

City of Keene
New Hampshire

COLLEGE CITY COMMISSION
MEETING MINUTES

Monday, May 29, 2019

4:00 PM

**Centennial Hall,
Keene State College**

Members Present:

Steve Fortier, Co-Chair
Phil Jones, City Councilor
Dave Richards, City Councilor
Dr. Dottie Morris
Robin Picard
Kelly Ricaurte
Peter Starkey
Eli Thayer
Dick Berry

Staff Present:

Rhett Lamb, ACM/Community Development Director
Kim Schmidl-Gagne, KSC Staff Liaison

Members Not Present:

1) Roll Call

Chair Fortier called the meeting to order at 4:00 pm. Roll call was conducted and introductions were made. Chair Fortier said the two interns were not able to attend today's meeting. He asked members to take a moment to introduce themselves, and describe what brings them to the commission.

Mr. Jones stated that he is a City Councilor and has been on the commission since its creation.

Ms. Picard, Student and Community Relations Coordinator, stated she works in Student and Community Relations and helps students make the decision to stay or move off campus, facilitates the process of students advocating with landlords, reading leases and living in a neighborhood, works with City personnel, neighbors, landlords and parents.

Ms. Ricaurte stated that she works with the Marketing and Communications Department at Keene State College.

Mr. Starkey stated that he is the Executive Director of Monadnock Peer Support, a mental health nonprofit in the region. He said he previously worked at the School for International Training not Keene State College. He is a lifelong resident of Keene and has always been intertwined with the college and its success.

Mr. Thayer stated that he is a Financial Advisor with Edward Jones and is originally from St. Louis but is interested in the relationships between the college and the City and has been involved in various groups in the City.

Mr. Berry stated that he is a retired, long-time resident of Keene and has been involved with Commissions and Boards in the City. He said he is here because they have a real opportunity to do some good between the college and the City and this group can help get things back on a positive track.

Dr. Morris stated that she has worked at Keene State College for the past ten years and she is happy to be of the Commission.

Mr. Lamb stated that he is City staff support at the Community Development Department.

Mr. Richards stated he has been on City Council for twenty years, worked at C&S Wholesale for thirty years, he grew up in upstate NY but his parents are from Keene and he had an opportunity to move back after spending many holidays in Keene.

Co-Chair Fortier stated that he is Director of External Communications at Keene State College. He said tomorrow is his two year anniversary of getting paid after thirty years of volunteering

Ms. Schmidl-Gagne stated she has been at Keene State College for thirty years and works with the Provost and Dr. Morris.

Guest Ms. Beth Wood stated that she has been working alongside Dr. Morris for the past 29 days; also with MEDC and the City of Keene as Downtown Coordinator. She said she has been in the community her whole life and graduated from Keene State College herself.

Guest Ms. Weststrate stated she lives on Gate Street and is part of the group called Concerned East Side Neighbors.

Guest Ms. Franklin is also part of Concerned East Side Neighbors group and has been a teacher at MoCO Arts for fifteen years.

Ms. Kasssmali-Fox stated that she works as a minute-taker with the City.

2) **Review and Approve Minutes from April 22, 2019**

Mr. Fortier stated that on the agenda today is two things that are both actionable items. For one, they want to revisit the subcommittees because at last month's meeting they learned that the membership of the committee can involve commissioners only but will certainly involve passionate neighbors.

Mr. Lamb stated that Chair Fortier had revisions for the April 22, 2019 minutes.

Mr. Lamb stated that on the top of Page 2 of 7, second paragraph, to read, "he explained that the subcommittee must also follow the exact same rules as the commission including doors remaining open and meetings must be open to the public."

Page 3, first paragraph, final sentence, change: "in addition there should be a charge associated with the subcommittee" to "City Chair added that there should be a commission member in addition as Chair of the advisory committee.

Page 6 of 7, ninth paragraph, begins “Co-Chair Fortier stated that he has done a lot to develop walkable communities, the median will slow traffic”

Mr. Lamb stated that Ms. Picard suggested a change on page 4, of 7, halfway down, change: “Ms. Picard asked if it would be different....the City Attorney responded that it would be the same process” to “the City Attorney responded that they would contact the City Manager.”

