMENT

Finance, Organization and Personnel Committee report read recommending the City Council waive the purchasing requirements and identify Xylem Water Solutions USA, Inc. as the sole provider for lamps, wipers and other replacement parts and consumables for the City's UV disinfection system at the Wastewater Treatment Plant. 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 announced the July 4th Council Meeting will be canceled, therefore the next Council Meeting will not be until July 18, 2019. She reminded the Council that she will be at the Harvard John F. Kennedy's School of Government on a fellowship, from July 8, 2019 to July 26, 2019; therefore, Beth Fox will be Acting City Manager and attending the July 18, 2019 City Council meeting. She thanked the Council for her support and allowing her to attend on this fellowship.

The City Manager continued with the Walldogs being in Keene. This is very exciting for the City of Keene. She provided the Council and the public with key timelines for the Walldogs. Paintings will continue to 9:00 PM, so grab a chair a sit and watch the painters while they work. There will be music on Railroad Square from 6:00 PM to 10:00 PM. On Saturday, June 20, 2019, it is the last full day of painting. There will be a block party on Court Street from noon to 11:00 PM with music and activities and food trucks. She encouraged everyone to attend.

MEMORANDUM – CITY ENGINEER – WINCHESTER STREET & RALSTON STREET FLOOD MANAGEMENT PROJECT – ADDITIONAL APPROPRIATION

A memorandum was received from the City Engineer recommending the City Council to authorize the reallocation of \$2,000 from the Three Mile Dam Repairs Project (90288) and \$76,000 from the Stormwater Spot Repair Program (90022) to the Flood Management Program (90298) for use on the Winchester Street and Ralston Street Flood Management Project. A motion by Councilor Greenwald to suspend the rules was duly seconded by Councilor Chadbourne. On roll call vote, 11 Councilors present and voting in favor. Councilors Sutherland and Hooper were absent. Ward Four and At Large Council seat vacant. A motion by Councilor Greenwald to carry out the intent of the recommendation was duly seconded by Councilor Jacobs. A motion to amend the recommendation to read that the City Council authorize the reallocation of \$78,000 from the Stormwater Spot Repair Program (90022) to the Flood Management Program (90298) for use on the Winchester Street and Ralston Street Flood Management Project. A motion by Councilor Greenwald to carry out the amended recommendation was duly seconded by Councilor Jacobs. The motion passed with a unanimous vote in favor. Ward 4 and At Large council seat vacant.

MEMORANDUM – PLANNING BOARD – CHESHIRE RAIL TRAIL PHASE III PROJECT – THE DISCONTINUANCE OF A PORTION OF THE AMMI BROWN ROAD AND THE LAYOUT OF A NEW CLASS A TRAIL TO BE KNOWN AS THE AMMI BROWN TRAIL

A memorandum from the Planning Board was received with the recommendation to adopt the following Resolutions: R-2019-08; R-2019-09; R-2019-10; and R-2019-11; all relating to the discontinuance of Ammi Brown Rad and the layout of the Ammi Brown Trail. The memorandum was filed into the record as informational.

MORE TIME

More time was granted by the Chair for the following item in Committee: Keene Public Library Trustees – Prohibiting Smoking on the Keene Public Library Campus; Charles McIntyre – NH Lottery Commission – Keno on 2019 Municipal Ballot; Relating to Rules of Operation Ordinance O-2019-10; and Relating to the College City Commission Ordinance O-2019-11.

MSFI REPORT 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

The Chair tabled the Municipal Services, Facilities and Infrastructure Committee report 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 until the preliminary approval process from the State was complete.

NON-PUBLIC SESSION

At 8:20 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) and a litigation matter under RSA 91-A:3 II (e) was duly seconded by Councilor Filiault. On a roll call vote, 11 Councilors were present and voted in favor. Councilors Sutherland and Hooper were absent. Ward 4 and At Large Council seat vacant. Discussion was limited to the subject matters. The session concluded at 8:45 PM. A motion by Councilor Greenwald to keep the minutes in non-public session was duly seconded. On a roll call vote, 11 Councilors were present and voting in favor. Councilors Sutherland and Hooper were absent. Ward 4 and At Large council seat vacant.

REMOVED FROM THE TABLE – FOP REPORT – COUNCILORS GREENWALD, MANWARING AND RICHARDS – TAX DEEDING – KINGSBURY

The Mayor removed from the table the Finance, Organization and Personnel Committee report. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded by

06/20/2019

Councilor Jacobs. On a show of hands vote, 11 Councilors were present and voting in favor. Councilors Manwaring and Jones were opposed. Councilors Sutherland and Hooper were absent. Ward 4 and At Large Council seat vacant.

ADJOURNMENT

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

A true record, attest:

 Patricia
City Clerk

NOTICE OF PUBLIC HEARINGS
Community Development Block Grant Program
Thursday, July 18, 2019 - 7:00 PM & 7:05 PM
City Hall, Second Floor
3 Washington Street, Keene, NH

Two public hearings regarding a proposed application to the NH Community Development Finance Authority for Community Development Block Grant (CDBG) funds will be held at Keene City Hall on the date noted above.

Application Hearings

CDBG funds awarded on a competitive basis in New Hampshire and may be used for housing, public facilities, and economic development projects which have primary benefit for low- and moderate-income persons. The maximum grant amount is \$500,000. However, a community may apply for \$500,000 in the Housing and Public Facilities category, and another \$500,000 in the Economic Development category. Communities may also apply for up to \$12,000 for feasibility studies and \$500,000 for CDBG Emergency Grants.

A public hearing has been scheduled to provide residents with specific information regarding grant requirements, to obtain their opinions about community development and housing needs, and to provide information about the proposal to be considered by the City Council.

Proposed Application: A grant for up to \$500,000 to allow Southwestern Community Services to make renovations and system upgrades to two of its Keene homeless shelter facilities.

In conjunction with the application, a public hearing will also be held on:

- The City's Residential Anti-Displacement and Relocation Assistance Plan

Interested persons are invited to attend and comment on the proposed application and plans. Please contact Elizabeth Dragon, Keene City Manager five days in advance if you need assistance to attend or participate in the hearing. Anyone wishing to submit written comments should address them in writing 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 hearing. This public hearing is authorized by City of Keene Mayor Kendall Lane.



City of Keene, N.H.
Transmittal Form

June 18, 2019

TO: Mayor and Keene City Council

FROM: Mayor Kendall W. Lane

ITEM: B.1.

SUBJECT: Confirmations

COUNCIL ACTION:

In City Council July 18, 2019.

Voted unanimously to confirm the nominations.

In City Council June 20, 2019.

Tabled until the next regular meeting.

RECOMMENDATION:

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

Human Rights Committee

Sofia Cunha-Vasconcelos, slot 9
21 Summer Street

Term to expire Dec. 31, 2022

Ashuelot River Park Advisory Board

Suzanne Krautmann, slot 4
258 Court Street

Term to expire Dec. 31, 2022

ATTACHMENTS:

Description

Cunha-Vasconcelos_Background

Krautmann_Background

June 2, 2019

To Whom it May Concern:

My name is Sofia Cunha-Vasconcelos. I grew up in the Greater Boston Area, and graduated with a physics degree from Smith College in 2003. I pursued a career in aerospace and defense, working mainly in managing engineering of opto-mechanical systems and subsystems. I came to Keene 10 years ago to take a job with Corning on Island Street. I found a home here in Keene, and officially became a homeowner nine years ago. Some 6 years ago I became involved with Big Brothers Big Sisters of New Hampshire, joining the state board approximately 4 years ago. Currently I am working with the organization to raise awareness of its work in the Monadnock Region. I recently joined the board of Maps here in Keene as well. A few years ago I realized that while the work I did with Corning made a comfortable career, my true interests lay in working toward a just society. I determined that attending law school would be the best way to acquire the tools to pursue that interest. I applied to UNH Franklin Pierce School of Law in 2018, at the age of 37. I was accepted and left Corning in August of 2018. I completed my first year of law school in May of this year. My intent is to put my legal education to work here in Keene and the Monadnock Region when I graduate. I am happy to answer any questions you may have for me.

Sincerely,

Sofia Cunha-Vasconcelos

Cell: 617-642-1083

Suzanne Salter Krautmann
258 Court Street * Keene, NH * 03431
(H) 603-352-6481 * © 603-313-3405

RETIRED since 2011 Early Childhood Educator
GRANDMOTHER - nine grandchildren
VOLUNTEER Monadnock Restorative Community - Community Mentor
RSVP
KSC Food Insecure --Community member

Member of.... Ladies Charitable Society
CALL program at KSC
ACBL Bridge
100+ Women Who Care

Hobbies Travel, Book groups, Art (watercolors & Birdbark Craft)

EDUCATION

Keene State College, Keene, NH
M.A., Curriculum and Instruction May 1997

Wheelock College , Boston, MA
B.S. Early Childhood Education 1970

TEACHING EXPERIENCE

Benjamin Franklin Elementary School, 217 Washington Street, Keene, NH
1985-2011

Second grade regular classroom 2000 – 2011, 1985 -1986

- Adapt, modify and teach New Hampshire stands-based, district-mandated second grade curriculum and implemented Everyday Math Program
- Implement Houghton Mifflin Reading program
- Collaborate with special education teachers to define appropriate intervention activities for CLC students
- Liaise with parents and other agencies, such as social workers, speech and language therapists, occupational therapists, behavior specialists and educational psychologists
- Implement positive behavior techniques to establish and maintain a positive student-centered learning environment

- Manage Instructional Assistant (Title One) to provide instructional support by reinforcing skills taught in the classroom in a one-on-one and small group setting
- RBT I & II training
- Student teacher Fall-2004 and Winter/ Spring 2009
- Method teacher Fall 2007, 2008 and Fall 2009
- Shine activities–after school enrichment programs
- Knitting (with Judith Perry and Karen DuFresne)
- Wetlands Water project (with Barbara Richter)
- Taught Cheshire 2020 flash mob dance to students for Pumpkinfest

Pre-first/Readiness 1986 -2000

- Adapt, modify and teach New Hampshire standards-based, district-mandated second grade curriculum and implemented Everyday Math Program
- Implement Houghton Mifflin Reading program
- Collaborate with special education teachers to define appropriate intervention activities for CLC and Resource room students following I.E.P.'s
- Used various student assessments every six weeks
- Liaise with parents and other agencies, such as social workers, speech and language therapists, occupational therapists, behavior specialists and educational psychologists
- Implement positive behavior techniques to establish and maintain a positive student-centered learning environment
- Manage Instructional Assistant (Title One) to provide instructional support by reinforcing skills taught in the classroom in a one-on-one and small group setting
- Student Teacher supervisor with Diane DeSantis 1993 -1997
- Many student teachers and method students in my classroom

BAD KISSINGEN GERMANY

- Kindergarten teacher for Department of Defense 1972 -1976
- Created the Kind. Curriculum including Music, Art, PE and Special Ed.
- Received Outstanding Teacher Award

MIDDLE TOWN, CONNECTICUT

- Kindergarten teacher for a VISTA funded program - 1970-1972
- Developed a muscle development program to be implemented by paras and parents

PROFESSIONAL AFFILIATIONS AND ACTIVITIES

- Southwest Reading Council
- NYCHEA
- Martin Luther King /Jonathan Daniels city committee
- Responsive Classroom
- Wellness Committee... helped SAU 29 sponsor a Keene VolksMarch
- Everyday Math Committee



City of Keene, N.H.
Transmittal Form

July 15, 2019

TO: Mayor and Keene City Council

FROM: Mayor Kendall W. Lane

ITEM: B.2.

SUBJECT: Nominations

COUNCIL ACTION:

In City Council July 18, 2019.

Tabled until the next regular meeting.

RECOMMENDATION:

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

College City Commission

Danya Landis, slot 1
433 Elm Street

Term to expire Dec. 31, 2022

Energy and Climate Committee

Anna Scherioth, slot 9
74 Bowkerville Road
Fitzwilliam, NH

Term to expire Dec. 31, 2020

Rodney A. Bouchard, slot 10
27 Abanaki Lane
Walpole, NH

Term to expire Dec. 31, 2021

ATTACHMENTS:

Description

Background_Landis

Background_Scherioth

Background_Bouchard



DANYA LANDIS

433 ELM STREET, KEENE NH
+603.205.0135
DANYA@MACHINAARTS.ORG
WWW.MACHINAARTS.ORG

ABOUT

Danya Landis graduated from The Maine College of Art in 2011 with a Bachelors in Fine Arts in Sculpture. Danya specialized in metalworking, installation art, performance art, and jewelry. Although her studies focused on fine art, her passion, even then, was for craft, design, and curation. In 2013 Danya co-founded Machina Arts because she saw a need in our community for art based cultural activities and with their art-based business started offering art-based event management, experiential interior design, curated interactive galleries, and in 2019 co-founded Machina Kitchen & ArtBar merging art, food, community. Danya has been a welder for over a decade, and has been an artist since childhood, and her work has been exhibited across the country. In addition to Danya's work with Machina she teaches steel sculpture classes at The Carving Studio in Rutland VT, serves on the Governor's Millennial Advisory Council, and was a founding member of TEDxKeene and Keene First Friday ArtHop. Danya is an active voice for her community speaking out about her passion to create the opportunity for artists to showcase their work, creating space for public art, implementing arts policies, building culture, and supporting mission driven business. Danya is passionate, organized, and has a deep understanding of the need for art in our community and is excited to live, build, and create in Keene.

SELECTED EMPLOYMENT HISTORY

CO-FOUNDER, PARTNER, & ART DIRECTOR

Machina Arts: Kitchen & ArtBar | 2013 - Present

COMMUNITY PROJECT COORDINATOR

W.S Badger Company 2014 - 2017

SELECTED COMMUNITY WORK

GOVERNOR'S MILLENNIAL ADVISORY COUNCIL

Board Member
2017 - Present

MONADNOCK ARTS ALIVE!

Marketing Committee & Board Member
2016- 2018

TEDX KEENE

Co-Founder, Marketing Chair 2017 - 2018

Anna Schierioth

HKS Associates Inc. REALTOR Consultant

EXPERIENCE

Office Manager and President of HKS Associates Inc.

Trustee of the Meadowledge Trust from 2000 - 2004 rental management of 22 rental units.

Contoocook Valley Board of REALTOR Board President 1993 and 2002.

Contoocook Valley Board of REALTOR OF THE YEAR 2010

Cheshire County Housing Trust 2011. Foreclosure prevention workshop - Presenter (Short Sales).

CERTIFICATION / MEMEBERSHIP

CRB since 2003 Awards the **CRB** designation to managers who have completed advanced educational and professional requirements.

CBR since 1997 Buyer Representation as a Buyer's Agent

GRI since 1985 Certifications with a solid foundation of knowledge and skills to navigate the current real estate climate—no matter what its condition

Equator Premier agent

REO AGENT – designation for Freddie Mac

USRES PRO MEMBER

RES Net certification

REALTOR since 1983

AWARD

Contoocook Valley Board REALTOR of the Year 2010

Zillow Premier Agent

Rodney A. (Rod) Bouchard

Assistant County Administrator / County Project Manager

Office:(603) 283-3304 Cell:(603) 499-3312 Email: rbouchard@co.cheshire.nh.us

County of Cheshire, Keene, NH - Assistant County Administrator / County Project Manager - 2007 – Present. The County of Cheshire is a public entity with a budget of more than \$50 million and over 475 employees

Assistant County Administrator / County Project Manager - Present

- Oversees the Metro Keene Facilities department, County Farm, and Grants Department (Approximately \$10M under management) and manages County Real Estate portfolio that includes energy efficiency projects, restoration of Old Courthouse building, reconstruction of historic barn on Westmoreland campus into office and community meeting space, investigation of solar and micro grid implementation projects throughout county and shared oversight of geo-thermal installation at County Jail facility.
- Senior leadership team member / County Project Manager for reconstruction of Maplewood Nursing Home a \$36M project.
- Assists in County budget development and implementation of strategic plans including creation and implementation of County-wide Capital Maintenance Program, energy conservation projects, and county-wide planning.
- Review and improve facilities processes and procedures. Develop short and long-term facility operations and maintenance plans, including utility cost reduction programs, space planning, renovation projects and preventative maintenance plans, including active management of facilities to include mechanical, repair, renovation, custodial services to ensure these facilities are operating safely at peak efficiency.
- Participate as a key advisor on all important County real estate decisions and provide transactional and operational advice and counsel to senior staff members, Commissioners and Delegation members.
- Oversee and manage County real estate assets including easements, right-of-way's, boundary line agreements, subdivisions, parcel sales, timber management, and collaborative projects with vendors for campus improvement projects.
- Manages real estate negotiations, including new leases, extensions, renewals, options, terminations, and purchase and sale agreements engaging and managing Real Estate professionals and legal advisors when required.
- Initiates, directs, and manages Energy Conversion and building control systems to energy efficient digital controls.
- Manages and oversees the County Grant department for development / funding of projects and interfaces with the State Public Utilities Commission, the New Hampshire Land and Community Heritage Investment Program (LCHIP) and other federal, state, and local partners.

- Lead County Member of Clean Energy NH alliance that helps *foster Energy benchmarking with Portfolio Manager; Energy efficiency incentives and financing for new construction, building retrofits, LED streetlight conversions, etc. (NH Saves); Guidance on Group Net Metering, Power Purchase Agreements (PPAs), and other renewable energy procurement models for solar, biomass, hydro-electric power, and more.*

Current Projects Include:

- Investigating the start-up of an Electric Aggregation plan for County and public facilities.
- Working with Eversource on concept and planning for a Micro Grid Battery installation at the Westmoreland campus.
- Extending the Eversource Downtown Energy Stabilization project with the installation of a key transformer site on County property.

Previous Activities and Interests:

- Chairman of Municipal Economic Development Commission.
- State of CT Small Business Development Consultant - Consulted with Small Business Development clients on Finance, Equipment Leasing, and Receivables Financing.
- V.P. Operations - Landmark Land Services – Surveying, soil sciences, timber management, sub-division development, best use analysis, investment / project financing consulting.
- Managing Member – Landmark Capital Management - Wrote and registered with the State of Connecticut a 501-D Private Offering for \$1,000,000 targeted at private investors.



City of Keene, N.H.
Transmittal Form

June 19, 2019

TO: Mayor and Keene City Council

FROM: James Griffin

THROUGH: Patricia A. Little, City Clerk

ITEM: C.1.

SUBJECT: James Griffin - Request to Prohibit the Use of Engine Brakes

COUNCIL ACTION:

In City Council July 18, 2019.

Referred to the Municipal Services, Facilities and Infrastructure Committee.

ATTACHMENTS:


Description

Communication_Griffin

BACKGROUND:

James Griffin is suggesting an Ordinance that would prohibit the use of Engine Brakes on or within the bypass system.

In City Council July 18, 2019.
Referred to the Municipal Services,
Facilities and Infrastructure Committee.



Deputy City Clerk

RECEIVED
CITY OF KEENE

JUN 19 2019

OFFICE OF
CITY CLERK

195 Key Road, #18

Keene, NH 03431

June 17, 2019

Mayor Kendall Lane

Keene City Council

3 Washington Street

Keene, NH 03431

Dear Mayor and City Councilors,

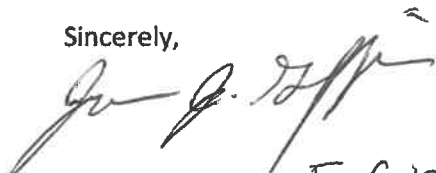
All year round, the residents of Keene within or near the bypass system, and downtown, are subjected to the constant loud racket created by semi-truck drivers using their engine brakes, which are often louder than a racing motorcycle, to slow their trucks, rather than their conventonal brakes. This becomes far worse in the spring and summer, when people have their windows open. You can literally follow a truck's progress around Keene by the popping and backfiring of its exhaust, with the engine brake on.

I am requesting a city ordinance be passed, prohibiting the use of engine brakes on or within the bypass system. Engine brakes are meant to slow the descent of a truck down steep hills, such as Chesterfield Hill, NOT to allow a driver to avoid using his or her conventional brakes. I have many years experience in the transportation industry, so I am not speaking from lack of knowledge. Many small towns all over the country have banned the use of engine brakes, including, recently, Winchester. There is absolutely no reason for a truck driver to use his or her engine brake just to slow down when approaching a red light.

Most of the truck drivers who use the bypass system do not use their engine brakse. However, the minority that do are mostly trash and wood chip haulers, who travel around Keene several times a day, creating an almost constant racket. Some of them also use their engine brakes in the middle of the night, when people are trying to sleep. This means such an ordinance would not affect most truck drivers, but would greatly approve the quality of life in the city of Keene.

I thank you for your attention to this matter, and look forward to seeing it on a Council agenda. If you have any questions, please call me at 338-0068 or 358-0869. Also, if necessary, I woul db e willing to record the sound of a truck using its engine brake on thr bypass.

