

City of Keene
New Hampshire

FINANCE, ORGANIZATION AND PERSONNEL COMMITTEE
MEETING MINUTES

Thursday, November 14, 2019

6:30 PM

Council Chambers

Members Present:

Carl B. Jacobs, Vice-Chair
Thomas F. Powers
Terry M. Clark

Members Not Present

Mitchell H. Greenwald, Chair
Bettina A. Chadbourne

Mayor Kendall Lane

Staff Present:

City Manager, Elizabeth Dragon
City Attorney, Thomas Mullins
Parks Recreation and Facilities Director,
Andrew Bohannon
Asst. City Manager/IT Director, Rebecca
Landry
City Assessor, Dan Langille
Parking Operations Manager, Wendy
Walker
Director Economic Development and
Special Projects

Vice-Chair Jacobs called the meeting to order at 6:30 PM.

1) Acceptance of Donation - Parks, Recreation and Facilities Department

Parks Recreation and Facilities Director Andrew Bohannon addressed the Committee first. Mr. Bohannon stated Robert Wilber, a long time City employee and City Councilor, passed away. Many of his former program staff reached out to City staff wanting to do something in memory of Mr. Wilber. Adrienne Conboy, a current long time employee who worked with Mr. Wilber and Joe and Karli Tolman owners of Bulldog Design created a t-shirt that raised \$214.63 towards the scholarship funds for kids who attend summer camp.

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

On 3-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept a donation of \$214.63 and that the money is used for the Recreation Department scholarship fund.

2) Acceptance of Donation - Parks, Recreation and Facilities Department

Mr. Bohannon stated the next donation is \$3,000 from Yankee Lanes to purchase youth basketball jerseys. This has become an annual donation from owner Jeff Barden who is a supporter of youth basketball. A new league is going to be added this year. He thanked Mr. Barden for his continued support.

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

On 3-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept a donation of \$3000.00 from Yankee Lanes and that the money is used to purchase youth basketball jerseys.

3) Adopt A Bench Donation - Parks, Recreation and Facilities Department

Mr. Bohannon stated this is an Adopt a Bench Donation in honor of John Summers. Mr. Summers is one of the founding members of Pathways for Keene and was instrumental in the creation of the Ashuelot River Trail. The bench will be installed along the Jonathan Daniels Trail near Ashuelot River Park – the donation is valued at \$1,200.

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

On 3-0 vote, the Finance, Organization and Personnel Committee recommend that the City Manager be authorized to do all things necessary to accept the donation of a bench from Pathways For Keene in honor of John Summers and that the bench be placed along the Jonathan Daniels Trail.

4. Adopt A Bench Donation - Parks, Recreation and Facilities Department

Mr. Bohannon stated this is also an Adopt a Bench Donation and this is unique in that it is three granite benches from Brian Buskey in honor of his parents Bert and Lilian Buskey to be placed on Shadow Pond. The family lived on Kendall Road and the family has fond memories of this area. Each bench is valued at \$1,800. Mr. Bohannon recognized the Buskey family for this donation.

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

On 3-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept the donation of three granite benches from Brian Buskey in honor of his parents Bert and Lilian Buskey and that the benches be placed at Shadow Pond on Kendall Road.

5. Joseph S. Hoppock, Esq. - Request to Purchase City Property - Corner News

Attorney Hoppock addressed the Committee and recognized his client Roberta Mastrogiovanni, the owner of the Corner News. He noted this item is in reference to their request for the City to sell the land that the Corner News sits on. He indicated they are aware of Jack Dugan's project and circulated to the committee an email from Mr. Dugan. He noted the email indicates Mr. Dugan's project will have no impact on the sale of the

property to Ms. Mastrogiovanni and added that he is aware the City Manager's office is not in support of this request.

He went in to say the Railroad conveyed this land to the City in 1960's and since then the land has been separate from the building, which he described as odd. The land is in the historic district and any kind of renovation would be subject to the Historic District Commission regulations and added his client's plan is to preserve the historic nature of this building. He asked for the City's consideration and added his client is willing to work with the City on its needs and on any terms it wants to impose. Attorney Hoppock went on to say his client has made a proposal on a price, which is the assessed value of the property.

Manager Elizabeth Dragon addressed the Committee next and stated the City's capital planning includes preliminary design work for Main Street during this fiscal year and for downtown next year. She indicated the draft CIP has infrastructure improvements along Gilbo Avenue, which is inclusive of this site. Pedestrian and vehicular traffic patterns in this area are going to be evaluated. In addition, the Arts and Culture corridor project on Gilbo Avenue and the planned improvements for that project abuts this parcel, crosses Main Street in front of this parcel to Railroad Square. Ms. Dragon noted the arts and culture corridor project is continuing to evolve.

