

City of Keene
New Hampshire

COLLEGE CITY COMMISSION
MEETING MINUTES

Monday, March 25, 2019

4:00 PM

Hale House, Keene State College

Members Present:

Steve Fortier, Co-Chair
Marcia Kayser, Co-Chair
Phil Jones, City Councilor
Dave Richards, City Councilor
Dr. Chris Cusack
Victoria Bergstrom
Davis Bernstein
Dr. Dottie Morris
Robin Picard
Kelly Ricaurte

Staff Present:

Rhett Lamb, ACM/Community Development Director
Medard Kopczynski, Director of Economic Development
Initiatives and Special Projects
Kim Schmidl-Gagne, KSC Staff Liaison

Members Not Present:

Dick Berry

1.) Call to Order

Co-Chair Fortier called the meeting to order at 4:06 PM and roll call was conducted.

Mr. Lamb and Ms. Schmidl-Gagne discussed the appropriate number of members in order to reach a quorum.

Ms. Schmidl-Gagne read the College City Rules of Procedure as follows, “*A minimum of eight commission members shall constitute a quorum. No commission business shall be conducted in the absence of a quorum. A quorum of the Commission shall be physically present at the location specified in the public notice. Email communications among the Commission or between the Commission members and staff liaisons shall be used only for the transmittal of administrative matters which is scheduling or stuff acted upon the Committee meeting*”.

Ms. Schmidl-Gagne then read the College City Ordinance Sec. 2-111-0 as follows,

(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. No less than two of the college's seven voting members shall be students of Keene State College.

Mr. Lamb stated that based on Ms. Schmidl-Gagne's reading of the Rules of Procedure is the best way for the CCC to proceed at this time.

2.) Approval of Minutes – January 28, 2019

Ms. Bergstrom noted that under members not present “Davis Bergstrom” corrected to “Davis Bernstein”.

Co-Chair Kayser noted the following corrections:

Page 6, first paragraph, first sentence “Ms. Kayser reported the Historical Society has been working on French speaking classes” corrected to “Ms. Kayser reported the Historical Society has had classes on French Canadian Immigration”.

Page 6, second paragraph, first sentence, “members” corrected to “CCC members”.

Ms. Weststrate noted under the others present list Tim Zinn, Nancy Weststrate and Sarah Franklin are listed as the Gates Street Neighborhood Group corrected to the Neighborhood Revitalization Subcommittee.

The CCC agreed to accept the minutes for January 28, 2019 as amended.

3.) Co-Chairs Report

a) Commission Membership

Ms. Schmidl-Gagne referred to the Commission Membership and noted the *Terms* section has been updated for when terms expire. She explained these are the changes they are working with the Mayor on in order for him to take these updates to the City Council. Ms. Schmidl-Gagne added that terms on a calendar year does not work well for the College and the recommendation is to shift to academic years. She noted the terms would still be the same length of time. In addition, Ms. Schmidl-Gagne noted that all updates are listed in the draft. She explained the pieces of the City Ordinance would need to be adopted to account for this update. Ms. Schmidl-Gagne stated given that the Commission has started, they have also removed the language “in the first year” because succession is already built in.

Ms. Schmidl-Gagne added that two of the college members would become permanent members. The two positions are Ms. Picard’s and the External Relations position that is held by Co-Chair Fortier. She noted that people in these two positions would need to be present at the meetings. Ms. Schmidl-Gagne explained these are unique positions on the campus and there is not a different position that could be substituted for those two positions. She stated the other thing that was not clear is that commissioners for the College can succeed themselves.

Ms. Schmidl-Gagne explained the College would adopt the City’s appointment letters in order to be clear. Mr. Lamb asked if there was a redline version of Ms. Schmidl-Gagne’s changes because the Commission would need to go before the City Council to make these changes. Ms. Schmidl-Gagne responded that the City Clerk has the changes and is working with the Mayor.

Co-Chair Fortier began by stating the CCC agenda is set-up a few weeks prior to the meeting. The agenda is set-up by Co-Chair Fortier, Mr. Lamb, Co-Chair Kayser and Ms. Schmidl-Gagne. He asked the Committee to contact them a week and a half before a meeting in order to have an item added to the agenda.