Sincerely,



James J. Griffin



City of Keene, N.H.
Transmittal Form

July 9, 2019

TO: Mayor and Keene City Council

FROM: Alan Stroshine, Race Director

THROUGH: Patricia A. Little, City Clerk

ITEM: C.2.

SUBJECT: Keene Elm City Rotary - Request for Event License - Clarence DeMar Marathon

COUNCIL ACTION:

In City Council July 18, 2019.

Referred to the Planning, Licenses and Development Committee.

ATTACHMENTS:

Description

Communication_Stroshine

BACKGROUND:

Annual request from the Keene Elm City Rotary Club to sponsor the 2019 Clarence DeMar Marathon on September 29, 2019. The Marathon is a Community Sponsored Event.



July 9, 2019

Mayor Kendall Lane
Keene City Council
3 Washington St
Keene, NH 03431

Re: 42nd Annual Clarence DeMar Marathon and 6th Annual DeMar Half Marathon
Request for City Event permit

Dear Mr. Mayor and City Councilors,

The Keene Elm City Rotary Club respectfully requests an event permit for our official City of Keene Community Event; the annual Clarence DeMar Marathon and DeMar Half Marathon to be held on Sunday, September 29th 2019. A part of our event includes the Kids DeMar Marathon and Super Senior DeMar Marathon programs.

I invite all members of city government and staff to join us on the quad at Keene State College to experience the energy and personal accomplishment of so many people on race day.

I am available for any questions you might have.

Yours in service,

A handwritten signature in black ink, appearing to read "Alan Stroshine".

Alan Stroshine, Race Director
Member, Keene Elm City Rotary Club

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

A handwritten signature in black ink, appearing to read "William L. Dow".

Deputy City Clerk

Keene Elm City Rotary
PO Box 1786
Keene, NH 03431

Clarence DeMar Marathon Corp is a 501c3 organization – Tax ID: 02-0454040



City of Keene, N.H.
Transmittal Form

July 15, 2019

TO: Mayor and Keene City Council

FROM: Laura Deyo

THROUGH: Patricia A. Little, City Clerk

ITEM: C.3.

SUBJECT: Petition from Barcomb and Sullivan Streets - 10 Signatures - Request for No Parking on Barcomb Street

COUNCIL ACTION:

In City Council July 18, 2019.

Referred to staff to be handled administratively.

ATTACHMENTS:

Description

Communication_Deyo

BACKGROUND:

Several residents of Barcomb and Sullivan Streets are requesting that Barcomb Street be designated with "No Parking." Barcomb Street is a narrow dead-end street.

In City Council July 18, 2019.
Referred to staff to be
handled administratively.

Laura Deyo

RECEIVED
CITY OF KEENE

William L. Dwyer

12 Barcomb Street

JUL 15 2019

D E P U T Y C I T Y C L E R K
Keene, NH 03431
(603)-313-6123

OFFICE OF
CITY CLERK

July 3, 2019

City Council

3 Washington Street

Keene, NH 03431

To Whom it may concern:

I am writing to ask to have Barcomb Street in Keene changed to a NO PARKING ON THE STREET

Zone. Barcomb street is a narrow Dead -End street. There is an ongoing problem with the residents at the corner of Barcomb and Sullivan streets.

The residents at the home park cars on and in the street making passage difficult at times. We have had oil deliveries that almost were not received because the oil truck could not back up the street because they had a car in the road and the driver did not want to end up in the ditch with a loaded oil truck.

Our tenants at 8 Barcomb had to drag their trash down to Sullivan street because their trash pick-up service could not get up the street as there was a car blocking the street.

Public Works has bypassed plowing or salting the street because they had cars parked in the street.

I contacted Corrine Marcou in mid August last year in hopes that the un-registered junk cars and the pile of mattresses and trash that were in the yard could be removed before the snow plowing season started. Frank Richter worked on getting one car and the trash removed but said I needed to be patient with them removing the other car as it was left by a former roommate. It is almost a year later and the car is still there and there is a bigger pile of trash. If the junk car and the trash were to be removed they could park two more cars in the yard and not block the street. If we ever need fire or medical emergency services on Barcomb street it will be a problem if these guys are using it as their personal parking lot.

Last week I was coming home from work and almost ran head-on into one of them leaving the street as they had an SUV parked on Sullivan street and the lawn and another car parked on Barcomb street and they blocked the visibility.

We are all sick and tired of driving in the ditch to get up the street.
At times last year they had cars and trucks parked on both sides of the street and on the lawn at Michael and Ellen Croke's lawn on the Barcomb Street side of their property killing the grass.

We have tried to talk to these people about their inconsiderate behavior but it does no good. They continue to park on the street.

Please consider helping us with this problem. We have all called the Keene Police Department many times and they are the ones who first suggested we appeal to you for help.

Thank you,

Residents of Barcomb and Sullivan Streets

Seena Eudeyo	12 Barcomb St
Robert + Kathleen Day	12 Barcomb St
Michael W. Croke	31 Sullivan St
Ellen Croke	31 Sullivan St
Tina Bradley	32 Sullivan St.
Dennis Bradley	32 SULLIVAN ST.
John Cunningham	8 BARcomb St
Katie Cunningham	8 Barcomb St
Warren M. M. M.	8 Bar Comb St.
Richard Brown	43 Sullivan



City of Keene, N.H.
Transmittal Form

July 16, 2019

TO: Mayor and Keene City Council

FROM: Pablo Fleischmann

THROUGH: Patricia A. Little, City Clerk

ITEM: C.4.

SUBJECT: Pablo Fleischmann - Request for Event License - Keene Music Festival

COUNCIL ACTION:

In City Council July 18, 2019.

Referred to the Planning, Licenses and Development Committee.

ATTACHMENTS:

Description

Communication_Fleischmann

BACKGROUND:

Annual request for a street fair license to conduct the 2019 Keene Music Festival on August 31, 2019.



*Keene Music Festival
37 Roxbury Street
Keene, NH 03431
(603) 499-6656*

July 15, 2019

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

Re: 2019 Annual Keene Music Festival

The Keene Music Festival wishes to sponsor this year's Annual Keene Music Festival on Saturday, August 31st, 2019. The scheduled hours for performances and other activities are 10:00 AM until 10:30 PM; with performances ending by 10:00 PM.

As with previous events, we are seeking permission to use the common area and bandstand in Central Square, Railroad Square and those sections of the following sidewalks that are located within the Downtown area: Main Street, Lamson Street and Gilbo Avenue. Musicians, merchants and city permitted restaurants will use the sidewalks. In no instance will a sidewalk be blocked in a manner that restricts pedestrian traffic. In addition to these locations, City Tire Company (124 Main Street), Lindy's Diner (Gilbo Ave.), The Toadstool Book Shop (Emerald Street), The Monadnock Food Coop (Cypress Street) as well as other possible downtown businesses, will also be designated as performance venues. We would like to request and reserve the use of parking metered space #'s: 164, 166, 168, 170, 172, and 174 on Main Street in front of the City Tire Company. The Main Street metered spaces are being requested to serve as a staging area to allow the sound crew to prepare equipment to be set up in the City Tire Company parking lot; and could be opened for use later in the day.

While we do not request that Railroad Street, from Main Street to the parking garage be officially closed, we are asking that the Public Works Department please provide us with adequate barriers for that eventuality. If the Keene Police Department determines that there is a safety issue, we will close the street as needed. We are also requesting to place a stage at Lamson Street; in the area between Main Street and the sidewalk. We would request access to portable safety barriers to place at the entrance to Lamson Street to serve as a buffer between Main Street and the performers. The performance area would be designed to fit within the area between Main Street and the sidewalk adjacent to Lamson Street.

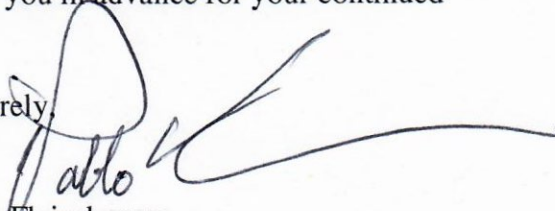
As with prior years, and in a manner consistent with community event protocol, we ask that the City please give due consideration to absorbing any additional cost of Police Officers, Public Works and Fire Department Personnel for the day. We are requesting that Police and Fire Department Personnel be detailed to the event between the hours of 11 :00 AM and 10:30 PM.

As required, we will provide a \$1 Million certificate of insurance to the City, and work closely with City staff to ensure that this is a safe and enjoyable event.

Our previous Music Festivals have always been a great success. There have been no public issues; the performances have been amazing, and the crowds' orderly. As in previous years, Keene Music Festival does not consider or accept outside vendor applications. We prefer to encourage our guests to explore local businesses and shops as they enjoy the musical well as the array of the current licensed Food Trucks, who will be invited to participate in the Downtown area.

Events such as this add to the vibrancy of our Downtown, and the City in general, helping Keene be the exceptional place that it is. We thank you in advance for your continued consideration and support.

Sincerely,

A handwritten signature in black ink, appearing to read 'Pablo', with a long, sweeping horizontal line extending to the right.

Pablo Fleischmann
Keene Music Festival Director

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

A handwritten signature in black ink, appearing to read 'William L. Dow'.

Deputy City Clerk



City of Keene, N.H.
Transmittal Form

July 16, 2019

TO: Mayor and Keene City Council

FROM: Bradford Todd

THROUGH: Patricia A. Little, City Clerk

ITEM: C.5.

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,

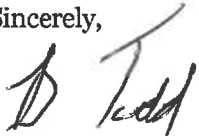
I am writing today in hopes that the Keene City Council and the Finance, Organization & Personnel Committee, Chaired by Mitchell H. Greenwald would review RSA 73:35 I-a, (72:27-a) where the State of New Hampshire has raised the optional property tax credit ceiling for veterans with service-connected 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 10, 2019

TO: Mayor and Keene City Council

FROM: Municipal Services, Facilities and Infrastructure Committee

ITEM: D.1.

SUBJECT: Katie Schwerin – Public Art Proposal – Peace Pole

COUNCIL ACTION:

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

RECOMMENDATION:

On a vote of 4-0, the Municipal Services, Facilities & Infrastructure Committee recommends the proposed public art display by the Monadnock Mindfulness Center, be accepted by the City and placed at the Keene City Airport, and that the City Manager be authorized to do all things necessary to implement the project

BACKGROUND:

Vice Chair Filiault recognized Katie Schwerin (of Gilsum) and Aylene Wozmak (of Walpole). The peace pole has been stored at Keene Monument on Winchester Street in Keene since 2010. Ms. Wozmak recalled speaking before this Committee in 2007 to request placing the pole in Central Square, though the location was denied so as to not set a precedent of approving new things in Central Square. Other locations considered include: the Monadnock Co-op, the Recreation Center, and the Railroad Square area. The pole was not accepted at any of these properties. Ms. Wozmak explained that she was the Chairperson of the Monadnock Mindfulness Practice Center on Roxbury Street. From 2008-2011, Mayor Lane made a proclamation of peace from the City. For this reason, the City seems the ideal recipient of this gift of art. The pole (9'x7'x7') is paid for entirely and only needs a final placement, which is ideal adjacent to the Mount Monadnock labyrinth at the airport, where there is space for contemplation without distracting traffic. Keene Monument is happy to install the pole at any location for free; they added that the airport location would be easy access for them to install. Ms. Wozmak shared what the four sides of the pole read, which she does not think offends anyone: *May all beings be happy, may all beings be healthy, may all beings be free of harm, and may all beings be at peace.* Ms. Schwerin added that the pole would be placed adjacent to the labyrinth, 100' from the road and 30' toward the ridge. Vice Chair Filiault said he could not imagine many objections to this installation.

Councilor Hooper said the labyrinth is a wonderful addition to the City and the peace pole will accompany it well. It will be a great addition to an area that people have been enjoying already. There are no negative distractions he can identify and he said art is welcome in Keene, like this peace pole, the labyrinth, and new murals.

Councilor Sutherland mentioned one drawback he considered: the land near the labyrinth is very sandy and might not accommodate the pole well. Ms. Schwerin agreed and said a foundation might be required, which Keene Monument will handle. Councilor Sutherland added that people visiting the labyrinth/pole should expect planes flying over actively during their contemplation.

The Assistant City Manager said the applicants submitted a very complete proposal, which staff appreciated. She recalled that Council adopted a policy on the acceptance and placement of public art. Part of the acceptance process is a presentation before this Committee, who will refer the matter to staff to ensure all documents are complete to finalize this gift to the City. As a gift, the City reserves the right to do what it wants with the art in the future.

Vice Chair Filiault recognized Councilor Terry Clark, who questioned who from the City thought previously that Central Square is an inappropriate place for the peace pole. He said Central Square already depicts warlike items and this peace pole could provide reflection on getting through war. Staff will research who made those decisions and report back to Council; the City Attorney added that staff will review how other monuments were approved at Central Square. Vice Chair Filiault said he thinks the airport location is appropriate and Councilor Sutherland said he thinks the installment at Central Square is more about defense than war. Ms. Wozmak said the pole was previously denied at Central Square more so to discourage many other groups from wanting similar installations.

Vice Chair Filiault recognized Councilor Carl Jacobs, who said the fountain at Central Square was approved in his lifetime as an “artistic installation” and he views it as such. He thinks there is some precedence for things in Central Square and questioned how much time staff should spend researching this. He thinks staff can handle this moving forward. Vice Chair Filiault agreed that if staff encounter any challenges, they will notify Council; he added that Councilor Clark’s comment does not relate to the matter before the Committee.

Vice Chair Filiault recognized Jeff Scott (of Chesterfield), who said representation today on Central Square is cannons and military images. He wants something in the square that represents peace to counter the war images. He said it is a balance that should not prompt other groups requesting items in the Square.

Councilor Sutherland made the following motion, which Councilor Lamoureux seconded.

On a vote of 4-0, the Municipal Services, Facilities & Infrastructure Committee recommends the proposed public art display by the Monadnock Mindfulness Center, be accepted by the City and placed at the Keene City Airport, and that the City Manager be authorized to do all things necessary to implement the project.



City of Keene, N.H.
Transmittal Form

July 10, 2019

TO: Mayor and Keene City Council

FROM: Municipal Services, Facilities and Infrastructure Committee

ITEM: D.2.

SUBJECT: Water Monitoring at Closed Landfill – Public Works Department

COUNCIL ACTION:

In City Council July 18, 2019.
Report filed as informational.

RECOMMENDATION:

On a vote of 4-0, the Municipal Services, Facilities & Infrastructure Committee accepted the presentation as informational.

BACKGROUND:

Vice Chair Filiault welcomed Duncan Watson, Assistant Public Works Director/Solid Waste Manager. Mr. Watson explained this an informational memo before Council, which requires no Council action. In 1999, the municipal landfill on Route-12 was capped and as a condition of the Solid Waste Permit, must be monitored for 30 years post closure. Monitoring to date has shown naturally occurring discoloration from natural compounds like iron and manganese. This capped landfill is also in the groundwater management zone that is technically east of the landfill where waters that ultimately flow into Black Brook are tested annually. Headlines from Merrimack, NH in recent years prompted the state to take action on PFAS substances, which occur naturally in most industrial cleaning products as well as everyday household things like the coating on Teflon pans. These substances were detected in private water wells in Merrimack. Now, the NH Department of Environmental Services (DES) has created a state-wide testing protocol for PFAS levels greater than 8-12 parts per trillion, which would exceed ambient surface water standards; still, adverse human impacts are unknown. The state wants to determine the degree of PFAS spread from landfills. The City is required to test before August and will continue testing annually; the City is required by state law to inform any homeowners impacted. However, there is no known remedy if PFAS excess is found. Staff have no concern right now and are doing all things necessary to comply with DES and will keep Council and residents informed.

Councilor Lamoureux recalled there is no PFAS mitigation process yet and he questioned the City's liability if PFASs are found and what action the City would be responsible for. Mr. Watson said it is indeterminate because remediation actions are unknown at this time but he imagines the City would have some responsibility for containment or control. Currently, DES has proposed drinking water standards that are under review for PFAS and its derivatives. The Public Works Director said the City has no financial obligation to this effort at this point and will hear more about this from staff over the next year. The current focus is at the legislature creating standards and ways to address excess PFAS. He said this is a nationwide concern because the chemical is so pervasive in products.

Councilor Hooper made the following motion, which Councilor Lamoureux seconded.

On a vote of 4-0, the Municipal Services, Facilities & Infrastructure Committee accepted the presentation as informational.



City of Keene, N.H.
Transmittal Form

July 11, 2019

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

SUBJECT: Charles McIntyre - NH Lottery Commission - Keno on 2019 Municipal

COUNCIL ACTION:

In City Council July 18, 2019.
Voted with three opposed to carry out the intent of the report.

RECOMMENDATION:

On 4-1 vote, the Finance, Organization and Personnel Committee recommends that the ballot question to allow the operation of Keno games in Keene be placed on the Municipal Ballot on November 5th and that a Public Hearing be scheduled for October 17.

BACKGROUND:

Mr. Charles McIntyre addressed the Committee next. He indicated he was before the Committee two years ago requesting this item be placed on the ballot and noted the ballot question did not pass the first time. Mr. McIntyre went on to explain this is an adult bingo type product played on a monitor located in a tavern or bar. The price of a game could average between \$2 to \$8 and the average per customer is about \$10 per time. He added the significant sale is around 2 pm not 10 pm so this is mostly a game played while people are having their evening meal. Mr. McIntyre noted Keno has been a good revenue source for many communities. He added this past year the lottery transferred 100 million dollars towards its educational obligation.

Chair Greenwald asked what surrounding towns participate in Keno. Mr. McIntyre stated 84 local towns have Keno and named Hinsdale and Jaffrey as two of those towns and added a number of local retailers have requested keno. The Chairman clarified keno has to be located in the bar area in a restaurant. Mr. McIntyre agreed and added in a study conducted by University of New Hampshire, a majority of the bars that sold keno have seen an increase in their other business (close to 30%).

Mayor Lane asked whether anything has changed which is likely to get voter support this time around. Mr. McIntyre stated there was fear of unseemly behavior if keno was brought into a community but stated they have seen none of that. That type of behavior has been virtually non-existent. He added there were also some bars that had the "wait and see" approach who have now come forward and want to participate in it.

Councilor Powers clarified the economic impacts and asked whether Keene will receive \$1,100 from the Lottery Commission for each student attending kindergarten regardless of whether there is keno in the community or not. Mr. McIntyre agreed and added each bar and tavern would see \$14,000 in profit from keno sales and added a significant advantage to bars and taverns is that they sell other items as well (power ball, mega millions etc.) so

there will be added sales. Furthermore, the added time a patron plays keno in a bar or tavern brings in more revenue to that establishment.

Councilor Chadbourne felt the public should be allowed to decide.

Councilor Chadbourne made the following motion, which was seconded by Councilor Jacobs.

On 4-1 vote, the Finance, Organization and Personnel Committee recommends that the ballot question to allow the operation of Keno games in Keene be placed on the Municipal Ballot on November 5th and that a Public Hearing be scheduled for October 17.

Councilor Clark voted in opposition.



City of Keene, N.H.
Transmittal Form

July 11, 2019

TO: Mayor and Keene City Council
FROM: Finance, Organization and Personnel Committee
ITEM: D.4.

SUBJECT: Acceptance of Grant Funds – NH Division of Historical Resources Certified Local Government Grant for Historic Barn Inventory - Community Development Department

COUNCIL ACTION:

In City Council July 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 Council authorize the City Manager to do all things necessary to accept and execute a \$15,000 grant award from the NH Division of Historical Resources Certified Local Government Grant Program for the Heritage Commission's Inventory of Historic Barn and Agricultural Structures.

BACKGROUND:

Senior Planner Tara Kessler stated she is before the Committee regarding a grant from the NH Division of Historical Resources for use by the Heritage Commission to conduct a historic resources inventory of barns and carriage houses between the area of Washington Street and Court Street. She noted this work coincides with the Heritage Commission's work with raising awareness of Keene's agricultural heritage.

Ms. Kessler went on to say the \$15,000 grant is for the purpose of hiring a professional consultant who will work with volunteers from the Heritage Commission. This grant has a zero match requirement. The work will start as soon as the grant is obtained and will go through September 2020.

Councilor Jacobs asked why this neighborhood was chosen. Ms. Kessler stated currently this area is part of a barn tour educational workshop series. She added this neighborhood was chosen because it has a number of distinctive carriage houses and barns. Originally, they wanted it to be city-wide, but the State suggested that city-wide might be too broad. If the current chosen area is successful, they will move on to other areas in the city.

Councilor Chadbourne asked whether other grant opportunities would be available for future work. Ms. Kessler stated this grant opportunity has been available for a while and felt the City could apply for it again in the future.

Chair Greenwald asked whether this inventory would have any impact on the owner's ability to remove the barn or modify the barn. Ms. Kessler answered in the negative and stated the intent is to gather information about the historic resources in the area and to create a database to share with the property owners and share ideas of how to preserve these barns. It does not restrict private rights.