Ms. Dragon further stated Southwest Regional Planning Commission continues to look at transportation hub potentials and Gilbo Avenue is a location that is being considered. In conclusion, she stated because of these proposed projects in the next few years she does not recommend the sale of the property at 2 Gilbo Avenue.

Vice-Chair Jacobs clarified since October 22 there has been further communication that gives the Manager concern about giving up this property. Ms. Dragon stated the project is going to change over the next few years and even though it does not include the proposed parcel, the projects being planned for the future involves property that abuts the proposed parcel as well as directly in front of it crossing over to Railroad Square. Because of the changing nature of the projects on Gilbo Avenue and the infrastructure work the City will be doing, she does not recommend sale of this property. The Vice-Chairman clarified this would not preclude the sale in the future. Ms. Dragon agreed.

Councilor Powers agreed the City should wait on the sale; he talked about the water problem that exists on this land and stated he appreciates the interest in the property and extended his appreciation for the long tenancy of this tenant.

Councilor Clark asked for the width of Gilbo Avenue at this intersection and asked if the City owns the sidewalk and the land in between Margaritas and the overhang. The Manager stated the City owns the sidewalk and the fee under the building at this intersection. The Councilor felt lack of ownership of this land seems to be hampering condition for owner of this business. He did not see a reason to keep this applicant "hanging" and felt the City has had many false starts relative to this area and he felt the property should be sold to the applicant.

Councilor Jacobs noted not owning this property has been a hindrance to this applicant – Attorney Hoppock noted it has been difficult for Ms. Mastrogiovanni to obtain financing. Attorney Hoppock went on to say the City as a government body has eminent domain powers and as has been mentioned previously if the City project does not move forward, the sale of the property to his client is not going to be an issue.

The Manager stated even though the Arts Corridor project is preliminary the work that is being planned for Main Street, Gilbo Avenue and downtown are slated for infrastructure work and if there is adjustment that needs to be made to the sidewalk in this area, she felt it would be prudent to wait. She indicated eminent domain is not a fun and it can be lengthy and uncomfortable for everyone. Vice-Chair Jacobs asked how the City would handle the building if work was going to take place on the sidewalk. The answer provided was that the City would dig under the building and pretend the building does not exist.

Councilor Clark stressed the best use of this property is what it is being used for right now.

A motion was made Councilor Powers that the Finance, Organization and Personnel Committee recommend the request to purchase Corner News be declined. The motion died for lack of second.

Attorney Hoppock questioned what timeframe the City was referring to make a determination.

A motion was made Councilor Clark that the Finance, Organization and Personnel Committee recommend the City Manager be authorized to negotiate a sale of the land under the building to the owner of the building. The motion was seconded by Councilor Jacobs. The motion carried on a 2-1 vote with Councilor Powers voting in opposition.

6. Acceptance of the 2019 Homeland Security Grant Award - HazMat Allocation – Fire Department

Fire Chief Mark Howard addressed the committee and stated on October 15, 2019 he was notified by the grants management unit that the Keene Fire Department had been awarded \$25,000. He noted with reference to the attached cover letter all documents are required to be returned within 30 days. He noted because of scheduling reasons he asked for an extension and has been granted one. The second requirement was to submit a cyber-security review within 45 days (December 1). However, with assistance from IT staff this has been completed and submitted.

Councilor Clark clarified this is a grant the department receives each year. The Chief answered in the affirmative and noted it is a competitive grant.

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

On 3-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept a grant in the amount of \$25,000 from the 2019 State of New Hampshire Homeland Security Program (SHSP) - HazMat allocation.

7. Mark Rebillard and Roger Weinreich/Keene Downtown Group - Requesting the Establishment of a Free Parking Program

Mr. Roger Weinreich of 52 Railroad Street addressed the committee. Mr. Weinreich began by reading for the record a letter included in the committee's packet. Mr. Weinreich stated this is an attempt to start a discussion about free parking downtown which was something that was offered many years ago. He noted an experiment could be run through March 31 by offering free parking. The experiment would evaluate if this is something that people are taking advantage of and whether this increases pedestrian activity downtown. If it becomes unsustainable it can be ended – but it could be something that could increase parking revenue,

Director Economic Development and Special Projects Mr. Kopczynski agreed there has been a decline in parking during the morning hours in the downtown and demand has shifted more towards evening hours. He went on to say he wasn't sure if changing the hours in the morning would affect any of the businesses as the majority of the businesses don't open until 10 – 11 am. He went on to say there could be an impact with the suggested proposal in terms of revenue. In addition, the staff would need to consider parking space turnover, and how to handle side street and parking lot meters. Mr. Kopczynski stated staff is happy to meet with the applicant and the downtown group to discuss these issues and until that happens he was not able to provide concise information for the Council's consideration.

