



Due to the COVID-2019 State of Emergency, the City Council will be holding its meetings remotely using the web-based program, Zoom. City Councilors will be participating in this meeting remotely. Members of the public will be able to access this public meeting through a variety of options, described below. If you encounter any issues accessing this meeting, please call 603-757-0622 during the meeting. To view the City Council meeting please use the following links: To view the webinar navigate to Zoom.us and enter the Meeting ID# 861 3359 7726 To listen via telephone call (877) 853-5257 and enter the Meeting ID# 861 3359 7726

Roll Call  
Pledge of Allegiance

#### MINUTES FROM PRECEDING MEETING

- June 18, 2020

#### A. HEARINGS / PRESENTATIONS / PROCLAMATIONS

1. Presentation - KSC President Melinda Treadwell - The Return of KSC Students and the Proposed Social Host Ordinance

#### B. ELECTIONS / NOMINATIONS / APPOINTMENTS / CONFIRMATIONS

1. Confirmations  
Conservation Commission  
Historic District Committee
  
2. Nomination  
Human Rights Committee

#### C. COMMUNICATIONS

1. David Crawford - Police Officers and Firearms
2. Let It Shine - Request for Use of City Property - Pumpkin Festival
3. Kristin Finnerty - Requesting to Discharge Fireworks on Private Property

#### D. REPORTS - COUNCIL COMMITTEES

1. Derek and Linda Stone – Requesting Permission to Remove Trees on City Property
2. Dog Warrant for Unlicensed Dogs – City Clerk
3. Melanson Heath FY19 Audit Presentation - Finance Director
4. Acceptance of Donation - Parks, Recreation and Facilities Director
5. Acceptance of NH Juvenile Court Diversion Network Funding for Youth Services - Youth Services Manager
6. Tracy Keating Gunn/Flight Deck Restaurant - Request for a Waiver of Rent Payments and Property Taxes for the Months of March Through June

**E. CITY MANAGER COMMENTS**

**F. REPORTS - CITY OFFICERS AND DEPARTMENTS**

**G. REPORTS - BOARDS AND COMMISSIONS**

1. Bee City USA – Conservation Commission

**H. REPORTS - MORE TIME**

1. Petition - Calling for the KPD to be Outfitted with Body Cameras

**I. ORDINANCES FOR FIRST READING**

**J. ORDINANCES FOR SECOND READING**

1. Amendment to the Zoning Map – Properties on Krif Road and Winchester Street  
Ordinance O-2020-04
2. Relating to Personnel Systems and Procedures  
Ordinance O-2020-07

**K. RESOLUTIONS**

**L. TABLED ITEMS**

1. Relating to an Appropriation of Funds for Gilbo Avenue Infrastructure Improvements  
Resolution R-2020-06-A

Non Public Session  
Adjournment

A regular meeting of the Keene City Council was held Thursday, June 18, 2020. The Honorable Mayor George S. Hansel called the meeting to order at 7:00 PM. Mayor Hansel read into the record the Emergency Order #12, issued by the Governor of the State of New Hampshire pursuant to Executive Order #2020-04. He continued the members of the City Council would be participating remotely. The Mayor asked that during the roll call for attendance, each Councilor identify their on-line presence and if there are others with them in the room. Roll called: Stephen L. Hooper, Michael J. Remy, Janis O. Manwaring, Michael Giacomo, Randy L. Filiault, Robert C. Williams, Philip M. Jones, Gladys Johnsen, Terry M. Clark, Raleigh C. Ormerod, Bettina A. Chadbourne, Catherine I. Workman, Mitchell H. Greenwald, Kate M. Bosley and Thomas F. Powers were present. A motion by Councilor Powers to accept the minutes from the June 4, 2020 regular meeting was duly seconded by Councilor Bosley. The motion passed on a roll call vote with 15 Councilors present and voting in favor. The Mayor led the Pledge of Allegiance.

#### ANNOUNCEMENTS

Mayor Hansel announced that “in person” meetings will resume next week. He stated that the City Clerk would be reaching out to the Councilors to let them know the protocols that will be in place. He also assured those who still want to stay at home, that they will be able to do so still.

#### PROCLAMATION – JUNETEENTH

Mayor Hansel read a proclamation designating June 19, 2020 as Juneteenth Day.