Ms. Picard stated that she thought the Commission had voted that Ms. Ricaurte's position and her position as permanent on the College side. Ms. Schmidl-Gagne responded there is nothing in the Ordinance that pertains to Ms. Ricaurte's position as permanent. Ms. Picard asked about this being stated in the minutes. Ms. Schmidl-Gagne stated that even if it is in the minutes this Commission cannot change this with the City. Mr. Lamb explained that the City has an overall section dealing with membership with Board and Commissions, which does include term limits for every committee that the City operates. Ms. Schmidl-Gagne added that the CCC has its own Ordinance. Mr. Lamb noted that rule applies to every committee. He added that he did not think that is something the City would change and that it would have to be changed within the CCC. Ms. Schmidl-Gagne stated that the City Clerk provided her with some documents to work on and that things are in process.

Ms. Picard stated that her point is that if the College is going to ask for that to be changed and does not know the outcome wouldn't the College want to continue with a person from college relations as a permanent member. Ms. Schmidl-Gagne responded that she would discuss this with the President Treadwell and report back to the CCC.

Co-Chair Fortier then discussed President Treadwell's inauguration. He invited the CCC to the inauguration on Friday, April 5th at 2 PM in the Mabel Brown Room. Co-Chair Fortier noted the CCC is an important body to President Treadwell and she asked that he extend this invitation.

Co-Chair Fortier referred to the draft of KSC's Strategic Plan and asked the CCC to look for a polished version before the April meeting. He noted that President Treadwell welcomes input on the updated version from the CCC.

b) Expectation of Future Meetings

Co-Chair Fortier stated the expectation is that everyone will come prepared in order to use the time for generative work.

Co-Chair Kayser added they would appreciate knowing in advance if CCC members cannot attend a meeting. She stated this is important because there have been several meetings where there was no quorum. Co-Chair Kayser noted this also goes for the subgroup meetings.

4.) Neighborhood Committee Report

Mr. Weststrate reported that at this point they have only had three meetings. He stated the goal for the next meeting is to have their ducks in row and be in a position a month from now to bring in some stakeholders at their next meeting. Mr. Weststrate noted there were no hard facts to report at this time. In addition, he reported they also hope to have the City Attorney in attendance at their next meeting. Ms. Picard noted the group is still waiting to hear back from the City Attorney's assistant to see if the City Attorney is available on that date. The date of their next meeting is April 1, 2019.

Ms. Kayser asked if there is an expense to have the City Attorney attend the meeting. Ms. Picard responded that she was not informed of any expense. In addition, she noted they have submitted documents to the City Attorney they are looking at as examples and the goal of the meeting. Mr. Lamb asked to keep him informed so that he may be of assistance. He noted that this was the first he has heard of this meeting with the City Attorney. Ms. Picard noted this was in the minutes.

Co-Chair Fortier asked the CCC if there are any questions for the Neighborhood Committee. Ms. Picard stated the group is still continuing to gather information, plan the logistics and develop a timeline. She stated they are still focused on three areas. The first is exploring a Social Host Ordinance. Secondly, look at the issue with the College about collecting off campus addresses. The third area is to talking with code enforcement to see what the ordinances are and how they may be better facilitated and enforced. She noted they have spent a lot of time on the Social Host Ordinance. Ms. Picard reported they reached out to the Southeast Keene Neighborhood Group and told them what they are up and to try to get some feedback.

Co-Chair Fortier asked Ms. Picard if they know how many students comparatively to this year will be living on campus verses off. Ms. Picard replied that she will have that answer by the end of this week because housing will be completed. She noted that it is always vacillated between 41% and 43% during her time at KSC.

Ms. Kayser asked Ms. Picard to discuss the email that she forwarded to her from the Mayor. Ms. Picard stated this Wednesday there is a discussion about local food trucks at the PLD meeting. She explained that food trucks are looking to propose an extension of hours. Ms. Picard explained that the Mayor's email stated that it may be against what the Committee is working towards and may cause more noise. Councilor Richards explained the proposal is to allow food trucks to operate 24/7. He stated that his take on this is that it is not a great idea. Councilor Richards explained that on weekends when people leave the bars the police are there to funnel them home. He stated that if there are vendors there is a chance people will end up being in the neighborhoods and now slowing the process down. Councilor Richards asked members of the Commission to attend the meeting if there is a position as the College. The Planning Licenses Development Committee meeting will be held on Wednesday, March at 7:00 PM in Council Chambers.