Councilor Clark felt this was a great opportunity to identify these resources and provide owners with alternatives instead of having to tear them down.

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 Council authorize the City Manager to do all things necessary to accept and execute a \$15,000 grant award from the NH Division of Historical Resources Certified Local Government Grant Program for the Heritage Commission's Inventory of Historic Barn and Agricultural Structures.



City of Keene, N.H.
Transmittal Form

July 11, 2019

TO: Mayor and Keene City Council

FROM: Finance, Organization and Personnel Committee

ITEM: D.5.

SUBJECT: Municipal Services Agreement with Keene State College - City Manager

COUNCIL ACTION:

In City Council July 18, 2019.

Voted unanimously to declare a conflict of interest on the part of Councilor Hansel due to his relationship with the University System. Voted with one recusal to carry out the intent of the report.

RECOMMENDATION:

On 5-0 vote, the Finance, Organization and Personnel Committee recommends the first amendment to Municipal Services Agreement between the City of Keene and Keene State College be forwarded to the City Council with a recommendation to extend the term of the agreement for one additional year.

BACKGROUND:

Acting City Manager Beth Fox stated the City has had a five-year agreement with Keene State College related to municipal services. For a variety of reasons, the re-negotiation process has been delayed and the Manager and the President of the College have agreed to a one-year extension to take the agreement through this fiscal year. She noted the last agreement had a component for fire, police and judicial investigative services and the City has been able to move the bar significantly.

Councilor Clark asked if the agreement has to run with the fiscal year. Ms. Fox stated the budget was written with the idea that the agreement will run as it is currently written and the new agreement will go into effect as of FY21.

Chair Greenwald stated he is glad to see Keene State College recognize the cost of services.

Councilor Jacobs made the following motion, which was seconded by Councilor Chadbourne.

On 5-0 vote, the Finance, Organization and Personnel Committee recommends the first amendment to Municipal Services Agreement between the City of Keene and Keene State College be forwarded to the City Council with a recommendation to extend the term of the agreement for one additional year.



City of Keene, N.H.
Transmittal Form

July 11, 2019

TO: Mayor and Keene City Council
FROM: Finance, Organization and Personnel Committee
ITEM: D.6.
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.



City of Keene, N.H.
Transmittal Form

July 5, 2019

TO: Mayor and Keene City Council

FROM: Patricia A. Little, City Clerk

ITEM: F.1.

SUBJECT: Declarations of Candidacy and Process to Fill City Council Vacancies - City Clerk

COUNCIL ACTION:

In City Council July 18, 2019.
Tabled until the August 1, 2019 regular meeting.

RECOMMENDATION:

Move to accept as informational.

ATTACHMENTS:

Description

Ward Four_Parsells
Ward Four_O'Connor
Ward Four_Remy
Ward Four_Lanier
At Large_Bosley
At Large_Rice
At Large_O'Rorke
At Large_Therriault
At Large_Workman
At Large_Hutchinson

BACKGROUND:

The filing period for the Ward Four Council seat and the At-Large Council seat ended on Monday, July 15.
The candidates who filed declarations of candidacy include:

Ward Four

Frederick B. Parsells
Robert J. O'Connor
Michael Remy
David Lanier

At-Large

Kate Bosley
Margaret Rice

Teresa O'Rorke
John Therriault
Catherine Workman
Bradford Hutchinson

At the August 1st City Council meeting, each candidate will be given five minutes to address the Council relative to their vacancy. The Ward Four vacancy will be filled first. As provided for in Section 37 of the Rules of Order, City Councilors will not be permitted to ask questions of the candidates.

For each open position, there will be a primary vote of the City Council to narrow the field of candidates to two. Voting shall be by roll call vote, each City Councilor stating the name of his or her choice. In the event that a City Councilor does not wish to vote for one of the candidates, the Councilor shall vote "no."

The two candidates receiving the highest number of votes following this primary vote will be declared the finalists for election. A final vote will be taken and the candidate receiving the votes of a majority of the *elected* City Council will be declared the winner. In the event that no candidate for the vacancy receives a majority vote of the elected City Council then the Mayor shall establish an additional fourteen day period for candidates to file.

The candidate will be sworn in and will immediately take their seat.

The City Council will then proceed to fill the vacancy of the At-Large City Council following the same procedure.



DECLARATION OF CANDIDACY
CITY COUNCIL VACANCY

Date: July 2, 2019

I, Frederick B. Pansells, declare that I reside in the City of Keene, that I am a registered voter in the appropriate Ward/Voting District at the time of this filing and that I am a candidate for the office of (Please choose below)

Ward Four Councilor

At Large Councilor

for an unexpired term ending December 31, 2019. I hereby request that my name be put before the City Council for the election to be held on August 1, 2019.

Signed: [Signature]

Address/Ward: 11 McKinley St. 4

Phone: 352-4345

Email: the.pansells@hotmail.com

Social Media Handles: _____

State of New Hampshire
County of Cheshire

The above named Frederick B. Pansells personally known to me or satisfactorily proven appeared and subscribed to the above statement.

[Signature]
Justice of the Peace/Notary Public

HEATHER R. FITZ-SIMON, Justice of the Peace
State of New Hampshire
My Commission Expires September 17, 2019

Candidates may submit background information or a brief biography to accompany this declaration. This information will be provided to the City Council and posted to the public website. Please indicate below if you intend to provide additional information about yourself.

Yes, I will provide additional information about myself

No, I prefer not

Filing fee: \$2.00

Date Received: 7/2/19 Time Received: 8:07 AM

Any information provided on this document is a matter of public record. By signing above, candidate agrees to allow the City of Keene to share their contact information/social media handles/biographical information with members of the public.

My name is Fred Parsells. I live and have lived at 11 McKinley Street in ward 4 for 47 years.

My wife and I have been married for more than 48 years. We have two married daughters and three grandchildren. I have a bachelor's degree in business administration and an associates degree in criminal justice administration. I am an Army and Vietnam veteran.

During 47 years as a Keene resident I have served the City of Keene and the Keene School District for well more than 60 years of combined, overlapping, paid and volunteer service to include twenty years as a school district volunteer, full-time Keene police officer, part-time Keene code enforcement officer, Keene School District kindergarten tutor, Keene city councilor, Keene planning board member, keene zoning board of adjustment member and many sub-committees.

In years past when asked if I had a hobby, I would often respond by saying that volunteering was my hobby. Big Brothers, Big Sisters, Project Graduation, American Cancer Society, Keene Swamp Bats, co-chair of the committee to sell the former middle school, and serving on search committees for two Keene High School Principals and one Keene School District superintendent are but a few examples.

I have no agenda other than keeping the remaining two years of the vacant seat fair for all ward 4 residents who might seek election in November. I have no intention of serving beyond the end of this year.

I am a registered unaffiliated voter who votes for candidates of both parties.



DECLARATION OF CANDIDACY
CITY COUNCIL VACANCY

Date: July 8, 2019

I, Robert J. O'Connor, declare that I reside in the City of Keene, that I am a registered voter in the appropriate Ward/Voting District at the time of this filing and that I am a candidate for the office of (Please choose below)

- Ward Four Councilor
- At Large Councilor

for an unexpired term ending December 31, 2019. I hereby request that my name be put before the City Council for the election to be held on August 1, 2019.

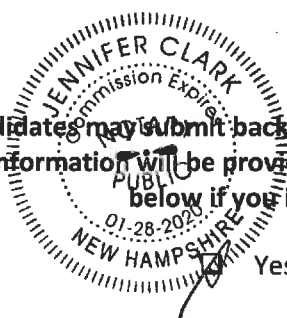
Signed: Robert J. O'Connor
 Address/Ward: 382 Park Avenue Keene, NH
 Phone: 603-209-9882
 Email: roconnor107@gmail.com
 Social Media Handles: _____

State of New Hampshire
County of Cheshire

The above named Robert J. O'Connor personally known to me or satisfactorily proven appeared and subscribed to the above statement.

Jennifer Clark
 Justice of the Peace/Notary Public

Candidates may submit background information or a brief biography to accompany this declaration. This information will be provided to the City Council and posted to the public website. Please indicate below if you intend to provide additional information about yourself.



Yes, I will provide additional information about myself

No, I prefer not

Filing fee: \$2.00

Date Received: 7/8/19 Time Received: 8:44AM

Any information provided on this document is a matter of public record. By signing above, candidate agrees to allow the City of Keene to share their contact information/social media handles/biographical information with members of the public.

Robert J. O'Connor

382 Park Avenue
Keene, NH 03431
(603) 209-9882
roconnor107@gmail.com

Education: Keene State College-Bachelor of Arts, Sociology (1998-2002)
Northwestern Connecticut Community College-Associates Degree, Criminal Justice (1990-1992)

Experience:

Roxbury Police Department...Police Chief

(January 2014 to Present)

- Serve part-time as the Chief Administrator of the Roxbury Police Department and report to the Board of Selectmen
- Responsible for department policy development, staff management of 4 part-time officers, department budgeting, emergency planning, and the communication of police services to the community.

Brattleboro Union High School...Director of Safety

(September 2014 to Present)

- Responsible for ensuring the safety of the campus
- Coordinate, administer and implement comprehensive training programs

Swansey Police Department...Police Officer

(August 2009 to 2014)

- Served as School Resource Officer to the Monadnock Regional Middle-High School (Fall 2009- Summer 2012)
- Serve as School Liaison to the Monadnock Regional Middle-High School (Summer 2012-2014)
- Served as firearms, Taser instructor and Field Training Officer
- Responsible for community policing
- Enforced NH state criminal and motor vehicle laws

NH Liquor Commission Bureau of Enforcement...Investigator

(April 2003 to August 2009).

- Coordinated and worked with other agencies such as NH Fire Marshal's office, City Fire Departments and City Police Departments during large public events
- Conducted educational and preventative programs for a variety of groups
- Served as Field Training Officer and instructor in several disciplines

NH Department of Safety Highway Patrol...Highway Patrol Officer

(April 2000 to April 2003)

- Enforced NH Criminal and motor laws
- Served as Field Training Officer

Keene Police Department...Police Officer

(April 1995 to April 2000)

- Enforced state and local criminal and motor vehicle laws
- Served as Field Training Officer

Department of the Interior-National Park Ranger

(April 1993 to December 1994)

- Enforced federal, state and local laws with emphasis on the protection of National and Historic sites.

Professional Associations:

National Association of School Resource Officers (NASRO).... New England Director (Region 4)

(July 2012 to July 2014)

- Attended training for school-based law enforcement officers in order to promote safer schools and safer kids, including Advanced SRO courses
- Coordinated regional events
- Assisted in the coordination of two national school safety conferences

New Hampshire Police Association... 3rd Vice President (Executive Board, 2009- 2014)

Elected Ward 4 Councilor... Keene City Council (2012 to 2017)

Certifications: NH PSTC class of 107, First Line Supervisor-PSTC, Firearms Instructor, Field Training Officer, Police Prosecutor School (NH PSTC), ALICE Instructor, CPR and First Responder Training

Computer Skills: Microsoft Office, Outlook, Power Point, SPOTS, Crime Star, IMC



DECLARATION OF CANDIDACY
CITY COUNCIL VACANCY

Date: 7/8/2019

I, Michael Remy, declare that I reside in the City of Keene, that I am a registered voter in the appropriate Ward/Voting District at the time of this filing and that I am a candidate for the office of (Please choose below)

Ward Four Councilor At Large Councilor

for an unexpired term ending December 31, 2019. I hereby request that my name be put before the City Council for the election to be held on August 1, 2019.

Signed: [Signature]
Address/Ward: 55 Castle St / Ward 4
Phone: 603 209 2820
Email: michael.j.remy@gmail.com
Social Media Handles: _____

State of New Hampshire
County of Cheshire

The above named Michael Remy personally known to me or satisfactorily proven appeared and subscribed to the above statement.

[Signature]
Justice of the Peace/Notary Public

Candidates may submit background information or a brief biography to accompany this declaration. This information will be provided to the City Council and posted to the public website. Please indicate below if you intend to provide additional information about yourself.

Yes, I will provide additional information about myself
 No, I prefer not

Filing fee: \$2.00

Date Received: 7/8/19 Time Received: 12:20

Any information provided on this document is a matter of public record. By signing above, candidate agrees to allow the City of Keene to share their contact information/social media handles/biographical information with members of the public.

Hello!

My name is Michael Remy. I am born and raised in the greater Keene area starting at Westmoreland School K-8 and then Keene High School. After that, I went to Babson College in Wellesley, MA for a bachelor's of science in business management with concentrations in Entrepreneurship and Strategic Management. While at Babson, I started interning for C&S Wholesale Grocers and quickly realized that I wanted to be based in Keene. When I graduated, I joined C&S in their rotational leadership development program and since then have held roles of progressive responsibility. I have now been with the company for eight years full time (ten if you count internships) and hold the role of Director of Operations Finance.

Outside of C&S I am also involved in a number of community focused organizations. I am a member of the board of the Monadnock United Way, most recently taking over as the chair of the Impact and Evaluation Committee. I am a long time member and now board member of the Keene Young Professionals Network- an organization focused on offering fun social activities for young (and young at heart) people in our community. I am also an active alternate on the Keene Zoning Board of Adjustment and a core member of the Promoting the Region taskforce. I am a past member of Rotary and advisor to the Keene High School Interact club having travelled with the group to El Salvador to build homes three times now.

I bought my home at 55 Castle St about two years ago now and have enjoyed the friendly neighborhood community and the connection to downtown.

The thing that excites me most about City Council is the non-partisan nature and the strong focus that the councilors have on independently evaluating an issue in an unbiased way and doing what is best for the city. I have been attending many city council and committee meetings over the past few months to start getting familiar with current issues having the intent to run in the election this fall. I see this vacancy as an opportunity to get started sooner!



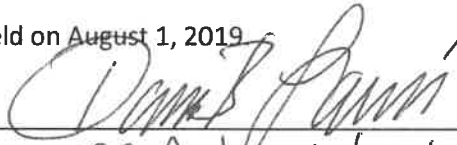

DECLARATION OF CANDIDACY
CITY COUNCIL VACANCY

Date: 7-11-19

I, David Lanier, declare that I reside in the City of Keene, that I am a registered voter in the appropriate Ward/Voting District at the time of this filing and that I am a candidate for the office of (Please choose below)

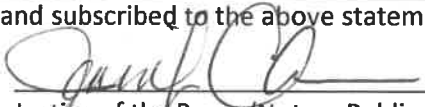
- Ward Four Councilor At Large Councilor

for an unexpired term ending December 31, 2019. I hereby request that my name be put before the City Council for the election to be held on August 1, 2019

Signed: 
Address/Ward: 109 Ashuelot St. #8
Phone: 603 209-5456
Email: d4lanier@gmail.com
Social Media Handles: 

State of New Hampshire
County of Cheshire

The above named David Lanier personally known to me or satisfactorily proven appeared and subscribed to the above statement.


Justice of the Peace/Notary Public

Candidates may submit background information or a brief biography to accompany this declaration. This information will be provided to the City Council and posted to the public website. Please indicate below if you intend to provide additional information about yourself.

- Yes, I will provide additional information about myself
 No, I prefer not

Filing fee: \$2.00

Date Received: 7/11/19 Time Received: 9:15 AM

Any information provided on this document is a matter of public record. By signing above, candidate agrees to allow the City of Keene to share their contact information/social media handles/biographical information with members of the public.



DECLARATION OF CANDIDACY
CITY COUNCIL VACANCY

Date: 7/2/19

I, Kate Bosley, declare that I reside in the City of Keene, that I am a registered voter in the appropriate Ward/Voting District at the time of this filing and that I am a candidate for the office of (Please choose below)

Ward Four Councilor

At Large Councilor

for an unexpired term ending December 31, 2019. I hereby request that my name be put before the City Council for the election to be held on August 1, 2019.

Signed: [Signature]
Address/Ward: 111 Gump Rd, Keene Ward 3
Phone: 603 493 4586
Email: katebosley603@gmail.com
Social Media Handles: _____

State of New Hampshire
County of Cheshire

The above named Kate Bosley personally known to me or satisfactorily proven appeared and subscribed to the above statement.

[Signature]
Justice of the Peace/Notary Public



Candidates may submit background information or a brief biography to accompany this declaration. This information will be provided to the City Council and posted to the public website. Please indicate below if you intend to provide additional information about yourself.

Yes, I will provide additional information about myself

No, I prefer not

Filing fee: \$2.00

Date Received: 7/2/19 Time Received: 8:36 AM

Any information provided on this document is a matter of public record. By signing above, candidate agrees to allow the City of Keene to share their contact information/social media handles/biographical information with members of the public.

KATE MICHELLE BOSLEY

111 Gunn Rd • Keene, NH 03431 • Phone (603) 493-4586
Email: katebosley603@gmail.com * www.hendersonbosley.com

I was born and raised in Cheshire County. I have lived in Keene with my husband for the last 15 years. I am a wife and a mother of 2 children ages 7 and 9. Both of those children attend public school at Fuller Elementary and the summer rec program offered through the City of Keene.

I am also a business owner, my husband and I own a real estate investment company with properties in Keene and I am the managing Director of my family's in home senior care agency, Comfort Keepers.

I spent 3 years from 2013 to 2016 on the executive committee of the Montessori School house board of directors. On the board I had the privilege of working with New Hampshire Division of Historic Resources, Monadnock Economic Development Corp, and the city of Keene's zoning and planning departments

I also have implemented a comforting cards program that Comfort Keepers organizes. Every other year we supply all the items needed for aprox 15 local schools to create 100's of valentines. Comfort Keepers then distributes these cards to all the seniors in our greater community in both institutional settings and our home care clients.

In 2013 my staff and I organized a 5k race here in downtown to support local veterans. We raised \$3000 which we donated back to South Western Community Services SSVF Homeless Veterans program.

Through my work I have developed very strong interests in affordable housing, homelessness, and the concerns of seniors and veterans in our community.

Choosing to stay in Keene and raise my family here was a decision that we made at a very young age. I want my children to grow up with amazing memories of their own childhoods and go off to college, but what I also want is for them to return to this amazing community to raise their own families. To me that means investing my time in making Keene a place where young people want to settle and stay.



DECLARATION OF CANDIDACY
CITY COUNCIL VACANCY

Date: 7/2/19

I, Margaret Rice, declare that I reside in the City of Keene, that I am a registered voter in the appropriate Ward/Voting District at the time of this filing and that I am a candidate for the office of (Please choose below)

Ward Four Councilor

At Large Councilor

for an unexpired term ending December 31, 2019. I hereby request that my name be put before the City Council for the election to be held on August 1, 2019.

Signed: Margaret Rice

Address/Ward: 84 Elm Street Ward 3

Phone: 603-355-7997

Email: rice.margaret.m@gmail.com

Social Media Handles: n/a

State of New Hampshire
County of Cheshire

The above named Margaret Rice personally known to me or satisfactorily proven appeared and subscribed to the above statement.

Kevin Wood
Justice of the Peace/Notary Public

Candidates may submit background information or a brief biography to accompany this declaration. This information will be provided to the City Council and posted to the public website. Please indicate below if you intend to provide additional information about yourself.

Yes, I will provide additional information about myself

No, I prefer not

Filing fee: \$2.00

Date Received: 7/2/2019 Time Received: 8:38pm

Any information provided on this document is a matter of public record. By signing above, candidate agrees to allow the City of Keene to share their contact information/social media handles/biographical information with members of the public.

7/2/19

Dear Mayor and Council,

As you are aware, I recently vacated my Ward 4 council seat as I moved outside the boundaries of the ward. I still have a deep desire to serve and have filed to be considered for the currently vacant at-large seat.

Having participated in both the 2018/2019 and 2019/2020 Operating Budget and Capital Improvements Program reviews, I have a thorough comprehension of the structure and function of city staff and services. I am familiar with the issues that have come before the council over the past two years, including ongoing discussions such as the Kingsbury property, the "Ready for 100" initiative, and the land use code update. I am uniquely poised to "hit the ground running" and provide continuity of the body.

Some councilors and residents feel that appointing an individual with intentions to run for a council seat in the upcoming election will effectively become a city endorsement of that candidate. My intention is to serve as a placeholder until the end of December, and I do not intend to run for any elected office this fall.

It is an honor to serve in our local government, and I value the working relationships I have built with city staff, constituents, and members of this Council over the past two years. Thank you for considering my candidacy for the open at-large council seat.

Respectfully,

Margaret Rice
84 Elm Street
Keene, NH



DECLARATION OF CANDIDACY
CITY COUNCIL VACANCY

Date: July 3, 2019

I, TERESA O'RORKE, declare that I reside in the City of Keene, that I am a registered voter in the appropriate Ward/Voting District at the time of this filing and that I am a candidate for the office of (Please choose below)

Ward Four Councilor

At Large Councilor

for an unexpired term ending December 31, 2019. I hereby request that my name be put before the City Council for the election to be held on August 1, 2019.