Page 4, third and fourth lines, first sentence, change: “as well as it could have been with a new ordinance” to “as well as it could have been.”

Page 5, first paragraph, Mr. Lamb said there is a question about how the staff is aware of when the committee meeting is being held. The minutes read that Ms. Picard states “I don’t believe this was the exchange nor do I remember any comment about meetings be change....subcommittees have never changed a meeting date as posted in their prior minutes” Mr. Lamb responded that he commented “that he does not always read the minutes” but he would like to change that comment to “because he does not always read the minutes to find out about the next meeting date.”

Page 7, item 5, there is a spelling correction, change: “discussion on the ordinance that is being drafted.”

Page 6 of 7, fifth paragraph down, starts with “Councilor Jones”, the very last words of the paragraph, change: “documentation that shows sufficient documentation for traffic purposes” to “documentation that states the coefficient of friction for pedestrian purposes.” He stated that coefficient is a measure of slip.

Councilor Richards moved to accept the April 22, 2019 minutes as amended, Councilor Jones seconded and the motion passed unanimously.

3) Co-Chairs Update

Co-Chair Fortier distributed the charge from the Mayor and the president of the College from December. He noted that one outcome of the meeting is learning that they need commission members on each of the subcommittees that are directly related to the charge from the President and the Mayor, as well as other members of the community. He said guided by the charge, the Agenda Planning team came up with the idea of asking members of the commission with interests in areas of focus (Neighborhood Revitalization and Diversity and Inclusion) and they will ask them to have a committee meeting sometime in June before the June CCC meeting. He stated the tasks they should complete is to go through the report published last year and pick two or three areas of focus from the report that could use some more forward progress and then report back to the commission next month for approval of plans. Co-Chair Fortier stated that the committees can then reach out to other community members to populate the rest of that committee, however, they need commission members chairing the committees and to be official members.

4) Discussion: Sub-Committees – Charges and Membership

Co-Chair Fortier announced that he spoke with the Mayor, President Treadwell and City Manager to clarify the changing of the name of Human Rights subcommittee to the Diversity and Inclusion subcommittee. They responded that the decision is based specifically on developing a welcoming community for Keene State students, faculty and staff which is a narrower focus than Dr. Morris' Human Rights Commission. He asked Ms. Picard to put out a general statement of what the Neighborhood Revitalization subcommittee is focused on to help people decide which committee to sign up for. Ms. Picard responded that the current work is off campus housing and behavior, collecting student addresses in a systematic and consistent way, exploring social host ordinances that may work in Keene and the third piece is looking at code enforcement and how to enhance them and make recommendations. Co-Chair Fortier asked if there are any questions regarding participation in either of those committees.

Ms. Picard stated that they would have a Neighborhood Revitalization committee meeting before next month's CCC meeting and asked for confirmation that subcommittees can only consist of commission members. Co-Chair Fortier replied officially that is the case, however, they should also aim to tap into a bigger demographic of people from the community with the commissioners leading the charge. He said subcommittee members must consist of commission members but any member of the public can attend the committee meetings as guests.

Mr. Thayer asked where to find the descriptions of the subcommittees. Co-Chair Fortier stated that the 2018 report is broken down a lot more and suggested they select a few items for successes in 2019. Mr. Berry asked if they can participate on two committees. Ms. Schmidl-Gagne said the earlier report is also attached so members can see progress. She said they talked about trying to find tangible things to make progress. What they can do easily and quickly to feel they have accomplished something this year. Co-Chair Fortier said he was new a year ago and he began by participating in the Diversity and Inclusion committee, as they were in report writing mode for most of their time.

Co-Chair Fortier said the Mayor would appoint the final two members on the City side so they will have more horsepower for the committees. Mr. Jones said that the Commission could also have alternates. He said the Chair can advise the Mayor to appoint two new members and that is not a discussion for CCC, but for the Chair and Mayor.