Vice-Chair Jacobs stated what he likes about this is how are we going to utilize the various parking tools. He noted merchants requested parking meters so that people won't abuse parking and that parking meters were instituted as a way to provide for parking turnover.

Councilor Powers agreed shopping experience are fast changing and asked for a reasonable amount of time for the trial period. He asked if the item was going to be sent back to staff for its review and asked a timeframe be put on it.

Mr. Weinreich stated the time period they were suggesting was December 1 through March 31, 2020, with decals on meters indicating the trial period. Mr. Kopczynski stated this is the type of issues that need to be discussed. He added running from December 1 thru March 31, 2020 is doubtful because of the timeframe involved with City Council in addition to the mechanism required to put this in place under the ordinance – he felt it would be more of a January through March program. If it can be accelerated, it will be done.

Vice-Chair Jacobs felt this is the type of communication that needs to be ongoing and stated he is glad to see merchants coming forward with this request.

Mr. Weinreich stated he was in agreement with whatever staff would like to do but felt putting this in place in December might seem like a gift to the public.

Councilor Jacobs stated it might be nice to have information in stores telling people about free parking that exists a few blocks away from downtown. Mr. Kopczynski stated staff has been visiting downtown merchants and having conversations with them. He stated parking is now being handled by the Manager's office and stated there is a lot to be done to build this system and make it beneficial for everyone. He talked about the signage that has been changed to tell people about long term parking, there are brochures available downtown that talk about parking downtown.

Vice-Chair Jacobs asked for public comment. Mr. Weinreich extended his appreciation to staff and the opportunity to address this item.

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

On 3-0 vote, the Finance, Organization and Personnel Committee recommends referring this item to staff for a further recommendation of proposal within 30 days.

8. PILOT- The Prospect-Woodward Home - Assessing Department

City Assessor Dan Langille addressed the Committee and stated this item is in reference to payment in lieu of taxes requested by The Prospect-Woodward Home. Mr. Langille explained State Law permits certain properties to be exempt from property taxes. He identified religious institutions, schools, city owned property and charitable organizations as being eligible for an exemption from property taxes. Hillside Village made an application to the City for such an exemption. Mr. Langille referred to the term "charitable" as listed under RSA 72:23. He stated Hillside Village's mission is to provide lifelong housing and medical care to the elderly.

Mr. Langille stated when the Assessing Department received the application, additional documentation was requested and it was turned over to the Assessor's Board. NH Supreme Court decisions were also reviewed as it pertains to this item. On September 5, the Board determined Hillside Village had met their burden and they were exempt from property taxes and that they were a charitable organization.

Staff met with Hillside Village to see if they were interested in entering a payment in lieu of taxes program. RSA 72-23N allows a municipality to enter into a payment agreement with an organization that would otherwise be exempt from paying taxes. All parties agreed there would be an annual payment required for services provided by the City. It was agreed the program would begin this year with a payment of \$658,000 and will increase annually. It is a ten-year agreement with a ten-year option. This amount equals the City portion of the tax rate times their assessed value.

Ms. Dragon noted the tax rate is made up of several components the city, the school, the state education portion and the county. She indicated what is being referred to here is the municipal portion of the taxes. In a situation like this, this is a favorable amount.

Councilor Powers asked whether the prior property Prospect Woodward Home was tax exempt. Mr. Langille answered in the affirmative.

Councilor Clark applauded staff for being able to obtain this amount on a pilot program; he noted the applicants obtained this property for \$1.5 million dollars but invested nearly 30 million dollars into it. Councilor Jacobs stated he applauds Hillside Village for recognizing the value of City services and for agreeing to pay this amount.

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

On 3-0 vote, the Finance, Organization and Personnel Committee recommends the City Manager be authorized to execute a PILOT agreement with The Prospect-Woodward Home for properties owned by them and identified as Map 221 Lot 19 and Map 221 Lot 18.

9. Aquatic Facilities Update - Parks, Recreation and Facilities Department

Mr. Bohannon stated in previous CIP Programs there have been projects related to the City's pools and ongoing maintenance issues has been included in the municipal park improvement program. Specifically for the Robin Hood pool, there is a current project in the CIP to install shade structures and a slide. While obtaining quotes for these projects; several issues of concern were identified with the Robin Hood Pool. Staff is recommending that the proposed improvements be delayed in favor of responding to some maintenance issues.

While staff was obtaining quotes for the CIP project; there were some noticeable issues associated with the Robin Hood Pool, some of which were alarming.