Signed: Teresa O'Rourke
Address/Ward: 34 Hillside Ave 2
Phone: 354-3979
Email: TERRIORORKE @ GMAIL.COM
Social Media Handles: _____
TERRI O'RORKE

State of New Hampshire
County of Cheshire

The above named Teresa O'Rourke personally known to me or satisfactorily proven appeared and subscribed to the above statement.

Colleen A. Kolasiencki
Justice of the Peace/Notary Public

Candidates may submit background information or a brief biography to accompany this declaration. This information will be provided to the City Council and posted to the public website. Please indicate below if you intend to provide additional information about yourself.

Yes, I will provide additional information about myself

No, I prefer not

Filing fee: \$2.00

Date Received: July 3, 2019 Time Received: 11:28

Any information provided on this document is a matter of public record. By signing above, candidate agrees to allow the City of Keene to share their contact information/social media handles/biographical information with members of the public.



DECLARATION OF CANDIDACY
CITY COUNCIL VACANCY

Date: July 11, 2019

I, JOHN THERRIAULT, declare that I reside in the City of Keene, that I am a registered voter in the appropriate Ward/Voting District at the time of this filing and that I am a candidate for the office of (Please choose below)

Ward Four Councilor

At Large Councilor

for an unexpired term ending December 31, 2019. I hereby request that my name be put before the City Council for the election to be held on August 1, 2019.

Signed: John Therriault
Address/Ward: 76 BRADFORD RD, WARD 5
Phone: 603-903-0213
Email: JW.THERRIAULT@NE.RR.COM
Social Media Handles: FACEBOOK @ JOHN THERRIAULT

State of New Hampshire
County of Cheshire

The above named John Therriault personally known to me or satisfactorily proven appeared and subscribed to the above statement.

[Signature]
Justice of the Peace/Notary Public

HEATHER R. FITZ-SIMON, Justice of the Peace
State of New Hampshire
My Commission Expires September 17, 2019

Candidates may submit background information or a brief biography to accompany this declaration. This information will be provided to the City Council and posted to the public website. Please indicate below if you intend to provide additional information about yourself.

Yes, I will provide additional information about myself

No, I prefer not

Filing fee: \$2.00

Date Received: 7/11/2019 Time Received: 10:38AM

Any information provided on this document is a matter of public record. By signing above, candidate agrees to allow the City of Keene to share their contact information/social media handles/biographical information with members of the public.

July 14, 2019

Facts for Consideration for Keene City Council At-Large Seat

Candidate: John Therriault

Address: 76 Bradford Road, Keene (Ward 5)

Years lived in Keene: 9

Employment: Retired (was General Manager of Janos Technologies in Keene prior to retirement)

Education: BS Ocean Engineering, US Naval Academy 1976

MBA, Binghamton University 1985

Military: US Navy, 1976-1983 Final Rank O-3, Specialty, Pilot and Instructor Pilot

Local Affiliations:

Treasurer, Monadnock Beekeeper's Association

Treasurer, Cheshire County Republican Committee

Treasurer, Keene City Republican Committee

Participant, Keene Civil Political Discussion Group 2017-2018

Community Services:

Honeybee Swarm capture for Cheshire County

Honeybee education (primary school) in Keene and Rindge 2018-2019

United Way Volunteer in 2017

Why Me?

- I have a strong desire to serve my community through participation in local government. I have run for City Council twice, finishing 7th in the last election for an at-large seat.
- I have followed the activities of the Keene City Council for the last 5 years and commented during budget considerations and for other items of business that I could contribute on.
- I have 30 years of high tech business experience in Program Management, Marketing, Lean Manufacturing and General Management. I could use these skills to help Keene bring high tech companies into the city. We already have a center of expertise in micron level machining and optics. I have the right background to pursue companies in these areas.
- I have experience as a teacher and facilitator for Lean Tools that could be used to improve the efficiency and lower the cost of delivering city services.





DECLARATION OF CANDIDACY
CITY COUNCIL VACANCY

Date: 7/15/19

I, Catherine Workman, declare that I reside in the City of Keene, that I am a registered voter in the appropriate Ward/Voting District at the time of this filing and that I am a candidate for the office of (Please choose below)

Ward Four Councilor

At Large Councilor

for an unexpired term ending December 31, 2019. I hereby request that my name be put before the City Council for the election to be held on August 1, 2019.

Signed: Catherine Workman

Address/Ward: 47 Colorado St. apt#2 Ward 4

Phone: (603) 762-8762

Email: Catt.workman23@gmail.com

Social Media Handles: Catherine CattWorkman

State of New Hampshire
County of Cheshire

The above named Catherine Workman personally known to me or satisfactorily proven appeared and subscribed to the above statement.

Callen H. Kolasiensti
Justice of the Peace/Notary Public

Candidates may submit background information or a brief biography to accompany this declaration. This information will be provided to the City Council and posted to the public website. Please indicate below if you intend to provide additional information about yourself.

Yes, I will provide additional information about myself

No, I prefer not

Filing fee: \$2.00

Date Received: 7/15/19 Time Received: 2:26

Any information provided on this document is a matter of public record. By signing above, candidate agrees to allow the City of Keene to share their contact information/social media handles/biographical information with members of the public.

Biography of Catherine “Catt” Workman

I am more well known by my nickname, Catt. I’m a 35-year-old, unmarried resident with no children. While I haven’t grown up in Keene nor have longstanding residency- I have either lived or worked in the city since moving to Cheshire County in 2009. Prior to accepting my position as a Family Service Specialist for the State of NH- Department of Health and Human Services in 2017- I worked as case manager for the local non-profits, Monadnock Developmental Services and Monadnock Family Services. These roles have given me a unique perspective of the strengths and shortcomings of the social service system in the city and state. My previous work experience has also allowed me to develop relationships and familiarity with the social service agencies within the city. I am currently a union councilor with SEA/SEIU Local 1984 and was previously a Big Sister through the Big Brother Big Sister Association of NH. Although I am no longer formally associated with the organization, my little and I remain in contact. I recently earned a Masters in Forensic Psychology from Southern NH University. I would like to be considered for City Council at large because I want to have an active role in continuing to ensure Keene grows and modernizes while retaining the small city feel and pace that drew me here from Boston.



DECLARATION OF CANDIDACY
CITY COUNCIL VACANCY

Date: 07/15/2019

I, BILL BRADFORD HUTCHINSON, declare that I reside in the City of Keene, that I am a registered voter in the appropriate Ward/Voting District at the time of this filing and that I am a candidate for the office of (Please choose below)

Ward Four Councilor

At Large Councilor

for an unexpired term ending December 31, 2019. I hereby request that my name be put before the City Council for the election to be held on August 1, 2019.

Signed: UNDER FEDERAL AUTHORITY
SIGNED UNDER DURESS
Bradford Hutchinson

Address/Ward: 305 MARLBORO ST., #4

Phone: 603-400-0133

Email: medicinehorse 2000 1999@yahoo.com

Social Media Handles: NONE!

State of New Hampshire
County of Cheshire

The above named Bradford Hutchinson personally known to me or satisfactorily proven appeared and subscribed to the above statement.

[Signature]
Justice of the Peace/Notary Public

Candidates may submit background information or a brief biography to accompany this declaration. This information will be provided to the City Council and posted to the public website. Please indicate below if you intend to provide additional information about yourself.

Yes, I will provide additional information about myself

No, I prefer not

Filing fee: \$2.00

Date Received: 7/15/19 Time Received: 3:38pm

Any information provided on this document is a matter of public record. By signing above, candidate agrees to allow the City of Keene to share their contact information/social media handles/biographical information with members of the public.

From: Bradford Medicinehorse <medicinehorse_2000_1999@yahoo.com>
Sent: Tuesday, July 16, 2019 12:23 PM
To: Terri Hood <thood@ci.keene.nh.us>
Subject: REPLY:/Re: Council Declaration - Background Information

Thank-you, Terri!,

When I saw your email subject line, before I read it, I thought, "Oh, no, what is it NOW?!"....
But then when I read it, I see that as usual, you are trying too hard to be working too hard, to do too good of a job!
I think I get what you mean by "background information".
There's a slight misunderstanding on MY part. I thought that "background information" was meant more for, like, the Sentinel, or WKBK Radio, or "publicity", or whatever.
Yes, there's some younger, and/or newer Councilors, but I first ran for C-at-L in 1989....
And, as often as I've spoken up in various Council meetings over the years, well, they know who I am, well enough, I guess.
So feel free to include this email, or not, this afternoon, for Thurs., Jul 18 meeting.
I'm planning on being there anyway, just in case.
I don't see a need to add more now.
I might, or might not, have something more by July 28. We'll see.
Right now, I'm mostly planning on that 5-minute "speech" on Aug. 1.

I've been telling people for months, that I'm running again for Council this Fall, but that was before the recent resignations of Bart Cepata & Maggie Rice, and this special election process.
I'm much less invested in this special process now, than the regular Fall election.
Mostly, I want to encourage greater citizen participation and interest.
I'm only a very small part of that, so I don't need to try too hard to get myself better known.
It's enough that I have put my hat-name in the ring, so to speak....

Thanks as usual, Terri!
KEEP Up the GOOD WORK!

~Bill Bradford Hutchinson

~~~~~  
~~~~~

On Tuesday, July 16, 2019, 10:30:47 AM EDT, Terri Hood <thood@ci.keene.nh.us> wrote:



City of Keene, N.H.
Transmittal Form

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: F.2.

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 10, 2019

TO: Mayor and Keene City Council

FROM: Charles Redfern, Library Board of Trustees

THROUGH: Eizabeth A. Dragon, City Manager

ITEM: I.1.

SUBJECT: Relating to Smoking, Tobacco Products and Equipment

COUNCIL ACTION:

In City Council July 18, 2019.

Referred to the Municipal Services, Facilities and Infrastructure Committee.

RECOMMENDATION:

That Ordinance 0-2019-15 be referred to the Municipal Services, Facilities and Infrastructure Committee for its review and recommendation.

ATTACHMENTS:

Description

Ordinance O-2019-15

BACKGROUND:

The Keene Public Library Board of Trustees submitted a letter to MSFI at the committee's June 12, 2019 meeting requesting that smoking - to include vaping and e-cigarettes - be prohibited on the entire Keene Public Library campus, which includes the buildings and grounds of the Pond Mansion as well as the new extension and the annex, formerly known as the Masonic Hall.

MSFI put the matter on more time in order to give City staff time to discuss the options in putting an effective prohibition in place. City Attorney Thomas Mullins met with Andy Bohannon, Parks, Recreation and Facilities Director, Mark Howard, Fire Chief, Steve Russo, Police Chief, and Nancy Vincent, Library Director. The group agreed that an Ordinance would be the best vehicle to enforce the prohibition.

Accordingly, the City Attorney has drafted the attached Ordinance. This Ordinance would cover the part of the property currently owned by Heberton Advancement LLC which is controlled by Monadnock Economic Development Corporation (MEDC). Permission has been granted by MEDC President Jack Dugan to include its property in the same prohibition as stated in the Ordinance.

The Ordinance also includes the establishment of a designated smoking area which was part of the MSFI meeting discussion.



CITY OF KEENE

O-2019-15

Nineteen

In the Year of Our Lord Two Thousand and

Relating to Smoking, Tobacco Products and Equipment

AN ORDINANCE

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 inserting the following Division 4, in Article III, Chapter 6, Alcoholic Beverages and Tobacco:

DIVISION 4. SMOKING, TOBACCO PRODUCTS AND EQUIPMENT

Sec. 6-109. Findings and Purpose.

The City of Keene finds that, based on determinations and studies by various official agencies, smoking and the use of tobacco products is a significant public health hazard, including secondhand exposure. The purpose of this chapter is to protect the health and well-being of members of the public who have occasion to access the Keene Public Library, including the Library Connector, Library Annex, and surrounding grounds (collectively "Keene Public Library"), by restricting smoking and the use of tobacco products as outlined herein. Disposal of cigarette butts and other tobacco products is restricted under New Hampshire RSA 163-B to provide for uniform prohibition throughout the state of any and all littering on public or private property and to curb thereby the desecration of the beauty of the state and harm to the health, welfare and safety of its citizens caused by individuals who litter.

Sec. 6-110. Definitions.

The following words, terms and phrases shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Cigarette or Cigar

Any roll used for smoking made wholly or in part of tobacco and wrapped in any material, including wrapped tobacco.

e-cigarette

Any electronic device composed of a mouthpiece, a heating element, a battery, and electronic circuits that provides any type of vapor, including pure nicotine mixed with propylene glycol or other substance or flavoring, intended to simulate smoking.

Smoking or Use of Tobacco Products or Equipment

The act of smoking, or the use of tobacco products or equipment to produce the effect of smoking or for the intended purpose of the use of the particular tobacco product or equipment.

Tobacco Equipment

Any products or devices that are intended to deliver or facilitate delivery of tobacco products or nicotine for use by one or more persons. Such equipment includes but is not limited to bowls, pipes, chimneys, e-cigarettes, rolling cigarette paper, or other assistive devices.

Tobacco Products

Any product made fully or in part of tobacco, nicotine, or natural or synthetic material intended to simulate tobacco or nicotine, the intended use of which is smoking, chewing or inhaling. Such products include, but are not limited to, cigarettes, cigars, pipe tobacco, snuff, chewing tobacco, smokeless tobacco, liquid nicotine, or any other tobacco product that simulates tobacco or nicotine.

Sec. 6-111. Use Prohibited.

The act of smoking, and the use of all tobacco products and equipment, is prohibited within the Keene Public Library and all of the grounds surrounding the Keene Public Library, including but not limited to walkways leading from the public sidewalk and building entrances, except as designated below.

Sec. 6-112. Designated areas.

Smoking, or the use of tobacco products, shall be permitted in such designated areas as determined by the City Manager, as outlined below.

- a) Such area be not less than five feet on any side and shall contain a receptacle designed for the safe disposal of Tobacco Products.
- b) Such area is not located within 20 feet of any entrance or exit, or walkway to such entrance or exit, or other area open to the public where smoking or use of Tobacco Products is otherwise prohibited.
- c) Such area is posted with one or more conspicuously displayed sign(s) that identify the area as a designated area for smoking or Tobacco Product use.
- d) The City Manager may require, in their sole discretion, that any such area be modified or removed if it creates a nuisance or public health hazard.

Sec. 6-113. Signs required.

Signs shall be prominently placed and maintained at all sidewalks and entrances to the Keene Public Library notifying the public of the prohibition against the use of Tobacco Products and Equipment. Such signs shall state: "Smoking or the use of tobacco products and equipment within this area is strictly prohibited. Please only use the designated permitted use area. Per City Ordinance O-2019-15."

Sec. 6-114. Violations and penalties.

Any person who is found to have violated the provision of this chapter shall be subject to a civil penalty in the amount of \$25 for the first offense, \$50 for the second offense, and \$100 for the third and subsequent offenses. Additionally, violators may be removed from the Keene Public Library.

Kendall W. Lane, Mayor

In City Council July 18, 2019.
Referred to the Municipal Services,
Facilities and Infrastructure Committee.

William S. Dow

Deputy City Clerk



City of Keene, N.H.
Transmittal Form

July 12, 2019

TO: Mayor and Keene City Council

FROM: Tara Kessler, Senior Planner

THROUGH: Elizabeth A. Dragon, City Manager

ITEM: I.2.

SUBJECT: Relating to Social Service and Congregate Care Uses and License

COUNCIL ACTION:

In City Council July 18, 2019.

Ordinance O-2019-13 referred to the Joint Planning Board and Planning, Licenses and Development Committee. Ordinance O-2019-14 referred to the Planning, Licenses and Development Committee.

RECOMMENDATION:

Move to refer Ordinance O-2019-13 and Ordinance O-2019-14 to the PLD/Planning Board Joint Committee for a Public Workshop.

ATTACHMENTS:

Description

Application

Narrative

Ordinance O-2019-13

Ordinance O-2019-14

BACKGROUND:

Ordinances O-2019-13 and O-2019-14 include amendments to Chapters 46, 102, 18 and Appendix B of the City Code of Ordinances. These amendments propose the introduction of land uses categorized broadly as Social Service and Congregate Living uses into the Zoning Ordinance as well as a conditional use permit and City operating license for some of these uses.

In recent years, the City has seen an increase in the number of applications related to uses that could be characterized as group homes, homeless shelters, residential treatment facilities, and other congregate living and social service facilities. The current use table within the City's Zoning Ordinance does not provide an adequate structure for classifying many of these proposed uses nor does it offer conditions or criteria for which these uses may be allowed.

In late December 2018, the City contracted with the consulting firm, Camiros Ltd., to provide recommendations for classifying and defining these types of land uses within the City's zoning ordinance, identifying where these uses should be allowed, and the criteria by which these uses should be permitted. Camiros Ltd., which has national experience working on zoning ordinances addressing social service and

congregate living uses and is currently working with the City of Keene to develop a Form Based Downtown Zoning District, based their recommendations on a review of best practices from across the country and their understanding of Keene's land use context and Comprehensive Master Plan. City staff have ensured that there is coordination and consistency among the proposed ordinances and the State Building and Fire Codes.

A high-level summary of the changes proposed to Chapters 102 and 46 included in the attached narrative.



APPLICATION TO AMEND THE ZONING ORDINANCE

Petitioner: City of Keene Date: 07/12/18

Address: 3 Washington St, Keene, NH 03431

Telephone: (603) 352-5440 Email: tkessler@ci.keene.nh.us

Existing Section Reference in Chapter 102, Zoning Ordinance See attached

Does the amendment change the existing "Minimum Lot Size" Yes No

Does the amendment change the existing "Permitted Uses" Yes No

Brief Description of Proposed Change _____

O-2019-13 includes the addition of uses, amendments to definitions and the permitted use tables, and the incorporation of a Conditional Use Permit process for certain social service and congregate care uses to the Zoning Ordinance.

Tara Kessler

Petitioner's Signature

Submittal Requirements which must be complete at the time of submission to the City Clerk.

- A properly drafted Ordinance containing the amendment in a form meeting the requirements of the City Clerk.
- A typed or neatly printed narrative explaining the purpose of, effect of, and justification for the proposed change(s).
- \$100.00 application fee.
- As provided for in RSA 675:7, if the proposed amendment would change the minimum lot sizes or the permitted uses in a zoning district, and such change includes 100 or fewer properties, the Petitioner shall submit a notarized list of property owners affected by the zoning amendment. If the proposed amendment changes the boundary of a zoning district, the Petitioner shall submit a notarized list of all property owners within the zoning district directly affected by the proposed boundary line change, and of all property owners outside of the zoning district that abut the proposed boundary line change.

- The list shall include the tax map number and address of each abutter or owner, and must be current with the Assessing Department's records within ten days of submittal. Two sets of mailing labels shall be provided.

Date Received by City Clerk _____ Fee Received \$ _____

Ordinance # _____ On City Council agenda _____

Workshop to be held _____ Public Hearing to be held _____

The petitioner is also responsible for the publication costs for the workshop and hearing notice. The Keene Sentinel will bill for the publication cost if the petitioner has an account with them. If the petitioner does not have an account, \$90.00 will be collected to cover the cost of the public hearing notice. Additional costs will be collected by the Planning Department for the publication of the public workshop notice.

O-2019-13 and O-2019-14 Narrative: Social Service and Congregate Living Use Ordinances

Ordinances O-2019-13 and O-2019-14 include amendments to Chapters 46, 102, 18 and Appendix B of the City Code of Ordinances. These amendments propose the introduction of land uses categorized broadly as Social Service and Congregate Living uses into the Zoning Ordinance as well as a conditional use permit and City operating license for some of these uses.

In recent years, the City has seen an increase in the number of applications related to uses that could be characterized as group homes, homeless shelters, residential treatment facilities, and other congregate living and social service facilities. The current use table within the City’s Zoning Ordinance does not provide an adequate structure for classifying many of these proposed uses nor does it offer conditions or criteria for which these uses may be allowed.

In late December 2018, the City contracted with the consulting firm, Camiros Ltd., to provide recommendations for classifying and defining these types of land uses within the City’s zoning ordinance, identifying where these uses should be allowed, and the criteria by which these uses should be permitted. Camiros Ltd., who has national experience working on zoning ordinances addressing social service and congregate living uses and is currently working with the City of Keene to develop a Form Based Downtown Zoning District, based their recommendations on a review of best practices from across the country and their understanding of Keene’s land use context and Comprehensive Master Plan. City staff have ensured that there is coordination and consistency among the proposed ordinances and the State Building and Fire Codes.

A high-level summary of the changes proposed to Chapters 102 and 46 is included below.