5) Proposed Amendments to City Code Chapter 2 – Establishing the College/City Commission

Co-Chair Fortier stated that they are working on suggested changes to the ordinance that helped create CCC. He stated that pages 11 and 12 in the packet show the proposed ordinance and if members want to see where the changes are, they can look at pages 13, 14, 15, and 16 track the changes back and forth between the two institutions. He said a lot of it is just cutting and pasting for flow. He asked Ms. Schmidl-Gagne if there are any changes she wants to point out to the committee. Ms. Schmidl-Gagne stated that they aim to create permanent membership for KSC as it is directly related to student positions. She said it is important for KSC to change the timeline for members and for them work on an academic year and the City will work on the calendar year. She said the rest is clean up and shifting around. Ms. Schmidl-Gagne said one student will be appointed, and a concurrent alternate, so they will always have a student who can vote. She noted that those are the big points of change.

Mr. Lamb stated that the City's process is that as ordinances get declared, they send them to the City Clerk and City Attorney to make sure they match up to City code, then after the commission looks at it, the next step is to introduce it to the City Council process and work towards adoption. Ms. Picard asked why the change for the students and Ms. Schmidl-Gagne replied that they have had trouble having at least two students attend every meeting, and they wanted to codify what works so there can always be at least one student voting and the membership does not impact the college's side of quorum. She said it was a way to put into writing what is happening. Ms. Schmidl-Gagne said they are just trying to make it work so as not to impact the work of the commission. She said the two students only get one vote between them.

Co-Chair Fortier stated that the subcommittees are a great place for more City involvement and asked if there are any other questions related to the proposed changes to the ordinance. Ms. Schmidl-Gagne said for the KSC folks, terms will be extended for 6 months. Mr. Richards asked Mr. Lamb if procedurally they will need a recommendation to send this to the City or do they just all verbally agree. Mr. Lamb said they will look for consensus and a vote would be even better and sends a stronger message. Mr. Jones asked Mr. Lamb if they are three-year terms. Ms. Schmidl-Gagne stated that the City Clerk has been tracking terms and they have a standard letter with the City and the College, which specifically appoints people and puts the clear terms in. Mr. Lamb said the last page of the packet shows the City Clerk official status of membership in the column "term number" and provided the example of Mr. Berry being in his second term. Mr. Lamb stated that the City Clerk will let people know about the status of their terms. Ms. Schmidl-Gagne said the College does not have term limits like the City does.

Mr. Richards moved to recommend adoption of the College's revised City ordinance, Dr. Morris seconded and the motion passed unanimously.

Mr. Berry stated that he would prefer to see the finished document instead and Mr. Lamb replied they are both in the packet. Mr. Jones said this will go to City Hall, and then City Council's agenda, and then the Mayor will send it as a draft to one of the committees for approval. He said then it will go back to City Council and then they will likely adopt it. Mr. Lamb said it is a three-week cycle. Mr. Jones noted that there would be public input as well. He said it will only go to committee once as a draft and once as a codified ordinance. Mr. Lamb stated that the Mayor has been working on this, so it could be codified in one step. Co-Chair Richards said they can attend the Planning, Licenses and Development committee meeting to recommend changes publically. Mr. Jones stated that once it goes through the Council process it is final and they will let members know when it goes to Council.

6) Public Comment

Mr. Fortier stated that a Chairperson is needed for the Diversity and Inclusion Subcommittee. Ms. Schmidl-Gagne stated that someone is going to need to step forward to call that group together. Co-Chair Fortier said that subcommittee meetings need to be formed. Co-Chair Richards asked if Mr. Lamb could let the commission know.

Ms. Franklin said she was working with Ms. Picard on the "impassioned neighborhood" which they want to engage. She said her group feels like they have been snuffed out with the revisit to the rules and regulations, as they were doing some incredible work and research and engaging with stakeholders as well as working with a lawyer to assess if they are on the right path. Ms. Franklin stated that they could probably no longer be on the committee and now they are being

told they still want them and it is quite frustrating. She emphasized that they are living in a neighborhood that is slowly deteriorating due to absentee landlords and she is not feeling like there is a passion for the “Neighborhood Revitalization” committee if they can only allow two people. She stated that she will take her passion elsewhere as their needs are not reflected in CCC. Ms. Franklin stated that they have worked very hard for the past two years and she would like to encourage CCC to discuss their stakeholder views as a commission. She noted that the fact that they discovered social host ordinances in other cities was exciting; however, the minute that came up she felt they got cut out of the picture. Ms. Franklin stated that she would like to get to the bottom of that; however, she will not pursue it through the commission, as she does not trust it anymore. She said it was hurtful to them as they are honest citizens living in a failing neighborhood. She is not blaming the students, although there has been some terrible vandalism. She said she is excited about the new trajectory of KSC, as there is incredible opportunity with the new leadership. She noted that Dr. Treadwell and Ms. Dragon had recommended they become involved with CCC.