Councilor Richards explained they are going through a whole thing with the mobile vendors because the business model for food trucks has changed. He explained that it used to be for vendors to get a spot downtown and stay there. Councilor Richards stated now that vendors are catering and also have a main location. He explained the City is working on ordinances to help vendors function correctly and at the same time set a time. Councilor Richards pointed out that a set time has been established the City has changed that and let vendors operate outside those hours but only if the City has had a chance to investigate the area.

Ms. Picard stated the initial discussion amongst the College was that maybe it will be good if there was a closing time of the food trucks at 1:00 AM. She explained the idea was the possibility of getting the students out of the bar an hour early to get in line to grab some food. Ms. Picard reported that Shana Davis, who owns a food truck located near the College, has reported that students always behave very well but does have a problem with trash. In addition, Ms. Picard stated the other idea is that it would be great to have another activity for the students. She added that there is a noise ordinance that police could handle and try on a trial basis. She noted this is the initial discussion but has not gone through all of the chains.

Mr. Kopczyński stated that to be clear the 1:00 AM is a reflection of the bars closing and not the mobile vendors. He stated that the City Attorney has concluded that the noise ordinance may not be applicable.

Dr. Cusack asked if the vendors can go anywhere in the central business and park. Councilor Richards responded that this is part of what they are discussing at the upcoming meeting. He explained this is central business at the moment but he does believe the mobile vendor can go to private property.

Mr. Lamb added that there are two things going on. He stated the truly mobile vendors that want to move around during the course of the day need space on the public right of way. He continued explaining the City is creating that opportunity in the public right-of-way on Gilbo Avenue and a couple other spots downtown. Mr. Lamb stated in order to create that opening the City has to change other parts of the ordinance which apply to private property as well. In addition, he stated that once the Zoning Ordinance is changed to allow this to take place it will potentially open up on a broader scale. Mr. Kopczyński added that there may be a different standard of approval on the City property than on private property. Mr. Lamb stated that he did not think mobile vendors would be opening up in the residential neighborhoods because there is not market for this type of service.

Co-Chair Fortier asked Ms. Picard who would be attending the PLD on the College side. Ms. Picard responded that she was unable to attend but there was a discussion for Kamal Atkins to attend.

Ms. Kayser asked if there were any new members on the subcommittee. Ms. Picard replied not at this time but the subcommittee is open to new members.

5) Diversity and Inclusion

Ms. Kayser announced the new members of the subcommittee are Bridget Hansel, Jenna Carrol, Vicki Pittman, Hope Therrien, Mohammad Saleh and Kaya Roumimper. Ms. Kayser stated the plan is to have a gathering after graduation to find common ground and to share ideas. The subcommittee is looking for a date and location for the next meeting.

Ms. Kayser noted the new members of the CCC will need to pick which subcommittee they would like to join.

Ms. Kayser reported that she had contacted Councilor Jones about creating a third subcommittee. Councilor Jones stated that he was not sure about creating a third subcommittee because both were charges came from the Mayor and President Treadwell. He stated the other issues that he has can be handled by the CCC. He explained these are things that he feels have gotten past the CCC and should be on the agenda. Councilor Jones noted these are things such as the Winchester Street Development. He stated the Mayor appointed a committee and that it would be nice if that committee could report to the CCC to be kept informed. In addition, he noted the Ralston Street flooding project that is coming up and that someone from City could report to the Committee because it affects the College. Councilor Jones also noted the work being down on the cross walks between the City and the College. Councilor Jones stated the key is to have the proper guest present to address these topics.

Dr. Morris asked how all of this fits in with the charge of the CCC. Councilor Jones responded that an example is the health center on Gilbo Avenue and the discussions about what to do about pedestrian walkways going north from the College. He stated that if they do not know if the health center is going in that location it affects everything in what the City is doing with zoning and future CIP projects. Councilor Jones also noted the new skate park, a new welcome center and that the Gilbo Avenue area is starting to get crowded. Ms. Ricourte stated that President

Treadwell did state there no plans to do any additions outside the existing footprint of the College.

Dr. Morris stated that if the CCC gets the information, the CCC has no authority to act and looks like the information and would be better served somewhere else. She noted other committees are not only information gathering they are also action oriented.