Chapter 102:

The following terms, along with associated definitions, were added to the Definitions Section:

- Domestic Violence Shelter
- Drug Treatment Clinic
- Food Pantry
- Homeless Shelter
- Personal Care Services
- Residential Care Facility
- Residential Drug/Alcohol Treatment Facility
- Social Service Center

Amendments were made to the definitions of the following uses, which are currently present in the Zoning Ordinance:

- Group Home
- Hotel
- Institutional Use
- Lodging House
- Motel

The following terms were removed from the Zoning Ordinance:

- Health Care Facility
- Fraternity/Sorority
- Tourist Home
- Motel, Apartment

A Social Service / Congregate Care Conditional Use Permit (CUP) from the Planning Board would be required for the following uses. Standards associated with this CUP are included in Chapter 102 under the proposed Article XVII:

- Drug Treatment Clinic
- Group Home
- Homeless Shelter
- Lodginghouse
- Residential Care Facility
- Residential Drug/Alcohol Treatment Facility
- Social Service Center

The Table below shows which Zoning Districts the proposed uses would be allowed either by-right or by a Conditional Use Permit issued by the Planning Board. The Table also indicates if a City Council License is required to operate the use. Text that is “stricken-out” (e.g. ~~SE~~, ~~P~~) represents current conditions that are proposed to be amended. For example, Lodginghouse is currently allowed by Special Exception (SE) in the High Density (HD) District. The Ordinance proposes to allow Lodginghouse by Conditional Use Permit (CUP) in the HD.

TABLE 1. PROPOSED CHANGES TO ZONING DISTRICT USE TABLES (O-2019-13)

USE	ZONING DISTRICT												COUNCIL LICENSE
	R	LD	LD-1	MD	HD	HD-1	CB	CBL	COM	O	HC	BGR	
Group Home	P	SE	SE	CUP	CUP	P				CUP			Y
Lodginghouse					SE CUP			P CUP					Y
Domestic Violence Shelter				SE P	P		P	P	P				N
Drug Treatment Clinic									CUP				Y
Food Pantry							P	P	P				N
Homeless Shelter								P	CUP				Y
Social Service Center							CUP	CUP	CUP				Y
Residential Care Facility					CUP		CUP	CUP	CUP		CUP	CUP	Y
Residential Drug / Alcohol Treatment Facility									CUP		CUP		Y

TABLE 1. KEY

BGR	Business Growth and Reuse	HD-1	High Density - 1	CUP	Conditional Use Permit
CB	Central Business	LD	Low Density	P	Permitted By-Right
CBL	Central Business Limited	LD-1	Low Density - 1	SE	Special Exception
COM	Commerce	MD	Medium Density		
HC	Regional Health Care	O	Office	Y	Yes (License Required)
HD	High Density	R	Rural	N	No (License Not Required)

Chapter 46:

Removed Article X “Lodginghouses” from Chapter 46, which addresses licensing requirements for Lodginghouses. Lodginghouses, which include Fraternities and Sororities, are proposed to be licensed as a Social Service / Congregate Care Use.

A Social Service / Congregate Care Conditional Use License from the Community Development Director would be required for the following uses. Standards associated with this license are included in Chapter 46 under the proposed Article XXIV:

- Drug Treatment Clinic
- Group Home
- Homeless Shelter
- Lodginghouse
- Residential Care Facility
- Residential Drug/Alcohol Treatment Facility
- Social Service Center



CITY OF KEENE

Ordinance O-2019-13

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

AN ORDINANCE Relating to Social Services and Congregate Living Uses

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 added by adding the bolded underlined text and deleting the stricken text in the following Articles of Chapter 102, entitled "Zoning"

- Article I. "In General" - Section 102-2 "Definitions";
- Article IV. "Districts" – Division 5 "Rural" – Sec. 102-332 "Permitted Uses";
- Article IV. "Districts" – Division 6 "Low Density" – Sec. 102-362 "Permitted Uses";
- Article IV. "Districts" – Division 7 "Low Density-1" – Sec. 102-372 "Permitted Uses";
- Article IV. "Districts" – Division 8 "Medium Density" – Sec. 102-392 "Permitted Uses";
- Article IV. "Districts" – Division 9 "High Density" – Sec. 102-422 "Permitted Uses";
- Article IV. "Districts" – Division 10 "High Density-1" – Sec. 102-452 "Permitted Uses";
- Article IV. "Districts" – Division 11 "Central Business" – Sec. 102-482 "Permitted Uses";
- Article IV. "Districts" – Division 12 "Central Business Limited" – Sec. 102-512 "Permitted Uses";
- Article IV. "Districts" – Division 13 "Commerce" – Sec. 102-542 "Permitted Uses";
- Article IV. "Districts" – Division 15 "Office" – Sec. 102-602 "Permitted Uses";
- Article IV. "Districts" – Division 20 "Regional Health Care" – Sec. 102-760 "Permitted Uses";
- Article IV. "Districts" – Division 21 "Residential Preservation" – Sec. 102-770.1 "Permitted Uses";
- Article IV. "Districts" – Division 22 "Business Growth and Re-use" – Sec. 102-771.1 "Permitted Uses";
- Article IV. "Districts" – Division 23 "Neighborhood Business" – Sec. 102-772.1 "Permitted Uses";
- Article XIII. "Sustainable Energy Efficient Development Overlay" - Sec. 102-1434. – "General standards";

and, that Chapter 102 is further amended by adding a new Article XVII. entitled "Social Services and Congregate Living," as follows:

ARTICLE 1. – IN GENERAL

Sec. 102-2. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Convalescent home. See ~~Health~~ **Residential** care facility.

Domestic Violence Shelter means a facility that provides temporary shelter, protection, and support for those escaping domestic violence and intimate partner violence, including

victims of human trafficking. A domestic violence shelter also accommodates the minor children of such individuals. The facility may also offer a variety services to help individuals and their children including counseling and legal guidance. The facility shall be managed by a public or non-profit agency with in-house supervision provided on a 24-hour basis.

Drug Treatment Clinic means a non-residential facility authorized by the state to provide treatment and licensed drugs to persons, including, but not limited to, methadone or suboxone, to manage and treat drug dependencies.

Food Pantry means a non-profit organization that provides food directly to those in need. Food pantries receive, buy, store, and distribute food. Food pantries may also prepare meals to be served at no cost to those who receive them. A food pantry may be part of a place of worship, social service center, homeless shelter, and domestic violence shelter.

Fraternity and sorority house shall mean a place of residence, with or without meals, for more than four persons attending a college or university, who are all members of, or pledged to, a local or national fraternity or sorority that is recognized by a college or university with a Keene campus. For purposes of this article, a fraternity or sorority house shall be treated as a lodginghouse.

Group home means any premises, privately or publicly sponsored, where board and supervision are given to five or more persons not related by blood or marriage to the owner or primary occupant thereof, for the purpose of social rehabilitation and/or long term sheltered care. a facility in a residential dwelling, providing living accommodations and care for five or more unrelated persons who are in need of personal care services and/or are in need of supervision. Group home may include non-medical drug and alcohol rehabilitation.

Health care facility means an institution such as a nursing home, convalescent home, sanitarium, or home for the aged, in which sick patients or injured persons are given chronic medical, recovery or surgical care; or an institution for the chronic care of contagious diseases or incurable patients; or an institution which provides home and/or care for the aged.

Homeless Shelter means a facility that provides temporary shelter without a fee to persons who are homeless. The facility shall be managed by a public or non-profit agency with in-house supervision provided during operation.

Hotel shall mean a building or group of buildings which provides sleeping accommodations on a transient basis, with or without meals, but without separate cooking facilities for individual occupants. means a commercial facility that provides rooms for sleeping and customary lodging services for a fee. Related accessory services include, but are not limited to, meeting facilities, eating and drinking establishments, and gyms for the use of guests.

Institutional use includes health care facility, hospital, accessory (temporary) housing for families of patients admitted to a hospital, clinic, nursing home, sanitarium, convalescent home, home for the aged, private school, child care facility, place of worship, senior center, and museum. It may be public or private, for profit or not for profit, and deals with a service rather than a product.

In order to qualify as an institutional use, the property must be owned or leased by and used directly by the institution for institutional purposes. The property cannot be leased or subleased in whole or in part by the institutional use to a noninstitutional use. **For purposes of this chapter, the term Institutional Use shall not include a residential care facility, group home, homeless shelter, domestic violence shelter, drug treatment clinic, social service center, food pantry, residential drug/alcohol treatment facility.**

Lodginghouse shall mean any dwelling for more than four unrelated persons, which **lets provides separate rooms for sleeping accommodations for a fee** for a transient or permanent basis, without personal care services, with or without meals, but **and** without separate cooking facilities for individual occupants. For purposes of this **article**, the term lodging house shall not include a hotel or motel. **Lodginghouse shall include fraternity and/or sorority house.**

Motel shall mean a building or group of buildings with direct access to each unit from the outside, and with an on-site parking space for each unit, which provides sleeping accommodations primarily for transients traveling by motor vehicle, with or without meals and/or cooking facilities for individual occupants. **means a commercial facility that provides rooms for sleeping and customary lodging services for a fee, with direct access to each unit from the exterior of the building.**

Motel, apartment, means a structure primarily for transients traveling by automobile, with direct access to each lodging unit from the outside, and with an on-site parking space for each lodging unit, and where cooking facilities are provided in individual units. Transient residency shall not exceed six consecutive months. Also see *Boardinghouse, Hotel, Tourist home*.

Nursing home. See *Health Residential care facility*.

Personal Care Services means non-medical services provided to assist individuals with activities of daily living such as bathing, dressing, medication management, meal preparation and transportation.

Residential Care Facility means a licensed facility that provides 24-hour medical and/or non-medical care to persons in need of personal care services, supervision, or assistance essential for sustaining the activities of daily living, or for the protection of the individual. A residential care facility may include nursing care, assisted living, hospice care, and continuum of care facilities. Continuum of care facilities may also include independent living facilities as part of the continuum. Residential care facility does not include a residential drug/alcohol treatment facility.

Residential Drug/Alcohol Treatment Facility means a licensed facility that provides 24-hour in house supervision for medical and/or non-medical/therapeutic care of persons seeking rehabilitation from a drug and/or alcohol addiction. Such facilities may include medical detoxification.

Social Service Center means a facility that provides services for persons recovering from chemical or alcohol dependency; survivors of abuse seeking support; persons transitioning from homelessness or prior incarceration; and persons with health and disability concerns. It does not include in-patient, overnight, or living quarters for recipients of the service or for the staff. Such service does not include medical examinations

or procedures, or medical detoxification, dispensing of drugs or medications, or other treatments normally conducted in a medical office.

~~*Tourist home* means a private home with rooms leased for overnight transient accommodations. Also see *Motel, apartment, Boardinghouse, Hotel.*~~

ARTICLE IV. - DISTRICTS

DIVISION 5. - RURAL (R)

Sec. 102-332. - Permitted uses.

Permitted uses in the rural (R) district are as follows:

Permitted Use	Subject to the Following:
Accessory dwelling unit	Subject to conditions and limitations as specified in section 102-896.
Bed and breakfast inn	Special exception. Parking: Must provide one off-street parking space for each room to be rented in addition to parking spaces required for residence.
Cemetery	
Dwelling, single-family	
Gravel pits	Special exception. Traffic: Primary access must be via an arterial street. Fumes/odors: No dust, odors, and/or fumes may escape boundaries of property. Also see chapter 54 pertaining to natural resources protection.
Greenhouses or nurseries for raising of flowers and other horticultural products, including raising of such products for sale on the premises	
Group home	Utilities: City sewer and water required. Buffer: A continuous 50-foot wide area measured from the property line in which no buildings, parking lots or roads are permitted, except for authorized curb cuts, and in which all utilities must be underground. Minimum setback: 75 feet rather than 50 feet for front, side and rear property lines. Parking: Minimum of one-half space per unit.
Harvesting of forestry products	
Historic site open to the public	
Home occupation incidental to main residential use	Condition: See division 5 of article V of this chapter pertaining to home occupations.

Institutional use	Special exception. Subject to conditions and limitations as specified in division 12 of article V of this chapter pertaining to institutional use.
Kennel	Traffic: Primary access must be via an arterial street. Noise: Cannot exceed 65 dBA measured at the property line. Fumes/odors: No dust, odors, and/or fumes may escape boundaries of property.
Manufactured housing park and manufactured housing subdivisions	
Noncommercial outdoor recreation activity	Traffic: Primary access must be via an arterial street, except by special exception. Noise: Cannot exceed 65 dBA measured at the property line. Fumes/odors: No dust, odors, and/or fumes may escape the boundaries of the property.
Orchards and vineyards	
Outdoor recreational activity as a business	Subject to conditions outlined in division 3 of article VI of this chapter pertaining to outdoor recreation performance standards, and site plan review.
Raising and selling of farm animals and/or products	
Towers for transmission, communication, and/or cellular telephone transmission	Special exception.
Veterinary establishment	Traffic: Primary access must be via an arterial street. Noise: Cannot exceed 65 dBA measured at the property line. Fumes/odors: No dust, odors, and/or fumes may escape boundaries of property.

DIVISION 6. - LOW DENSITY (LD)

Sec. 102-362. - Permitted uses.

Permitted uses in the low density (LD) district are as follows:

Permitted Use	Subject to the Following:
Accessory dwelling unit	Subject to conditions and limitations as specified in section 102-896.

Dwelling, single-family	
Group home	Special exception.
Harvesting of forestry products	Special exception.
Historic site open to the public	
Home occupation incidental to main residential use	Condition: See division 5 of article V of this chapter pertaining to home occupations.
Institutional use	Special exception. Subject to conditions and limitations as specified in division 12 of article V of this chapter pertaining to institutional uses.
Noncommercial raising of farm animals	

DIVISION 7. - LOW DENSITY-1 (LD-1)

Sec. 102-372. - Permitted uses.

Permitted uses in the low density-1 (LD-1) district are as follows:

<i>Permitted use</i>	<i>Subject to the following:</i>
Accessory dwelling unit	Subject to conditions and limitations as specified in section 102-896.
Dwelling, single-family, detached	
Group home	Special exception.
Harvesting of forest products	Special exception.
Historic site open to the public	
Home occupation incidental to the main use	Condition: See division 5 of article V of this chapter pertaining to home occupations.
Noncommercial raising of farm animals	

DIVISION 8. - MEDIUM DENSITY (MD)

Sec. 102-392. - Permitted uses.

Permitted uses in the medium density (MD) district are as follows:

Permitted Use	Subject to the Following:
Accessory dwelling unit	Subject to conditions and limitations as specified in section 102-896.
<u>Domestic Violence Shelter</u>	

Dwelling, multifamily	Condition: Maximum of three dwelling units per lot.
Dwelling, single-family	
Dwelling, duplex	
Group home	Special exception. <u>Subject to conditions and limitations as specified in Article XVII of Chapter 102 and Article XXIV of Chapter 46</u>
Historic site open to the public	
Home occupation incidental to main residential use	Condition: See division 5 of article V of this chapter pertaining to home occupations.
Institutional use	Special exception. Subject to conditions and limitations as specified in division 12 of article V of this chapter pertaining to institutional uses.
Noncommercial raising of farm animals	

DIVISION 9. - HIGH DENSITY (HD)

Sec. 102-422. - Permitted uses.

Permitted uses in the high density (HD) district are as follows:

Permitted Use	Subject to the Following:
Accessory dwelling unit	Subject to conditions and limitations as specified in section 102-896.
Bed and breakfast with meeting and dining facilities	Special exception.
	1. Access required from a street no more than one street removed from a state highway.
	2. Maximum of 60 people or eight times the number of bedrooms, whichever is less.
	3. Must provide on-site parking of two spaces for permanent resident, plus one space per guest bedroom, plus one space per 1.5 people using meeting and dining facilities.

	4. Attendance by registered guests, invited guests or participants in functions/meetings only. Dining facilities are not open to the public.
	5. A semiannual special license will be required for any activity involving more than 60 people. No more than 100 people will be allowed per special event during the period of the special license. Application for a special license is to be filed with the city clerk and shall require approval by the departments of police, fire and code enforcement. For each special license, the city shall determine hours of operation, parking requirements, traffic control and special requirements deemed necessary for public safety.
	6. Hours of operation for outside activities shall be restricted to 8:00 a.m. to 10:00 p.m.
	7. Five-acre minimum site required.
Bed and breakfast inn/ tourist home	Special exception. Parking: Must provide one off-street parking space for each room to be rented in addition to parking spaces required for residence.
Boardinghouse/ <u>L</u> odginghouse	<u>Subject to conditions and limitations as specified in Article XVII of Chapter 102 and Article XXIV of Chapter 46</u>
<u>Domestic Violence Shelter</u>	
Dwelling, duplex	
Dwelling, multifamily	
Dwelling, single-family	
Fraternity/ serority	Special exception.
Group home	<u>Subject to conditions and limitations as specified in Article XVII of Chapter 102 and Article XXIV of Chapter 46</u>
Historic site open to the public	
Home occupation incidental to main residential use	Condition: See division 5 of article V of this chapter pertaining to home occupations.
Institutional use	Special exception. Subject to conditions and limitations as specified in division 12 of article V of this chapter pertaining to institutional uses.
Neighborhood grocery stores	Special exception.
<u>Residential Care Facility</u>	<u>Subject to conditions and limitations as specified in Article XVII of Chapter 102 and Article XXIV of Chapter 46</u>

Senior center	
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DIVISION 10. - HIGH DENSITY-1 (HD-1)

Sec. 102-452. - Permitted uses.

Permitted uses in the high density-1 (HD-1) district are as follows:

Permitted Use	Subject to the Following:
Accessory dwelling unit	Subject to conditions and limitations as specified in section 102-896.
Bed and breakfast with meeting and dining facilities	Special exception. See section 102-422 pertaining to performance standards, high density.
Dwelling, duplex	
Dwelling, multifamily	
Dwelling, single-family	
Group home	
Institutional use	Special exception. See division 12 of article V of this chapter pertaining to institutional uses.

DIVISION 11. - CENTRAL BUSINESS (CB)

Sec. 102-482. - Permitted uses.

Permitted uses in the central business (CB) district are as follows:

Permitted Use	Subject to the Following:
Art center	
Banking or lending institutions	
Clinic	
<u>Domestic Violence Shelter</u>	
Drive-in uses	Special exception.
Dwelling, multifamily	
<u>Food Pantry</u>	
Funeral parlor	
Garage, business	
Health and fitness center	Special exception required for all outdoor activities.
Historic site open to the public	

Hotel	
Institutional use	
Live/work space	
Nursery or child care facility	
Offices, including incidental warehousing, wholesaling or retailing	
Parking area (lot)	
Place of worship	
Private club, lodge or fraternal activity where function is indoors	
Private school	
Recreational activity as a business	Special exception.
Research and development	
<u>Residential Care Facility</u>	<u>Subject to conditions and limitations as specified in Article XVII of Chapter 102 and Article XXIV of Chapter 46</u>
Restaurants	
Retail sales/service and/or rental including indoor salesroom where motor vehicles are kept for sale	
<u>Social Service Center</u>	<u>Subject to conditions and limitations as specified in Article XVII of Chapter 102 and Article XXIV of Chapter 46</u>

DIVISION 12. - CENTRAL BUSINESS LIMITED (CBL)

Sec. 102-512. - Permitted uses.

Permitted uses in the central business limited (CBL) district are as follows:

Permitted Use	Subject to the Following:
Banking or lending institutions	
Bed and breakfast inn/ tourist home	
Boardinghouse/ Lodginghouse	<u>Subject to conditions and limitations as specified in Article XVII of Chapter 102 and Article XXIV of Chapter 46</u>
Clinic	

<u>Domestic Violence Shelter</u>	
Drive-in uses	
Dwelling, multifamily	Condition: Minimum of four or more dwelling units.
<u>Food Pantry</u>	
Funeral parlor	
Garage, business	
Health and fitness center	Special exception required for all outdoor activities.
Historic site open to the public	
<u>Homeless Shelter</u>	<u>Subject to conditions and limitations as specified in Article XVII of Chapter 102 and Article XXIV of Chapter 46</u>
Hotel	
Institutional use	
Motel/motel apartment	
Motor vehicle dealership	Condition: No outside storage of dismantled vehicles or vehicle parts between building line and street. All outside storage must be screened from any adjacent residential use by a minimum six-foot-high fence, hedge or other impervious buffer along internal lot lines which separate such use from adjacent residential use. No display or storage within ten feet of curb or curblin.
Motor vehicle service station/filling station	Condition: See division 10 of article V of this chapter pertaining to filling stations, service stations, repair garages, paint shops, vehicle body shops.
Nursery or child care facility	
Nursing home, sanitarium, convalescent home, home for the aged	
Office	
Parking area (lot)	
Place of worship	
Private club, lodge, or fraternal activity where primary function is indoors	
Privately owned school	
Recreational activity as a business	Special exception.