Ms. Franklin stated that she thinks the Commission needs to loosen up a little bit, in terms of how strict they are going to be about running meetings as a lot of meeting time is spent on the bureaucracy and there is not enough action taking place. She said her committee executes their action items and they will continue to push forward with or without the commission’s support, however, it would be great for them to work collaboratively. Ms. Weststrate asked Co-Chair Fortier if that could include the three items in which the Neighborhood Revitalization committee is interested. Ms. Schmidl-Gagne replied that the Neighborhood Revitalization committee has very clear action items to accomplish in the charge. She said the Diversity and Inclusion charge is much vaguer as it aims to increase inclusivity in our region. She said they will need to equalize the specificity of what both groups are going to do. She suggested that they review the reports as a starting point.

Dr. Morris asked what the role of public members is in the subcommittees. She said in the past public members were very involved in the process and that the guests present today are asking to extend public membership involved to influence the process. Mr. Lamb stated that decision is up to the subcommittee and the Chair and each subcommittee is going to produce a body of work and that will then come to CCC for review and the entire commission will decide on the final report. Mr. Starkey added that this body is not limiting public input and instead this is the structure that is allowing for public input. Co-Chair Fortier said they attempted to clarify this and he learned he had a different interpretation of the word “explore”, however, he feels they have done a good job working through that definition and they will see what comes up for the June meeting. He expressed that there will be all kinds of other groups and he thanked the guests for their input and hopes they can all work together under the CCC banner but if not, he said he understands and the CCC will still be supportive and grateful for their efforts. Mr. Berry stated that he is a member of the Neighborhood Revitalization committee and that their work has been invaluable and the last thing the CCC wants to do is discourage that kind of help. He echoed their sentiments that there are serious problems in the neighborhood. Co-Chair Fortier said the CCC represents a difference in culture and he is also struggling with the formality of working under City regulations and ordinances.

Ms. Picard suggested they delineate the meaning of the word “explore” for clarification purposes. Dr. Morris agreed that they might want to operationalize what the word “explore” actually means in this context. Co-Chair Fortier suggested that the Mayor and City Manager can help them define the term. Ms. Schmidl-Gagne said they can still provide specific guidance on

what “explore” means. Ms. Picard stated that she has a problem with the definition. Ms. Franklin offered some information about the social host ordinances of other towns. She said in order to do develop an ordinance for the City; they first have to come up with a basic idea of what it would look like. She stated someone panicked about the idea of a social host ordinance, however, they were not writing an ordinance. They were only engaging stakeholders and consulting with a lawyer to see what it would entail. She said their starting point was to put out a proposal draft to be scrutinized and perhaps it was read the wrong way. Ms. Franklin emphasized that they were “exploring” the possibilities, however, someone jumped to conclusions about an ordinance. Ms. Picard suggested using guiding questions to explore the issues. She suggested they meet in August instead of June to allow more time to get the work done. Mr. Lamb stated that it is helpful to try to understand the other perspective on exploration or visibility and this is not the first time they have faced this kind of question. He said when the City is asked to write ordinances usually their first step is to ask City Council if they want to go in that direction as writing the ordinance can take a lot of staff time. He noted that first step is not to call the City attorney but instead to pull all of the information together and then ask City Council what direction they want to go in. Mr. Lamb stated that the issue is more of the procedural process and ensuring they are bringing people into that process. He acknowledged that the studies need to go forward, they need to bring in examples, however, the major question to address with City Council is the intent to write an ordinance or not. He said he would be happy to work with everyone to make sure the feasibility question gets answered without any assumptions about writing an ordinance. Ms. Picard added that the recommendation from this group is to help determine if an ordinance is feasible. Mr. Lamb said it is important to get a commitment early on and then pursue the work is the best way.