Mr. Lamb noted the projects that involve City and College have the right connections made through administration contacts. He said what he thinks Councilor Jones is stating is that it helps the Committee have the full context for making decisions or recommendation to improve relationships.

Mr. Kopczynski then read the purpose of the Committee as follows “*charged with facilitating long range planning and short and long term recommendations to the college and the City on issues of mutual concern. It is to create a model for how a campus and college collaborate effectively and engage each other in the resolution of their most pressing issues*”. He stated that it seems like any of these issues are related to what the Committee is here for and to have this dialogue and conversation.

Mr. Kopczynski stated that Mayor and Dr. Treadwell have been participative in the process of revising the City’s entire Code of Ordinances. He stated in the first instance the project is related to land use and land use processes. Mr. Kopczynski reported this is a project called Building Better Together that consists of several moving parts. One part is to review the Code of Ordinances and look at those directly related to the process of giving people permits, subdivisions, site plans and other things of that nature. He explained the work consists of revising them, replacing them or placing them in a place that is easy for people to use and is transparent.

Mr. Kopczynski stated the other part is something called Form Based Code. He noted that both Dr. Treadwell and Mayor have an interest in this and would like to see some coordination. He stated downtown consists of a number of different zoning districts. Mr. Kopczynski added that by looking at downtown it has always been somewhat separated from the College. He stated that both the Mayor and Dr. Treadwell would like to see that distinction disappear slightly and have the College and downtown more integrated into how it fits and operates.

Mr. Kopczynski explained the Form Based Code is a process that looks at structures on a street such as how they relate to the sidewalk and height of the buildings. The intention is to create forms to relate that form as it goes out through the various districts. He noted that Dr. Treadwell has indicated that she wants to pull the College’s face forward to Main Street. Mr. Kopczynski noted as this project begins it will happen in a more coordinated manner and would be more integral to the planning into the downtown district.

Mr. Lamb added the message is how to take a City project, which is to redo the City’s definition of what downtown is, for the purpose of establishing these new standards and how to integrate the College. He stated the form of the College such as the buildings, the greenspace, the relationship to the street is not same as the rest of how downtown is laid out. Mr. Lamb noted the City will probably create what is called a Sub-district for the College as they will do for other parts of downtown that are not the same.

Ms. Kayser asked if there will be some considerations from the Historic District Commission. Mr. Kopczynski responded the project has been discussed with the Historic District Commission. He stated that to some extent it will supplant some of the rules and regulations that are in the Historic District Commission.

Councilor Jones added that when the City zones are created the College does have to comply with the City Codes. He noted the College has always have been very good about coming to the City with their projects. Councilor Jones stated that as a City Councilors they have look at what happens when the College sells a building and what could go there ten years in the future.

Ms. Weststrate asked if are there any examples could go online to look to see how Form Based Zoning works. Mr. Kopczynski referred Ms. Weststrate to www.keenebuildingbetter.com. She asked if there is another city to look at that uses this zoning. Mr. Kopczynski responded the models the City is using are Buffalo, New York and Raleigh, North Carolina.

Ms. Picard asked if a use such as City Tire cannot be changed. Mr. Lamb responded the use will be preserved because zoning allows for vested rights and a non-conforming use can continue until abandoned. He noted this is true under any type of zoning.

Co-Chair Fortier asked Mr. Kopczynski to explain his role with the City. Mr. Kopczynski responded that he is the Director of Economic Development Initiatives and Special Projects and the former City Manager. He explained that a lot of his work is with the Unified Development Ordinance, working with Mr. Lamb and his staff, oversight on the Library, parking and parking regulations and lot of negotiating work with potential clients coming to town and other projects depending on the day.

6.) New Business

Co-Chair Kayser announced the next Diversity and Inclusion meeting will be announced by Co-Chair Kayser at a later date.

Ms. Picard announced the next Neighborhood Revitalization meeting will be held on April 1st at 4:30 PM on Butler Court in the Residential Life Room.

7.) Next Meeting

The next CCC meeting will be held on April 22, 2019 at the City Hall on the Second Floor Conference Room.

8.) Ajournement

Hearing no further business, Co-Chair Fortier adjourned the meeting at 5:06 PM.

Respectfully submitted by,
Jennifer Clark, Minute Taker