Research and development	
Restaurant	
<u>Residential Care Facility</u>	<u>Subject to conditions and limitations as specified in Article XVII of Chapter 102 and Article XXIV of Chapter 46</u>
Retail sales and services	
Senior center	
<u>Social Service Center</u>	<u>Subject to conditions and limitations as specified in Article XVII of Chapter 102 and Article XXIV of Chapter 46</u>

DIVISION 13. - COMMERCE (COM)

Sec. 102-542. - Permitted uses.

Permitted uses in the commerce (COM) district are as follows:

Permitted Use	Subject to the Following:
Banking or lending institution	
Clinic	
<u>Domestic Violence Shelter</u>	
Drive-in use	
<u>Drug Treatment Clinic</u>	<u>Subject to conditions and limitations as specified in Article XVII of Chapter 102 and Article XXIV of Chapter 46</u>
<u>Food Pantry</u>	
Funeral parlor	
Garage, business	
Greenhouse, nursery	
Health and fitness center	Special exception required for all outdoor activities.
Historic site open to the public	
<u>Homeless Shelter</u>	<u>Subject to conditions and limitations as specified in Article XVII of Chapter 102 and Article XXIV of Chapter 46</u>
Hotel	
Institutional use	

Motel	
Motel, apartment	
Motor vehicle dealership	
Motor vehicle repair garage, paint shop, vehicle body shop	Condition: See division 10 of article V of this chapter pertaining to filling stations, service stations, repair garages, paint shops, vehicle body shops.
Motor vehicle service station/filling station	Condition: See division 10 of article V of this chapter pertaining to filling stations, service stations, repair garages, paint shops, vehicle body shops.
Nursery or child care facility	
Offices, including incidental warehousing, wholesaling or retailing	
Parking area (lot)	
Private club, lodge or fraternal activity where primary function is indoors	
Private school	
Publishing/printing	
Recreational activity as a business	
Research and development	
<u>Residential Care Facility</u>	<u>Subject to conditions and limitations as specified in Article XVII of Chapter 102 and Article XXIV of Chapter 46</u>
<u>Residential Drug/Alcohol Treatment Facility</u>	<u>Subject to conditions and limitations as specified in Article XVII of Chapter 102 and Article XXIV of Chapter 46</u>
Restaurants	
Retail sales/services	
<u>Social Service Center</u>	<u>Subject to conditions and limitations as specified in Article XVII of Chapter 102 and Article XXIV of Chapter 46</u>

DIVISION 15. - OFFICE (O)

Sec. 102-602. - Permitted uses.

Permitted uses in the office (O) district are as follows:

Permitted Use	Subject to the Following:
	Condition: All development, redevelopment, additions, and renovations in this zone are to maintain the look and feel of a residential zone or area. This is to be accomplished by the following:
	1. All changes are subject to the city site plan regulations.
	2. Specifically prohibited are concrete block exteriors, flat roofs, and rooftop HVAC equipment.
	3. All dumpsters must be located at the rear of the building, be enclosed or screened and not visible from the street. Exempt from this requirement are dumpsters temporarily located on a site during construction when a building permit has been issued.
	4. No parking and/or paving, except driveways, is permitted in the front setback or the area from the front lot line to the building front, whichever is greater.
	5. When a site is altered, requiring submittal of a site plan, there is to be provided a four-foot-high fence and/or landscape screen between all paving/driveways/parking and directly abutting residential property.
Accessory dwelling unit	Subject to conditions and limitations as specified in section 102-896.
Bed and breakfast/inn; tourist home	
Dwelling, duplex	
Dwelling, multifamily	
Dwelling, single-family	
Funeral parlor	
<u>Group Home</u>	<u>Subject to conditions and limitations as specified in Article XVII of Chapter 102 and Article XXIV of Chapter 46</u>
Historic site open to the public	
Home occupation	See division 5 of article V of this chapter pertaining to home occupations.
Institutional use	Special exception. Subject to conditions and limitations as specified in division 12 of article V of this chapter pertaining to institutional uses.
Nursery or child care facility	Special exception.
Office	
Parking area (lot)	Special exception.

Private club, lodge or fraternal activity where primary function is indoors	Special exception. Traffic: Primary access must be via an arterial street.
Senior center	

DIVISION 20. - REGIONAL HEALTH CARE (HC)

Sec. 102-760. - Permitted principal uses.

Permitted principal uses in the regional health care (HC) district are as follows:

Permitted Principal Uses	Subject to the Following:
Accessory (temporary) housing for family of patients admitted to hospital	
Adult day care	
Administrative offices which support a principal use within the medical facilities district, including, without limitation, billing, business, computer data processing, and records	
Clinic	
Health Residential care facility, including skilled nursing home, extended care, and assisted and sheltered care facilities	<u>Subject to conditions and limitations as specified in Article XVII of Chapter 102 and Article XXIV of Chapter 46</u>
Health care professional services and offices, including doctors, nurses, occupational and rehabilitative services, hospice, community health education, nutrition, and other providers of health, human, and mental health services	
Heliport for emergency use	Minimum 400-foot front setback.
Hospital	
Housing for health care professional students, such as medical interns and residents	
Parking garage	Minimum 400-foot front setback.
<u>Residential Drug/Alcohol Treatment Facility</u>	<u>Subject to conditions and limitations as specified in Article XVII of Chapter 102 and Article XXIV of Chapter 46</u>

DIVISION 21. – RESIDENTIAL PRESERVATION (RP)

Sec. 102-770.1. - Permitted principal uses.

Any mixture of these primary uses is permitted.

Permitted Use	Subject to the Following:
Accessory dwelling unit (ADU)	< 800 SF
Bed and breakfast inn/ tourist home	
Bed and breakfast with meeting/dining facilities	Special exception
Single-family dwelling	
Noncommercial raising of farm animals	
Nursery/child care facility	< 2,500 SF

DIVISION 22. - BUSINESS GROWTH AND RE-USE DISTRICT (BGR)

Sec. 102-771.1. - Permitted principal uses.

Any mixture of these primary uses is permitted:

Permitted Use	Subject to:
Assembly	Any one use may occupy no more than 30,000 gross square feet of floor space. Special exception subject to criteria for > 30,000 square feet.
Bed and breakfast inn/ tourist home	
Bed and breakfast with meeting/dining facilities	
Bulk storage and distribution of goods, accessory to main manufacturing use	Any one use may occupy no more than 30,000 gross square feet of floor space. Special exception subject to criteria for > 30,000 square feet.
College: Undergraduate, graduate and industrial training programs	Any one use may occupy no more than 30,000 gross square feet of floor space. Special exception subject to criteria for > 30,000 square feet.
Health and fitness center	Special exception required for all outdoor activities. Accessory use only.
Historic site	
Home occupation/live-work	
Home offices (insurance/publishing companies, manufacturing firms)	
Manufacturing/processing	Any one use may occupy no more than 30,000 gross square feet of floor space. Special exception subject to criteria for > 30,000 square feet.
Mixed-use development	

Multi-dwelling structure	Special condition: Mixed use only when connected to a commercial or industrial use.
Neighborhood grocery store	< 3,500 SF
Nursery/greenhouse	
Office, small scale corporate, business or professional purposes	Any one use may occupy no more than 20,000 gross square feet of floor space. Special exception subject to criteria for > 20,000 square feet.
Repair garage	Condition: All outside vehicles must be screened from view by a minimum six-foot-high impervious fence or hedge.
Research and development laboratory	Any one use may occupy no more than 30,000 gross square feet of floor space. Special exception subject to criteria for > 30,000 square feet.
<u>Residential Care Facility</u>	<u>Subject to conditions and limitations as specified in Article XVII of Chapter 102 and Article XXIV of Chapter 46</u>
Restaurant	As distinguished from a bar and less than 50 seats.
Warehousing	Any one use may occupy no more than 30,000 gross square feet of floor space. Special exception subject to criteria for > 30,000 square feet.
Wholesaling	Any one use may occupy no more than 30,000 gross square feet of floor space. Special exception subject to criteria for > 30,000 square feet.

DIVISION 23. – NEIGHBORHOOD BUSINESS (NB)

Sec. 102-772.1. - Permitted principal uses.

Any mixture of these primary uses is permitted:

Permitted Use	Subject To:
Accessory dwelling unit (ADU)	< 800 SF
Bed and breakfast inn/ tourist home	
Bed and breakfast with meeting/dining facilities	Special exception
Duplex /two family dwelling	
Funeral Parlor	< 3,750SF
Health and fitness center	< 2,500 SF
Historic site	
Home occupation/live-work	
Mixed-use development	
Multi-dwelling structure	
Neighborhood grocery store	< 3,500 SF
Nursery/greenhouse	< 5,000 SF
Nursery/child care facility	< 3,000SF
Office, professional	< 5,000 SF
Restaurant	< 3,500 SF
Retail sales/service	< 3,500 SF
Single family dwelling	

ARTICLE XIII. - SUSTAINABLE ENERGY EFFICIENT DEVELOPMENT OVERLAY

Sec. 102-1434. - General standards.

(a) Central business district, central business limited district use regulations: In addition to the uses allowed in the central business district and central business limited district, the following uses shall be permitted in any combination when a proposed development has received a finding of eligibility:

- (1) Mixed-use development

(b) Commerce district, industrial district, and high density district within SEED Area A Use Regulations:

In addition to the uses allowed in the commerce district, high density and industrial district, the following uses shall be permitted in any combination when a proposed development has received a finding of eligibility:

(1) All uses allowed within the central business district, with the exception of food pantry and social service center unless otherwise permitted in the underlying zoning district.

(2) Mixed-use development.

(c) High density district within SEED Area B Use Regulations: In addition to the uses allowed in the high density district, the following uses shall be permitted when a proposed development has received a finding of eligibility:

- (1) Mixed-use development;
- (2) Banking or lending institutions;
- (3) Clinic;
- (4) Nursery or child care facility;
- (5) Parking area (lot).

ARTICLE XVII. SOCIAL SERVICES AND CONGREGATE LIVING

Section 102-1498. Conditional Use Permit Applicability

Any change of use or new occupancy of any building or portion thereof to the following social services or congregate living uses shall require a conditional use permit issued by the Planning Board. The following uses are as defined in Section 102-2.

- a) Drug Treatment Clinic
- b) Group Home
- c) Homeless Shelter
- d) Lodginghouse
- e) Residential Care Facility
- f) Residential Drug/Alcohol Treatment Facility
- g) Social Service Center

Section 102-1498. Conditional Use Permit General Criteria

In addition to the Planning Board Development Standards, the Planning Board shall consider the following criteria when deciding whether to grant a conditional use permit.

- a) The proposed use will not have a significant adverse impact on the general welfare, safety, and health of the neighborhood or community, including that of the client population being served by such uses.
- b) The proposed use is compatible with the character of the surrounding area in terms of operational characteristics including hours of operation, outdoor lighting, noise, and traffic generation.
- c) For certain uses, additional standards must be met. These standards are listed below by use.
 - i. Group Home
 - a. Group home facilities must maintain the appearance of a residential structure. When located in an existing residential structure, the design

and operation of the facility must not alter the residential character of the structure.

- ii. Residential Care Facility
 - a. When located in an existing residential structure, the design and operation of the facility must not alter the residential character of the structure.
- iii. Residential Drug/Alcohol Treatment Facility
 - a. Facilities shall not be located directly adjacent to a zoning district that allows for single family dwelling units.
- iv. Social Service Center
 - a. Social Service Centers shall not be located directly adjacent to a zoning district that allows for single family dwelling units.
- v. Homeless Shelter
 - a. Homeless Shelters shall not be located directly adjacent to a zoning district that allows for single family dwelling units.
- vi. Drug Treatment Clinic
 - a. Security lighting is required. Such lighting must be adequate to deter or detect intrusions or other criminal activity during non-daylight hours.
 - b. Drug Treatment Clinics shall not be located directly adjacent to a zoning district that allows for single family dwelling units.

Section 102-1498. Conditional Use Permit Application Procedure.

All applications for a Social Service and Congregate Living Conditional Use Permit shall be made to the Planning Board in accordance with the submission and procedural requirements set forth in the Planning Board Site Plan and Subdivision Regulations, as they may be amended, and RSA 676:4.

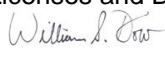
Section 102-1499. –On-Site Posting of Public Hearing.

An applicant for a Social Service and Congregate Living Conditional Use Permit shall, not less than 10 days prior to the date before the public hearing on the application, post a sign obtained from the Community Development Department providing notice of the use applied for and the date and time of the public hearing in a location of the premises visible to the public. This sign shall be removed by the applicant no later than 10 days after completion of the hearing and returned to the Community Development Department.

Section 102-1500. - Enforcement.

- a) Enforcement of this article shall be by the City of Keene under the provisions set forth in RSA 676 as it may be amended.
- b) A conditional use permit issued under this Article shall only be valid if a Social Service and Congregate Living License is received and maintained in accordance with Chapter 46 Article XXIV of the City Code.

In City Council July 18, 2019.
Referred to the Joint Planning Board and
Planning, Licenses and Development Committee.


Deputy City Clerk

Kendall W. Lane, Mayor



CITY OF KEENE

Ordinance O-2019-14

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

AN ORDINANCERelating to Social Services and Congregate Living License.....

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

That the City Code of the City of Keene, New Hampshire, as amended, is hereby further amended by adding the bolded underlined text and deleting the stricken text in the following articles and Sections of Chapter 18 entitled "Building Regulations" and Chapter 46 entitled "Licenses and Permits" and Appendix B entitled "Fee Schedule":

- Chapter 18. Article I. "In General" - Section 18-2 "Definitions";
- Chapter 46. Article I. "In General" - Section 46-1 "Definitions";
- Chapter 46. Article II. "Licensing Generally" - Division 2. "Administration" - Sec. 46-63. "Designated licensing officials";
- Chapter 46. Article II. "Licensing Generally" - Division 3. "Application, Review, Appeal" - Sec. 46-94. "Fair hearing and review by City Manager";

and, that Chapter 46 be further amended by deleting in its entirety Article X entitled "Lodginghouses" and by adding a new Article XXIV entitled "Social Services and Congregate Living," as follows:

CHAPTER 18 - BUILDING REGULATIONS

ARTICLE 1. – IN GENERAL

Sec. 18-2. - Definitions.

Lodginghouse shall mean any dwelling for more than four unrelated persons, which ~~lets~~ **provides separate rooms for** sleeping accommodations **for a fee** ~~for a transient or permanent basis, without personal care services, with or without meals, but~~ **and** without separate cooking facilities for individual occupants. For purposes of this **article**, the term lodging house shall not include a hotel or motel.

CHAPTER 46 – LICENSES AND PERMITS

ARTICLE I. - IN GENERAL

Sec. 46-1. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Drug Treatment Clinic means a non-residential facility authorized by the state to provide treatment and licensed drugs to persons, including, but not limited to, methadone or suboxone, to manage and treat drug dependencies.

Group home means a facility in a residential dwelling, providing living accommodations and care for five or more unrelated persons who are in need of personal care services and/or are in need of supervision. Group home may include non-medical drug and alcohol rehabilitation.

Homeless Shelter means a facility that provides temporary shelter without a fee to persons who are homeless. The facility shall be managed by a public or non-profit agency with in-house supervision provided during operation.

Lodginghouse shall mean any dwelling for more than four unrelated persons, which ~~lets~~ **provides separate rooms for** sleeping accommodations **for a fee** ~~for a transient or permanent basis, without personal care services, with or without meals, but~~ **and** without separate cooking facilities for individual occupants. For purposes of this **article**, the term lodging house shall not include a hotel or motel.

Personal Care Services means non-medical services provided to assist individuals with activities of daily living such as bathing, dressing, medication management, meal preparation and transportation.

Residential Care Facility means a licensed facility that provides 24-hour medical and/or non-medical care to persons in need of personal care services, supervision, or assistance essential for sustaining the activities of daily living, or for the protection of the individual. A residential care facility may include nursing care, assisted living, hospice care, and continuum of care facilities. Continuum of care facilities may also include independent living facilities as part of the continuum. Residential care facility does not include a residential drug/alcohol treatment facility.

Residential Drug/Alcohol Treatment Facility means a licensed facility that provides 24-hour in house supervision for medical and/or non-medical/therapeutic care of persons seeking rehabilitation from a drug and/or alcohol addiction. Such facilities may include medical detoxification.

Social Service Center means a facility that provides services for persons recovering from chemical or alcohol dependency; survivors of abuse seeking support; persons transitioning from homelessness or prior incarceration; and persons with health and disability concerns. It does not include in-patient, overnight, or living quarters for recipients of the service or for the staff. Such service does not include medical examinations

or procedures, or medical detoxification, dispensing of drugs or medications, or other treatments normally conducted in a medical office.

ARTICLE II. - LICENSING GENERALLY

DIVISION 2. - ADMINISTRATION

Sec. 46-63. - Designated licensing officials.

The following city officials shall have the authority to review, to approve and to suspend, revoke or modify the licenses indicated in accordance with this chapter:

Type of License/Permit	Licensing Official
Bike race, road race, parade	City clerk
Central Square Common or Railroad Square	Parks, recreation and facilities director
Charitable and nonprofit solicitation	City clerk
Commercial solicitation	City clerk
Community Event	City council
Food Service Establishments	Health/Code enforcement
General Use of City property	City clerk
Hawkers and peddlers	City clerk
Itinerant vendor	City clerk
Lodging house	City council
Outdoor periodic event	City clerk
Pawnbroker	Police department
Public transportation	City clerk

Raffle	City clerk
Sidewalk Café	City clerk
Sidewalk obstruction	City clerk
<u>Social Service and Congregate Living</u>	<u>Community Development Director</u>
Street fair	City council
Temporary sign on city property	City clerk
Walk-a-thon	City clerk

DIVISION 3. - APPLICATION, REVIEW, APPEAL

Sec. 46-94. –Fair Hearing and review by city manager.

(a) Any person who has been aggrieved by any decision of a designated city official to grant, deny, suspend, revoke or modify a license may petition the city manager for **a fair hearing** to review ~~of that~~ **the** decision.

~~(b) Before a currently valid and lawfully issued license may be suspended, revoked, or modified, a fair hearing shall be afforded the license holder.~~ Reasonable notice will be provided stating the reasons for such hearing, **the date and the time of the hearing**, and the action which may be taken. The hearing shall be before the city manager, the police chief, and the **fire chief city clerk**. **The Petitioner and the licensing official may present information or testimony relevant to the matter as may be determined by the panel.** The majority of such panel shall decide what action shall be taken by the designated licensing official after hearing the evidence and arguments for and against the action.

~~(b)(e)~~ A license may be **immediately** suspended, revoked or modified by the designated licensing official, with the concurrence of the city manager, without a hearing in cases of fraud or emergency; however, in such cases, the license holder may petition that a hearing be conducted as promptly thereafter as may be reasonable and practicable.

ARTICLE XXIV. – SOCIAL SERVICES AND CONGREGATE LIVING

Sec. 46-4030. - Applicability.

From and after the effective date of the ordinance from which this article derives no person shall keep, permit or suffer to exist any of the following social services or congregate

living uses as defined in this chapter without first having obtained a license from the licensing authority for each property location.

- a) **Drug Treatment Clinic**
- b) **Group home**
- c) **Homeless Shelter**
- d) **Lodginghouse**
- e) **Residential Care Facility**
- f) **Residential Drug/Alcohol Treatment Facility**
- g) **Social Service Center**

Sec. 46-4031. - Application Requirements.

In addition to the application requirements of Division 4 of this Chapter, the following information may be required and may be used by the licensing authority in evaluation of an application for a Social Services and Congregate Living License:

- 1. Description of the property location including street address and tax map number.**
- 2. Description of the client population to be served.**
- 2. The maximum number of beds or persons intended to be served by the facility.**
- 3. Name, phone number, and address of the property owner.**
- 4. Name, phone number, and address of a person acting as the operator, who will serve as a point of 24-hour contact for the public and the City.**
- 5. A management plan detailing operation of the use, number and professional qualifications of staff, management of volunteers, and policy for client conduct and potentially violent clients.**
- 6. A security plan, to ensure safe operation of the facility for staff, clients, and abutters or neighbors.**
- 7. Evidence that all required governmental licenses, permits or authority to operate have been obtained.**
- 8. A list of directly abutting properties, including the abutting property owners' name, street address, mailing address and tax map number, current to within 10 days of the license application, together with payment of the required fee for certified mailing for each listed abutter.**

Sec. 46-4032. - Abutter Notification.

The licensing authority shall provide written notice to each listed abutter stating the license applied for, and instructing that any comments relevant to the license application may be submitted to the licensing authority within 10 days of the date of the notice.

Sec. 46-4033. - Compliance.

Prior to the issuance of an initial license, and prior to the reissuance of an annual license, all appropriate enforcement officers shall make or cause to be made an inspection to determine if all applicable laws, ordinances, codes, permits, rules and regulations have been complied with, including but not limited to applicable management and security plans.

The licensing authority shall either grant or to deny the license application within 30 days of the receipt of the application. In the event that the application is denied, the licensing authority shall provide a written statement to the applicant stating the specific reasons for the denial. Any person aggrieved by the decision of the licensing authority to issue or to deny a license may appeal such decision as provided in City Code Section 46-94.