Mr. Berry asked what the advice for the Neighborhood Revitalization committee is from the commission. Mr. Lamb replied that they should not avoid this commission or process. Mr. Berry asked if the City has a procedure to speak with someone and Mr. Lamb replied that they should speak with the City Manager. He said the Mayor and College President have already charged this body with a scope of work so he hopes the Neighborhood Revitalization group will be involved in it. Ms. Franklin said they did go to the City Manager and Dr. Treadwell and they advised them to participate with CCC. Ms. Schmidl-Gagne added that perhaps it is time to find out if this is something that the City Council wants to pursue because they do not want end up wasting time and energy. Dr. Morris asked if the Neighborhood Revitalization committee could make a recommendation. Ms. Picard replied that the issue of nuisance houses has gone before City Council before, this charge is not about that, and they want to avoid rejection by City Council for bringing up the same issues. She recommended that they do their exploration and put together a thorough proposal. She said “this not your father’s disorderly housing ordinance.” Mr. Starkey suggested that they highlight to City Council the difference between this scope of work and the work that came before so as to get the green light to continue doing the work. Mr. Lamb added that he wants to make sure the work is in the context of the community process and they still need to come up with an outline of a proposal with a list of advantages and disadvantages before approaching City Council. Ms. Franklin replied that they have already done that.

Mr. Thayer stated that the content of last month’s meeting was centered on whether or not CCC is acting procedurally. Councilor Richards responded that is exactly right, this is a City commission, so they have to follow the rules, for example, the subcommittees need Chairs and minute-takers and those things were not being done. He said these regulations are not at the discretion of CCC or anyone else. He stated they were simply outlining the process that they have to follow. For example, if the subcommittee Chair allows public input then that would be

permissible and to be sure, the Chair always allows public input as it is part of the transparency of government. Mr. Thayer said for the sake of moving forward, perhaps they can simply recognize that the subcommittee and the CCC were working at different rates, with the subcommittee moving faster. Dr. Morris stated that given where they are now and the recommendations, would they have to go back now as the previous work was done before they followed certain rules. Mr. Lamb replied that what they all understood is that subcommittees were not properly established and appointed, and the respective charges need to be understood. He said this is what the Co-Chairs have stated that subcommittees need to accomplish before June's meeting. He stated that as Ms. Schmidl-Gagne said, there are three items they need to accomplish between now and the end of the year. Mr. Lamb stated that presently, everyone is aware of the subcommittees' work. He said the priority for neighborhood groups can be to push ordinances forward.

Ms. Picard stated that the Mayor and President have to define what the term "explore" means in this context. She stated that could change what the neighborhood group has to do. Co-Chair Fortier replied it would not change what they have done or plan to do. He said the charge is a lot clearer moving forward. He stated that they could go to the City Manager to be placed on City Council's agenda anyway, so that is the path forward. Mr. Thayer said sharing the correct procedures with the Chair of each subcommittee is important. Ms. Franklin stated that her group only failed to follow the procedure of leaving the door open to the public and she would like to see a commitment from the CCC to read their subcommittee minutes as they put a lot of information into those minutes. She encouraged everyone to adhere to the expectation that of staying grounded in the history of the committee, the minutes and steps so they are not wasting time with their reports.

Ms. Schmidl-Gagne stated that some of the confusion has arisen due to a lack of understanding of where subcommittees are at in their process. Councilor Richards suggested that they put a five minute item on each agenda for Subcommittee Chair Review to get the CCC up to speed on subcommittee activities. Co-Chair Fortier said if they have done their homework, the exploration of each subcommittee will involve asking questions and making observations—not just reporting. Dr. Morris stated that the public must be notified of each meeting 24 hours prior to meeting. Mr. Berry asked if subcommittees will be authorized to invite the Police Chief to a meeting. Co-Chair Fortier said that request would have to go through the City Manager. He said they would have to get permission from the Chair and then go to City Manager who would then direct the Police Chief to attend the meeting. Mr. Lamb agreed.

Co-Chair Fortier stated that in order to ground all members for June's meeting, Mr. Jones will walk through the history of CCC, why it was created and the challenges it faces. He recommended members review the 2016 report for additional information on the creation of the commission.

- 7) **Next Meeting – Monday June 24, 2019 at Keene City Hall**
- 8) **Adjourn**

Co-Chair Fortier adjourned the meeting at 5:05 PM.

Respectfully submitted by,
Ayshah Kassamali-Fox, Minute Taker
Edits: Lee Langella