Weston and Sampson were hired to conduct pool evaluations for both Robin Hood Pool and Wheelock Pool. The firm came in and evaluated the maintenance records, the chemical records, past improvements, accounting records, attendance records and the overall program. During one of their two site visits, a hammer test on the concrete was done. The report came back and identified several compliance issues at both pools. Not anything super alarming, but issues that needed to be addressed. The report highlighted the fact that both pools were gifted to the City by the Keene Lions Club in 1964 and even though the City has done a great job maintaining these pools, they have probably exceeded their useful life, which can be attributed to the ongoing maintenance that has been done over the years to keep them well maintained.

Mr. Bohannon stated the Robin Hood Pool is structurally "on its last leg" and with its immediate location next to a pond, there are some things that could be alarming for that

site. Mr. Bohannon noted the pool location is probably not the best location for a 165,000-gallon pool, but it was placed there and has done fairly well. Even with ongoing maintenance, the useful life of the pool can extend at most another five years.

If the issues are ignored, there could be some significant challenges in the next five years. Wheelock Pool on the other hand is doing much better and if maintained appropriately the City will be able to have an extended life.

Mr. Bohannon stated staff would like to repurpose the \$25,000 in the CIP for items like a slide and shade structures and put it towards maintenance. Some of the options for Robin Hood Pool are to replace the entire pool at a high cost, performing the maintenance issues recommended, reducing the size of the pool and use that space for installation of the splash pad making the pool a smaller footprint. Mr. Bohannon noted the appendix has the list of improvements outlined. He referenced the phased in nature of the various improvements, which would occur over the next several years. Mr. Bohannon stated these pools add a lot of value to the City.

The Manager stated what staff is looking for is Council permission to repurpose the \$25,000, but they are also trying to communicate that there are some larger issues to address in the future. She noted to replace the pool at the same size would be at a cost close to 5.4 million dollars, to replace it with a smaller pool would be 3.7 million dollars. These are the kinds of conversations that the City Council will need to have during the CIP process, but for tonight it is just the repurposing of \$25,000.

Vice-Chair Jacobs stated what also needs to be looked at is how such things are financed and perhaps money should be set aside to meet these capital needs. Councilor Powers stated they are talking about current CIP funds and instead of making the proposed improvements, the staff is recommending utilizing the funds for ongoing maintenance. In addition, the Councilor suggested the term in the motion be to re-appropriate rather than to repurpose.

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

On 3-0 vote, the Finance, Organization and Personnel Committee recommends that the City Council re-appropriate \$25,000 funded in FY19 for pool amenities toward infrastructure maintenance needs at Robin Hood Pool.

**10. Aquatic Facility Certification Program - Parks, Recreation and Facilities
Department**

Mr. Bohannon stated this past fall the National Parks and Recreation Association held a contest to invite individuals to participate in a scholarship to attend the Aquatic Facility Certification Program in Rhode Island in December. Mr. Bohannon stated he was successful in obtaining the scholarship. The scholarship includes tuition to take the test (valid for five years) and lodging. He noted he does have money in his operating budget

to take care of meals and transportation. Mr. Bohannon stated this benefits his professional development.

Vice-Chair Jacobs asked for clarification as to why the item is being addressed tonight – absent being included on the agenda. Mr. Bohannon stated the conference is on December 10 and 11 and by adding to the agenda today versus waiting two more weeks it would give him more time to prepare for the session.

Attorney Mullins stated it is not something that is typically encouraged but because what Mr. Bohannon addressed is closely aligned with the prior discussion, it has been brought forward before the committee for its consideration

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

On 3-0 vote, the Finance, Organization and Personnel Committee recommend that the City Manager be authorized to do all things necessary to accept professional development funds for Parks, Recreation and Facilities Director to attend Aquatic Facility Certification course December 10-11, 2019.

11. Juvenile Conference Committee - Ordinance O-2019-17

Mr. Bohannon what staff has done with the Juvenile Conference Committee is to streamline it and make it a lean process for individuals and keep the identity of those on the Committee confidential. To help the process move faster, an administrative directive has been adopted which provides for the Manager to appoint the membership versus having a nomination and confirmation through the City Council. This does not change the purpose or mission of the Juvenile Conference Committee; it just streamlines the process of bringing in new members.

He noted the committee should have eight members but currently it only has four. He noted the new Youth Services is doing an outstanding job and the caseload has increased significantly. He added this committee is appointed to assist the youth services manager with court diversion cases. The goal is to prevent youth from having to go through the court system.

The Juvenile Conference Committee would now be under an Administrative Directive.

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

On 3-0 vote, the Finance, Organization and Personnel Committee recommend the adoption of Ordinance O-2019-17.

The meeting adjourned at 8:05 PM.

Respectfully submitted by,
Krishni Pahl, Minute Taker