Sec. 46-4034. - Expiration.

Each license issued under this article shall expire on March 31 of the year subsequent to its issuance date notwithstanding the date of the initial issuance. No postponements of the expiration date shall be granted except for good cause shown and as determined by the licensing authority; provided that the license has been applied for prior to the annual expiration date.

Sec. 46-4035. - Display.

The license issued pursuant to this division shall be displayed in a prominent place on the exterior ground floor near the front door of the building.

Sec. 46-4036. - Suspension or revocation.

A social services and congregate living license may be suspended for a stated period of time for cause, or revoked for cause, by the licensing authority on complaint of one of the enforcement officers, stating the specific basis for the suspension or revocation, the necessary corrective action to be taken, and the effective date of the suspension or revocation for non-compliance. Notice shall be sufficient if sent by certified mail to the property owner and to the operator of the facility at their addresses as listed on the license. A license may be suspended immediately if the licensing authority determines that immediate suspension is required to protect public health or safety. Any suspension or revocation may be appealed as provided by Code Section 46-94.

Sec. 46-4037. - Enforcement.

For the purposes of this article, the licensing authority shall be the Community Development Director or their designee. Where compliance with zoning, building, plumbing, wiring and housing codes is concerned, the enforcement officer shall be the Building Official, and for fire and life safety codes, the enforcement officer shall be the Fire Chief.

Sec. 46-4038. - Penalties.

Any person who operates a social services or congregate living use as listed in Section 46-4030 of this Chapter without having first obtained a license in accordance with this Article, or who operates such a use without a valid license, shall be subject to a violation in accordance with City Code, Section 1-15 and subject to a fine of \$250.00.

Sec. 46-4039. - Fee.

The fee for each Social Services and Congregate Living License application shall be as set forth in the schedule of fees in Appendix B to this Code.

APPENDIX B. FEE SCHEDULE

Chapter 46. Licenses and Permits

~~§ 46-593. Lodginghouse license fee 165.00~~

§ 46-4039. Social Services and Congregate Living License Fee...\$200.00

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



Deputy City Clerk

Kendall W. Lane, Mayor



City of Keene, N.H.
Transmittal Form

July 5, 2019

TO: Mayor and Keene City Council

FROM: Rhett Lamb ACM/Community Development Director

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

ITEM: I.3.

SUBJECT: Relating to Zone Change - 560/580 Main Street

COUNCIL ACTION:

In City Council July 18, 2019.
Ordinance O-2019-12 referred to the Joint Planning Board and Planning, Licenses and Development Committee.

RECOMMENDATION:

That Ordinance O-2019-12 be referred to the Joint PLD/Planning Board Joint Committee for its review and recommendation.

ATTACHMENTS:

Description

Application to Amend Zoning Map

Narrative and Associated Maps

Ordinance O-2019-12

BACKGROUND:

This Ordinance amends the Zoning Map designation for the city-owned parcel at 560 Main Street (TMP 114-012-000) by changing a small area of that parcel currently designated "Commerce" to "Industrial". 560 Main Street is an approximately 30 acre parcel currently used for Public Works operations. It is the location of a former landfill.

An approximately 2 acre area of the parcel at the northwesterly end near Manchester Street is designated "Commerce" (COM); the rest of the parcel is designated "Industrial" (I). The line defining the boundary between the area designated COM and the area designated I does not follow property lines, streets, or any natural feature and therefore splits the property arbitrarily into two zoning districts. This condition is not favorable to the future use of the property by the City or by others and creates confusion and unnecessary complexity in the use and development of the land. The purpose of this Zoning Amendment is to correct this condition and cause the entire parcel to be zoned I.



APPLICATION TO AMEND THE ZONING MAP

Petitioner Community Development Dep't Date 7/5/19

Address 3 Washington St Keene

Telephone () 352-5440 Property Owner City of Keene

Location of Property to be Rezoned 560 Main St. 114-012-000

Approximate Acreage 30 Present Zoning District I/com Proposed Zoning District I

Validation of parcel ID# by the Assessing Department

[Signature] Assessing Department Staff

[Signature] Petitioner's Signature

Submittal Requirements, which must be complete at the time of submission to the City Clerk.

- A properly drafted Ordinance containing the full description of the property to be rezoned and the proposed amendment along with a typed or neatly printed narrative explaining the purpose of, effect of, and justification for the proposed change(s).
A notarized list of property owners/agents within the boundary of the area or areas proposed for rezoning as well as the names of all abutters of the property. This list shall include the tax map number and address of each abutter and owner, and must be current with the Assessing Department's records within ten days of submittal. The list shall also include the name of any agent who should receive notice. Two sets of mailing labels shall be provided.
Three maps showing the boundary of the area or areas to be changed, one at 8 1/2" x 11" and two at City tax map scale (24" x 36").
\$100.00 application fee plus an additional \$10.00 per acre or lot for a total sum not to exceed \$500.00 as well as the publication and postage fees identified below. Check made payable to City of Keene.

Ordinance Number Date Received by City Clerk

Application Fee @ \$100.00 \$
Area Fee @ \$10/00 per acre \$
Publication of Notice in The Keene Sentinel @ \$90.00 \$
Postage Fees for property owners/ agents and abutters. Total # of notices @ .47 \$

The petitioner is also responsible for the publication costs for the public workshop before the joint Planning Board and Planning, Licenses and Development Committee. Additional costs will be collected by the Planning Department for the mailing costs associated with the public workshop as well as the publication of the public workshop notice.

O-2019-12 Narrative

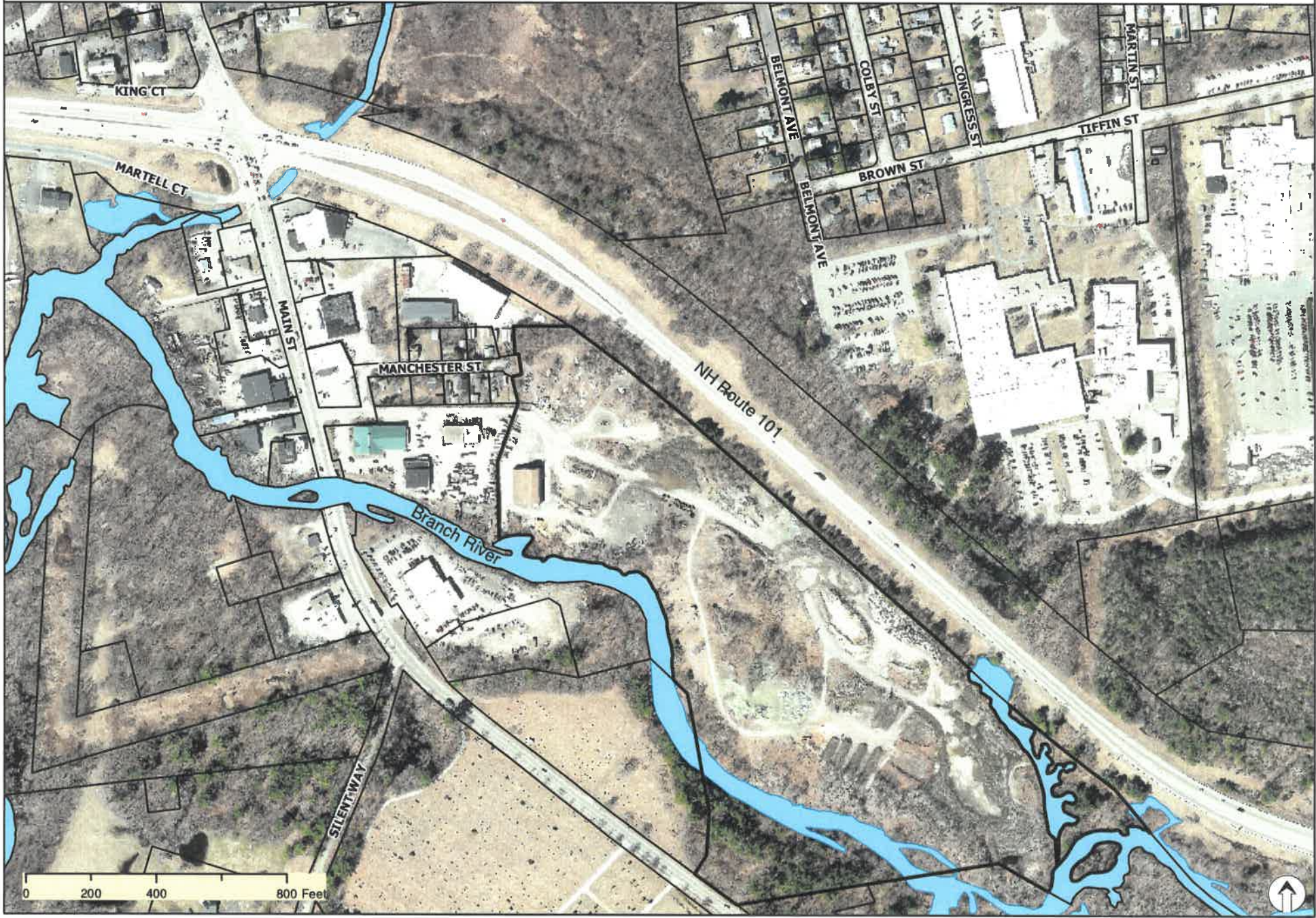
This Ordinance amends the Zoning Map designation for the city-owned parcel at 560 Main Street (TMP 114-012-000) by changing a small area of that parcel currently designated "Commerce" to "Industrial". 560 Main Street is an approximately 30 acre parcel currently used for Public Works operations. It is the location of a former landfill.

An approximately 2 acre area of the parcel at the northwesterly end near Manchester Street is designated "Commerce" (COM); the rest of the parcel is designated "Industrial" (I). The line defining the boundary between the area designated COM and the area designated I does not follow property lines, streets, or any natural feature and therefore splits the property arbitrarily into two zoning districts. This condition is not favorable to the future use of the property by the City or by others and creates confusion and unnecessary complexity in the use and development of the land. The purpose of this Zoning Amendment is to correct this condition and cause the entire parcel to be zoned I.



O-2019-12 560 MAIN STREET Existing Conditions

Prepared by:
Rhett Lamb
Community Development
KGIS 2019

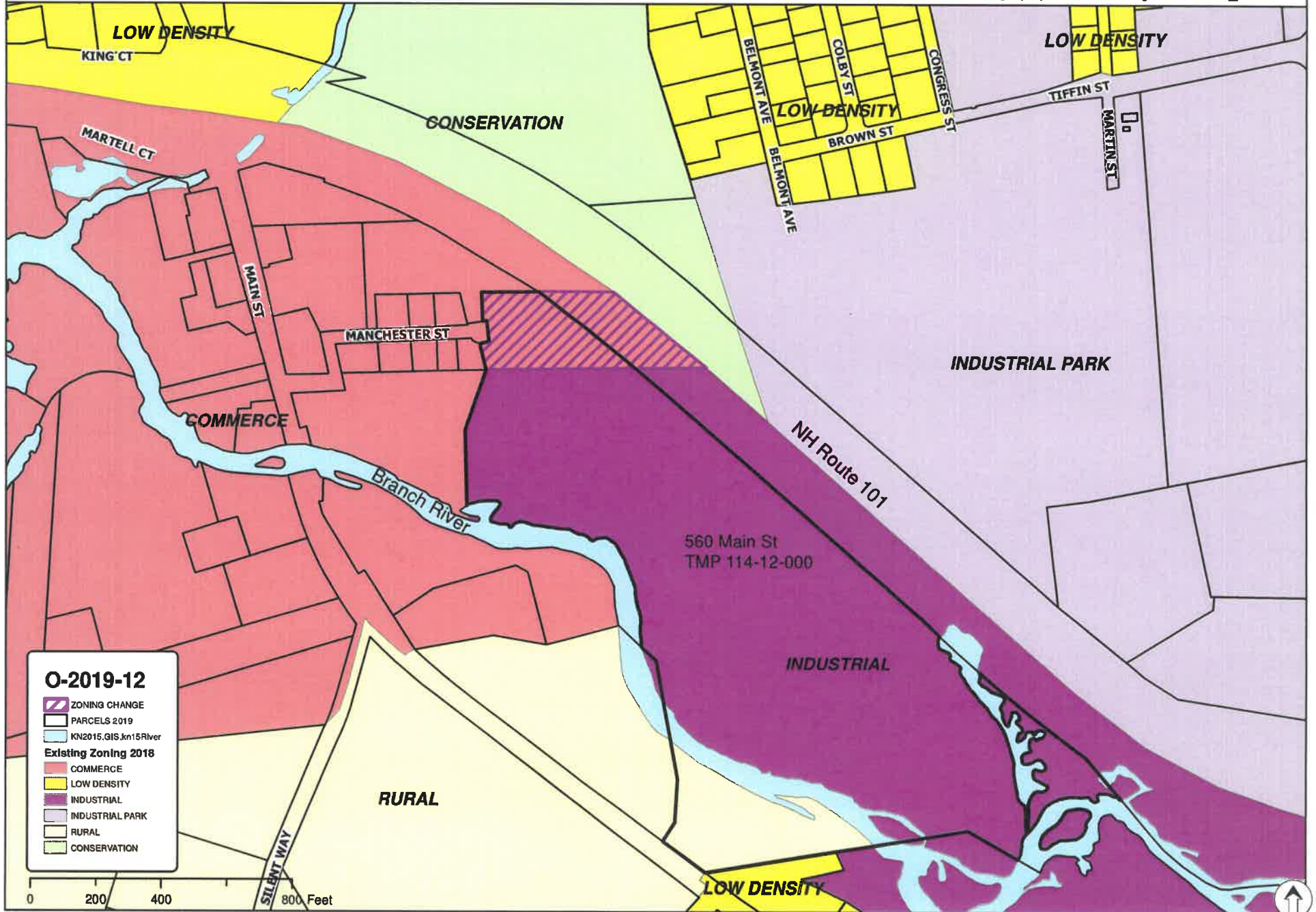




PROPOSED ZONING MAP AMENDMENT
O-2019-12
560 MAIN STREET (TMP 114-12-000)

Prepared by:
 Rhett Lamb
 Community Development
 KGIS 2019

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560 Main St
 TMP 114-12-000

O-2019-12

- ZONING CHANGE
- PARCELS 2019
- KN2015.GIS.kn15River

Existing Zoning 2018

- COMMERCE
- LOW DENSITY
- INDUSTRIAL
- INDUSTRIAL PARK
- RURAL
- CONSERVATION

0 200 400 800 Feet





CITY OF KEENE

O-2019-12

Nineteen

In the Year of Our Lord Two Thousand and

AN ORDINANCE~~Relating to Change of Zone -- 560 Main Street~~.....

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

That Chapter 102, the Zoning Ordinance of the City of Keene, New Hampshire, as amended, be and hereby further amended by changing the zoning designation on the Zoning Map of the City of Keene, as adopted by the Keene City Council on December 15, 1977, as part of Chapter 102 entitled, "ZONING", of the said Ordinances, from Commerce (COM) to Industrial (I), on a portion of the following parcel so that the entire parcel will designated Industrial:

114-12-000

560 Main Street

Kendall W. Lane, Mayor

In City Council July 18, 2019.
Referred to the Joint Planning Board
and Planning, Licenses and Development
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: J.1.
SUBJECT: Relating to Rules of Operation

COUNCIL ACTION:

In City Council July 18, 2019.
Report filed into the record as informational.
Voted with one opposed to adopt Ordinance O-2019-10.

RECOMMENDATION:

On 5-0 vote, the Finance, Organization and Personnel Committee recommends the adoption of Ordinance O-2019-10 with an effective date of September 6, 2019.

ATTACHMENTS:

Description

Ordinance O-2019-10

BACKGROUND:

Mayor Lane stated this is an Ordinance that is intended to make the Rules of Operation for committees established by Council consistent. At the present time, some committees are required to have a quorum membership equal to the majority of members eligible to be appointed. Others are set up just to make it based upon the number of members who have actually been appointed. This has created some inconsistencies and this is an attempt to bring consistency to the quorum requirements. Adoption of the Ordinance would place a burden on the Mayor's office and the Council to make certain that all the membership seats are filled.

Councilor Clark asked why the process could not go the other way. Mayor Lane explained that some Boards are controlled by State Statute which calls for a quorum to be 50% of the eligible membership – for example the required membership for the Planning Board is seven, and the quorum requirement is four, and hence if there are three members that Body could not meet. Councilor Clark asked whether there was any compelling reason to make the two scenarios the same. The Mayor stated the only compelling reason is to bring consistency.

Councilor Clark asked when the Ordinance would become effective. Attorney Mullins stated it would be effective as of its adoption.

Councilor Clark stated there is one body that could be negatively affected. The Energy and Climate Committee expanded its membership and they are in the process of suggesting new members, which has not gone through the Council nomination/confirmation process yet. He noted they have met the quorum most of the time, but have a substantial charge and don't want to be hindered by this change. The Councilor inquired whether the

Ordinance could be made effective September 1. Attorney Mullins advised if the committee was going to pick a date to pick a date after a Council meeting as the Council is going to be on a break soon.

Councilor Jacobs stated he was under the impression the reason for the change is when committee do not have a full complement they can still move forward with a quorum of the people appointed. Mayor Lane stated this is the rule at the present time for certain committees, but for other bodies it requires a majority of the eligible membership. If what is before the committee goes through, it would require all committees and boards to have a quorum of its eligible membership.

Chair Greenwald made the following motion, which was seconded by Councilor Powers.

On 5-0 vote, the Finance, Organization and Personnel Committee recommends the adoption of Ordinance O-2019-10 with an effective date of September 6.



CITY OF KEENE

O-2019-10

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

AN ORDINANCERelating to Rules of Operation.....

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 2-593, Rules of Operation, in Chapter 2, Administration, Article V, Boards and Commission, Division 1, Generally, and replacing it with the bolded text, and also amending Section 2-579, Alternates, by deleting the stricken text and inserting the bolded text, as follows:

Sec. 2-593. - Rules of operation.

- (a) Each board shall establish its own method of operation in keeping with good practices.
- (b) Meetings will be scheduled periodically at a time and place to be announced and publicly posted in advance. In no case shall a board meet less than three times per year. At any meeting the board may invite citizens, the mayor, members of the city council, the city manager or other city employees to attend and to discuss any issue germane to the board's business. All meetings shall be public except as provided for in the Charter or in RSA 91-A.
- (c) Each board in January of each year shall name its own chair, who unless specifically provided for by state statute or city ordinance, need not be a city resident. Chairpersons may succeed themselves.
- (d) ~~A quorum for doing business of a board shall be greater than one-half of its appointed membership.~~ **A quorum for doing business of a board shall be greater than one-half (a minimum of 50% plus 1) of the total eligible number of members, either under state law or by City Code, regardless of the number of members actually appointed.**

Sec. 2-579. - Alternates.

Except as otherwise provided by this Code or state law, the mayor shall appoint, subject to confirmation by the city council, one or more alternates to each of the boards and commissions, but not more than a number equal to the number of members of the particular

Sec. 2-579. - Alternates. (continued)

board or commission who ~~will~~**shall** be asked by the chair of the board or commission to sit **to form a quorum, and shall be asked to sit** for absence, illness, conflict of interest, or absence for any good reason in the place of members of such board or commission. Any member's term as an alternate shall not be counted towards the maximum number of consecutive terms served.

Kendall W. Lane, Mayor

In City Council June 6, 2019.
Referred to the Finance, Organization
and Personnel Committee.

William L. Dow

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: J.2.
SUBJECT: Relating to the College City Commission

COUNCIL ACTION:

In City Council July 18, 2019.
Report filed into the record as informational.
Voted unanimously to adopt Ordinance O-2019-11.

RECOMMENDATION:

On 5-0 vote, the Finance, Organization and Personnel Committee recommends the adoption of Ordinance O-2019-11.

ATTACHMENTS:

Description

Ordinance O-2019-11

BACKGROUND:

Mayor Lane stated this was a revision of an Ordinance to the College City Commission. He explained the College City Commission is an attempt to blend two cultures and there are a number of changes outlined in the ordinance in an attempt to do that. The first is the quorum requirements; the second is the requirement for two Keene State College staff members who are ex-officio members of the commission; the third is to reduce the requirement of two students to one student and one alternate (due to class schedule and calendar of the college). The Mayor continued the Ordinance also provided that he terms for Keene State representatives will be as of July when their fiscal year begins and ends; and that it excludes Keene State College representatives from term limitations.

Steve Fournier, Co-Chair of the Commission addressed the Committee next and stated because of the prior discussion on quorum requirements, Mr. Fortier clarified that because the College/City Commission is made up of two public bodies, the quorum requirements require - at a minimum- 3 attendees from the City and 3 attendees from the College. In addition, two other members from either group are necessary to meet their quorum requirements of 8.

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

On 5-0 vote, the Finance, Organization and Personnel Committee recommends the adoption of Ordinance O-2019-11.



CITY OF KEENE

O-2019-11

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

AN ORDINANCERelating to the College City Commission.....

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 23 "College City Commission" in Article V "Boards and Commissions" of Chapter 2 entitled "Administration" and inserting a new Division 23 as follows:

DIVISION 23. - COLLEGE CITY COMMISSION

Sec. 2-1109. - Purpose.

The college city commission is created to facilitate long range planning and develop short- and long-term recommendations to the college and the city on issues of mutual concern. It is intended to serve as a model for how a city and college may collaborate effectively and engage each other in the resolution of the most pressing issues and to create a framework to address emergent opportunities.

Sec. 2-1110. - Membership.

- (a) The college city commission shall consist of 14 regular voting members. No more than four alternate members may be appointed. The mayor and the president of Keene State College shall each appoint seven voting members and two alternates. Eight voting members shall be required to form a quorum, consisting of at least three members appointed by the mayor, and three members appointed by the president of Keene State College. At least one of the college's seven regular voting members shall be a student of Keene State College. One alternate appointed by the president shall be a Keene State College student to serve a concurrent term with the regular voting student member. Of the seven regular voting members appointed by the president, the Keene State College Director of External Relations and the Coordinator for Student and Community Relations, shall be appointed to the commission as ex-officio members.
- (b) The mayor and the president of Keene State College shall each be an ex-officio member of the commission without a vote.
- (c) All appointed individuals to the commission must represent a cross section of interests, diverse perspectives and points of view in the city and college communities and constituents to support the purpose and charge of the commission.

(d) The commission shall be moderated by two chairpersons. The mayor and the president of Keene State College shall each appoint a chairperson from the seven members they appoint to represent the interests of the city and the college, respectively, and to provide leadership to the commission.

(e) Membership is not restricted to residents of Keene.

Sec. 2-1111. - Terms.

(a) All members shall have three-year terms. Keene State College members shall be appointed in July of each year. Keene State College members shall be exempt from the limitation of two consecutive terms. In the event of a vacancy, interim appointments may be made to complete the unexpired term and shall be appointed by the original appointing authority.

Sec. 2-1112. - Relation to department.

The city will provide staff support as it may be available to the college city commission. Keene State College will provide staff support to the commission through the president's office.

Sec. 2-1113. - Powers, duties and guidelines.

The functions and guidelines in this section are established for the conduct of the college city commission. The commission shall:

- (1) Conduct activities to promote, enhance, and encourage improved relationships between the college and city communities.
- (2) Research and evaluate topics of shared concern or interest between the city and Keene State College.
- (3) Consult with the mayor and Keene State College president on a periodic basis.
- (4) Develop reports and recommendations to the city and Keene State College with respect to issues of shared concern or interest, and measure progress at implementing these recommendations.
- (5) Promote communication and collaboration among community groups and organizations, city staff and departments, and Keene State College staff and departments with an interest in college/city relations.
- (6) Publicize and report on its activities.
- (7) Hold meetings and hearings necessary to carry out its duties.
- (8) Provide reports of its activities from time to time to the city and to Keene State College.

In City Council June 6, 2019.
Referred to the Finance, Organization
and Personnel Committee.

Kendall W. Lane, Mayor

William S. Dow



City of Keene, N.H.
Transmittal Form

July 15, 2019

TO: Mayor and Keene City Council

FROM: Patricia A. Little, City Clerk

ITEM: K.1.

SUBJECT: Relating to the Rooms and Meals Tax

COUNCIL ACTION:

In City Council July 18, 2019.

Report filed into the record as informational.

Voted with one opposed to adopt Resolution R-2019-32.

RECOMMENDATION:

Move for the adoption of Resolution R-2019-32.

ATTACHMENTS:

Description

Resolution R-2019-32

BACKGROUND:

As directed by the City Council on June 20, 2019, City staff drafted Resolution R-2019-32, which urges the State of New Hampshire to distribute 40% of the rooms and meals tax collected to New Hampshire municipalities.



CITY OF KEENE

R-2019-32

Nineteen

In the Year of Our Lord Two Thousand and

CITY OF KEENE CALLS UPON THE STATE OF NEW HAMPSHIRE TO DISTRIBUTE 40%

A RESOLUTION MUNICIPAL SHARE OF MEALS AND ROOMS TAX.....

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

WHEREAS, The intent of the Meals and Rooms Tax enacted in 1967 was to provide a revenue stream shared between state and municipalities, with 60% distributed to the state and municipalities receiving 40% of generated revenues; and

WHEREAS, Beginning in the mid 1970's, the legislature decreased the municipal share several times (in 1977 and 1981) and freezing it to below the 1976 level; and

WHEREAS, In 1993 the Legislature, recognizing the need to embrace the intent of the original statute, took action adopting into law a "catch up" formula directing a portion of rooms and meals revenue increases to municipalities; and

WHEREAS, The catch up formula provided for direction of 75% of year-over-year rooms and meals revenue increases, but not more than \$5 million annually that would gradually return distribution to municipalities closer to the 60/40 split; and

WHEREAS, Over the past nine years, due to suspension by the legislature of the catch up formula, the municipal share has fallen from 29% to 21% of total rooms and meals revenue; and

WHEREAS, During this same time period, Meals and Rooms revenues increased by approximately \$128 million with only \$10 million being distributed under the catch up formula to municipalities, and for the past five years, and the state has not shared that increase with municipalities; and

WHEREAS, For the City of Keene, using the catch up formula enacted in 1993, over the past five years the state has kept \$435,000 (\$87,000x 5yrs) of revenue that should have been shared with our community to the benefit of Keene taxpayers.

NOW, THEREFORE, BE IT RESOLVED that the Keene City Council urges the State of New Hampshire to live up to its obligation to distribute 40% of all meals and rooms revenues to local communities.

Kendall W. Lane, Mayor



City of Keene, N.H.
Transmittal Form

July 11, 2019

TO: Mayor and Keene City Council
FROM: Finance, Organization and Personnel Committee
ITEM: K.2.

SUBJECT: Relating to Approving an Application for CDBG Funds

COUNCIL ACTION:

In City Council July 18, 2019.
Voted unanimously to Suspend the Rules.
Voted unanimously to adopt Resolution R-2019-27.

RECOMMENDATION:

On 5-0 vote, the Finance, Organization and Personnel Committee accepts the presentation on the CDBG grant application for shelter rehabilitation as informational.

ATTACHMENTS:

Description

Shelter Handout
CDBG Information Sheet
Keene RARA
Resolution R-2019-27

BACKGROUND:

Terry Johnson, Senior Project Manager for Southwest Region Planning Commission stated that he provides community development block grant writing and administrative services to the City of Keene. He noted these grant funds are awarded to towns and cities on a competitive basis and can be used for housing and economic development projects, which primarily support low and moderate income people.

Mr. Johnson stated the project before the committee tonight would provide up to \$500,000 to be sub-granted to Southwest Community Services for renovations to two of its homeless shelter facilities. The grant application is due by July 29; a public hearing has been scheduled for July 18.

Mr. Keith Thibault of Southwest Community Services stated for the past 30 years Southwest Community Services has been operating homeless shelter facilities in Keene (a men's shelter, a women's/family shelter and a transitional shelter). He noted they work in collaboration with Keene Housing and Cheshire Housing Trust to help maintain these facilities. Mr. Thibault stated these facilities are usually at full capacity. Mr. Thibault went on to say what they are looking to do is to transfer these facilities from either Keene Housing or the Housing Trust to Southwest Community Services. Mr. Thibault noted the men's shelter was fully rehabilitated only recently and hence needs no work at all; however, the other two facilities are in need of energy savings upgrades and

structural upgrades.

Councilor Jacobs asked whether residents who use these facilities would be relocated to other facilities during construction period. Mr. Thibault stated under Federal rules they are required to provide alternate facilities and the residents will be provided with alternative housing options.

Ms. Linda Mangones representing Keene Housing and Cheshire Housing Trust stated she has been part of this collaboration for the past 30 years and noted Southwest Community Services has done an outstanding job with the shelter program. She added they have done a good job protecting the privacy of the facilities and the residents and have been able to integrate well into neighborhoods.

The Chairman asked what action was required of the committee tonight. City Attorney Mullins asked the committee to accept this item as informational as no action can be taken on it until the public hearing.

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

On 5-0 vote, the Finance, Organization and Personnel Committee accepts the presentation on the CDBG grant application for shelter rehabilitation as informational.

Southwestern Community Services: Rehabilitation of two shelters

CDBG Application Summary

Applicant: City of Keene
Proposed Subrecipient: Southwestern Community Services
Proposed Project: Rehabilitation of two shelters
Proposed Grant Administrator: Southwest Region Planning Commission
Needs Addressed: Need to maintain existing shelter facilities in good condition
Request for CDBG Funds: \$500,000

Proposed project

Background: For more than thirty years, the shelter system in Keene has functioned in a cooperative manner in which Southwestern Community Services (SCS) provided all services performed in conjunction with the shelters, but the shelter buildings were owned by different entities. Specifically, Keene Housing (KH) owns the building in which the men's shelter is located, Monadnock Affordable Housing Corporation (an entity owned by Keene Housing) owns the building where the family shelter is located, and Cheshire Housing Trust owns the transitional shelter. Currently, SCS has leases for each of these properties. Earlier this spring, the owners approached SCS with offers to sell the properties to SCS on very reasonable terms which would allow SCS to continue operating the facilities. Essentially, all three properties would be sold for the amount of remaining debt plus the costs of the transfer. The long-term benefit of these property transfers would be to reduce costs and increase the security of the shelter system. SCS has indicated that it is interested in acquiring the properties. Because SCS would need long-term control in order to apply for CDBG funds, signed agreements to purchase will need to be in place prior to submitting the grant application.

Project. The men's shelter was thoroughly rehabilitated with CDBG funds in 2015-16, and no further funds would be requested for this property. The family shelter and the transitional shelter both have current and long-term property needs which have been identified and would be addressed with the use of CDBG funds. The CDBG funds would allow the shelters to maintain safety, decrease fuel usage, and reduce maintenance costs

SCS participates in federally funded programs which provide funds for operating the shelters. The operations of the shelters (number of people served, operating hours, rules, etc.) would not change as a result of this project.

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.

CITY OF KEENE
RESIDENTIAL ANTIDISPLACEMENT AND RELOCATION ASSISTANCE PLAN

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

However, in the event of displacement as a result of a federally funded award, Cheshire County 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 involuntarily 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 appropriate number of dwelling units by number of bedrooms that will be demolished or 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 date of the demolition or conversion;
- e. The general location on a map and appropriate 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 and moderate income dwelling unit for at least ten (10) years from the date of initial occupancy;
- h. Relocation benefits for all low or 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, at least for 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 of voucher for rental assistance provided through New Hampshire Housing Finance Authority.

- 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; and
- 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 executive director's decision shall be final unless a court determines the decision was arbitrary and capricious.
- l. Paragraphs 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

Because of the nature of the proposed project, it is possible that temporary relocation of shelter occupants may be needed at times during the construction. Such relocation would likely include short-term stays in motels or in other properties owned by the Subrecipient. For that reason, the Subrecipient has provided for relocation assistance in the budget. The City of Keene certifies that it will require the Subrecipient to comply with the Uniform Relocation Act and Section 104(d) of the Housing and Community Development Act of 1974, as amended.

Printed Official Name: Elizabeth Dragon

Title: City Manager

Signature: _____

Date of Adoption: _____



CITY OF KEENE

R-2019-27

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 an obligation and a desire to help homeless people within the city; and

WHEREAS, the City of Keene has provided cooperation and assistance to the homeless shelter system operated by Southwestern Community Services; 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, WHEREAS, the Community Development Block Grant would provide up to \$500,000 to be used for rehabilitation of two shelters operated by Southwestern Community Services;

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 the amount of up to \$500,000 in Community Development Block Grant funds to be used by Southwestern Community Services for rehabilitation of two shelters operated by that agency; 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 Community Development Finance Authority; and, further, that the City Manager is authorized to execute any documents which may be necessary for the contract, including a new contract with Southwest Region Planning Commission for the administration of the program.

Kendall W. Lane, Mayor



City of Keene, N.H.
Transmittal Form

July 12, 2019

TO: Mayor and Keene City Council

FROM: Merri Howe, Finance Director

THROUGH: Elizabeth Fox, Assistant City Manager/Human Resources Director

ITEM: K.3.

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.

William L. Dow

Deputy City Clerk



City of Keene, N.H.
Transmittal Form

July 18, 2019

TO: Mayor and Keene City Council

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

ITEM: K.4.

SUBJECT: In Appreciation of Nancy T. Vincent Upon Her Retirement

COUNCIL ACTION:

In City Council July 18, 2019.
Memorandum filed as informational.
Voted unanimously to adopt Resolution R-2019-31.

RECOMMENDATION:

That Resolution R-2019-31 be adopted by the City Council.

ATTACHMENTS:

Description

Resolution R-2019-31

BACKGROUND:

Ms. Vincent retires from the Keene Public Library Department at the end of August 2019, with 33½ years of service.



CITY OF KEENE

In the Year of Our Lord Two Thousand and Nineteen

A RESOLUTION In Appreciation of Nancy T. Vincent Upon Her Retirement

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

WHEREAS: Nancy T. Vincent began her career with the Keene Public Library February 17, 1986, as Librarian II in Reference; next was made Head of Technical Services; succeeded to Assistant Director July 1, 1989; became Acting Director October 2, 1993; and was promoted to Library Director March 4, 1994; and

WHEREAS: Knowledgeable about her profession inside out—staying relevant by working hands-on in all areas of the library and through her membership with and service to library associations at the state, regional and national levels—she is a recognized authority in library sciences and earned a *Library Director of the Year* award; and

WHEREAS: As a department head, Nancy successfully has navigated her dual reporting relationship to both the Library Board of Trustees and the City Manager, bridging the gap between library interests and city government, providing guidance and effectively executing their requests, proactively soliciting grants to support programs, advocating for the library in general, and executing a dynamic vision for the future; and

WHEREAS: Described by the Trustees as the hub of a wheel, with at least as many spokes to support the employees in her charge, the Trustees, the Friends of the Keene Public Library, City government leaders, library patrons, their former building tenant, and fellow City employees—Nancy has juggled all their needs with tact and humor; and

WHEREAS: She has served as a leading advocate for not one, but two, major library renovations during her tenure, diligently adding to her constituencies the architects, project managers, and parking and other consultants to ensure the library was providing the best possible service throughout construction periods; and

WHEREAS: Nancy has ensured the library is staffed by flexible, specialized professionals needed to keep up with changing times—who know they are expected to grow, be challenged, and share roles—and has supported them to set their own objectives and programs, to make decisions appropriate to their positions; thus, leading to high morale and a genuine concern about providing excellent services that collectively define today's public library; and

WHEREAS: Patrons of every age use the library, perhaps because she is a champion of the right to information and knowledge without fear of censorship, because she cares deeply about customer focus, and because each request for new service is considered seriously to determine how it can be delivered within mission and guidelines; and

WHEREAS: Nancy has been a valuable contributor to City operations and both public and internal committees, applying many of her organizational and administrative talents to bear and setting the tone for change and calm; and, embodying the motto "service above self," she has been involved heavily in our community with tireless efforts that have included leadership roles in a variety of service organizations and further awards acknowledging her contributions; and

WHEREAS: Nancy retires at the end of August 2019 with 33½ 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 Nancy T. Vincent for her dedicated service and wishes her the very best through all her retirement years; and

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

PASSED July 18, 2019

Kendall W. Lane, Mayor



City of Keene, N.H.
Transmittal Form

June 12, 2019

TO: Mayor and Keene City Council

FROM: Municipal Services, Facilities and Infrastructure Committee

ITEM: L.1.

SUBJECT: Relating to the Discontinuance of Ammi Brown Road and the Layout of Ammi Brown Trail

COUNCIL ACTION:

In City Council July 18, 2019.

Item removed from the table by the Mayor.

Voted with eight in favor and 4 recused to adopt Resolutions R-2019-08, Resolution R-2019-09, Resolution R-2019-10 and Resolution R-2019-11.

In City Council June 20, 2019.

Tabled to a future meeting date.

RECOMMENDATION:

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.

ATTACHMENTS:

Description

Resolution R-2019-08

Resolution R-2019-09

Resolution R-2019-10

Resolution R-2019-11

BACKGROUND:

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.



CITY OF KEENE

R-2019-08

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

A RESOLUTION RELATING TO THE ABSOLUTE DISCONTINUANCE OF A
PORTION OF THE AMMI BROWN ROAD

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

That the Keene City Council is of the opinion that there is no further need to use a portion of the Ammi Brown Road for the accommodation of the public and that there is occasion for the absolute discontinuance of said portion of the Ammi Brown Road as described in the attached Description of Complete Discontinuance, subject to the following conditions:

1. All affected property owners associated and in connection with the discontinuance agree to the discontinuance and either waive their rights to any damages, or accept damages paid, and sign an agreement to such effect; and
2. All documentation is in a content and form acceptable to the City Attorney and City Engineer.

Kendall W. Lane, Mayor

In City Council May 2, 2019.
Referred to the Planning Board and Municipal Services, Facilities and Infrastructure Committee. Site visit set for Thursday, June 6, 2019 at 5:45 PM. Public Hearing for Thursday, June 6, 2019 at 7:00 PM.


City Clerk

In City Council June 20, 2019.
Tabled to a future meeting date.


City Clerk



CITY OF KEENE

R-2019-09

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

A RESOLUTIONRELATING TO DEEDS FOR THE DISCONTINUED PORTION OF THE
AMMI BROWN ROAD.....

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

That the City Manager is authorized to do all things necessary to execute the attached deeds for that portion of the Ammi Brown Road lying westerly of Summit Ridge Drive and easterly of the Cheshire Railroad Right-of-way line, as shown on a plan entitled "Discontinuance Plan, Portions of Ammi Brown Road, prepared for The City of Keene," dated April 26, 2019, by Russell J. Huntley, SVE Associates, to be recorded at the Cheshire County Registry of Deeds, subject to the following condition:


All documents shall be a form and content acceptable to the City Attorney and City Engineer.

Kendall W. Lane, Mayor

In City Council May 2, 2019.
Referred to the Planning Board and Municipal Services,
Facilities and Infrastructure Committee. Site visit set for
Thursday, June 6, 2019 at 5:45 PM. Public Hearing for
Thursday, June 6, 2019 at 7:00 PM.


Patricia Cottle
City Clerk

In City Council June 20, 2019.
Tabled to a future meeting date.


Patricia Cottle
City Clerk



CITY OF KEENE

R-2019-10

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

A RESOLUTIONRELATING TO THE LAYING OUT OF A CLASS A TRAIL TO BE KNOWN AS THE AMMI BROWN TRAIL.....

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

That the Keene City Council is of the opinion that, for the accommodation of the public, there is occasion to lay out a Class A Trail to be known as the Ammi Brown Trail as described in the attached Return of Layout, subject to the following conditions:

1. All affected property owners associated and in connection with the layout agree to the layout and either waive their rights to any damages, or accept damages paid, and sign an agreement to such effect; and
2. All documentation is in a content and form acceptable to the City Attorney and City Engineer.

Kendall W. Lane, Mayor

In City Council May 2, 2019.
Referred to the Planning Board and Municipal Services, Facilities and Infrastructure Committee. Site visit set for Thursday, June 6, 2019 at 5:45 PM. Public Hearing for Thursday, June 6, 2019 at 7:00 PM.


Patricia Castle
City Clerk

In City Council June 20, 2019.
Tabled to a future meeting date.


Patricia Castle
City Clerk



CITY OF KEENE

R-2019-11

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

A RESOLUTIONRELATING TO EASEMENTS FOR THE LAID OUT TRAIL TO BE
KNOWN AS THE AMMI BROWN TRAIL.....

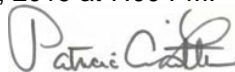
Resolved by the City Council of the City of Keene, as follows:

That The City Manager is authorized to do all things necessary to accept the attached easements for the premises laid out as a Class A Trail to be known as the Ammi Brown Trail lying westerly of Summit Ridge Drive and easterly of the Cheshire Railroad Right-of-way line, as shown on a plan entitled "Easement Plan, The Ammi Brown Connector Trail, prepared for the City of Keene," dated April 26, 2019, by Russell J Huntley, SVE Associates, to be recorded at the Cheshire County Registry of Deeds, subject to the following condition:

All documents shall be a form and content acceptable to the City Attorney, and City Engineer.

Kendall W. Lane, Mayor

In City Council May 2, 2019.
Referred to the Planning Board and Municipal Services,
Facilities and Infrastructure Committee. Site visit set for
Thursday, June 6, 2019 at 5:45 PM. Public Hearing for
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City Clerk

In City Council June 20, 2019.
Tabled to a future meeting date.


City Clerk