#### PUBLIC HEARING – AMENDMENT TO THE ZONING MAP – PROPERTIES ON KRIF ROAD AND WINCHESTER STREET – ORDINANCE O-2020-04

The Mayor opened the public hearing at 7:10 PM. The Notice of Hearing and Certificate of Publication were read. The Mayor recognized Tara Kessler, Senior Planner, who provided a very brief introduction of Ordinance O-2020-04: Zone Change – 472 Winchester Street and 0 Krif Road. She noted there would be a brief presentation prior to public testimony to provide an overview of the application, primarily to highlight the proposed changes as it relates to existing zoning. Ms. Kessler shared her screen to display a PowerPoint presentation. She went on to request that Chad Branon of Fieldstone Land Consultants be recognized for comment.

Mr. Branon began by stating that he represents AMERCO Real Estate Company and the land owner, Clarke Realty Limited Partnership. The request before the Council is to change the zoning district for properties located at 472 Winchester Street and 0 Krif Road. He noted the Jeffrey Vaine from AMERCO is also on the call this evening to answer any questions. He presented a map of the area and explained that they are located on the south side of Krif Road at the intersection of Krif Road and Winchester Street. Both are currently zoned Industrial and the applicant is requesting the zoning designation be changed to Commerce Limited, which borders the property to the north on the other side of Krif Road. This property is located about 2,100 feet south of the Route 101 roundabout. The property on Winchester Street consists of 3.54 acres with frontage along Winchester Street, and contains a 30,172 square foot industrial warehouse building, along with a 3,725 square foot service shop with associated site improvements. He

continued that the property at 0 Krif Road consists of 3.84 acres of land with frontage along Krif Road. This property is primarily vacant with the exception of a small parking area that was used for the operation at 472 Winchester Street.

Mr. Branon continued that Clarke Distributors, a beverage distribution company, formerly utilized both properties. They ended their operation on site in 2017. Since then, the owner has been trying to sell both properties. Unfortunately, the zoning for the properties has posed issues for interested parties over the years, primarily because the industrial zone does not permit commercial sales or retail services. Mr. Branon displayed an aerial map and pointed out adjacent properties including Ace Rental, Hamshaw Lumber, an area of vacant land, and a self-storage facility are in the same area. He added that Douglas Cuddle toys abuts the property as well. He noted the proximity of these properties to the existing Commerce Limited zone.

Mr. Branon continued that the intent of the Industrial district is to provide for manufacturing, processing, assembling, wholesaling, and transportation-oriented activities and related services such as trucking, warehousing, etc. Retail sales and offices in the industrial district are only intended to be accessory uses to the main use. He continued that the uses in the Commerce Limited district include light industrial and combined commercial/industrial uses. When comparing the two zoning designations there is a fair amount of overlap in terms of permitted uses. He displayed a list showing the uses that are allowed in both zones to include assembling, bulk storage, garage, health and fitness, manufacturing, childcare facility, warehousing and several others. Mr. Branon went on to show uses that are allowed in the Industrial zone that are not permitted in Commerce Limited. These uses included such things as asphalt plants, smelters, bulk storage of flammable materials, colleges, institutional uses, etc. He noted that these heavy industrial uses should not be an option on this site. Finally, Mr. Branon noted uses that are allowed in the Commerce Limited zone but not in the Industrial zone, such as funeral parlors, greenhouses or nurseries, auto dealerships, office, parking areas, restaurants and retail sales/services. He felt these were more appropriate uses at the subject property.

Mr. Branon went on to display a chart comparing the dimensional standards in the Industrial district versus the Commerce Limited district. In comparing the two columns of information, Mr. Branon pointed out that the Commerce Limited district is more stringent in many categories, including minimum lot size, building setbacks, the maximum percentage of the lot that may be occupied by a structure, green spaced requirements, frontage requirements, etc. Because all these requirements are more stringent, it would not result in any negative impacts. In reviewing the properties along Winchester Street and the goals and objectives of the City's comprehensive master plan, this amendment to Commerce Limited will better serve the City. The CMP clearly identifies Winchester Street as a key gateway corridor. It also states that the balancing of development in this area with the natural environmental features is of high importance. It is their belief that the permitted uses in the Commerce Limited zone are better suited along a gateway corridor and would better serve the community. He asked that what is being lost with this request be considered as well. This would not allow heavy industrial uses on the properties that were previously outlined, which is a gain for the City. Adding to this is that the property has substantial frontage along Ash Brook, and is in a floodway. Appropriate industrial uses would still be allowed, so there would be no real net loss of industrial land. For these reasons the applicant feels this amendment is consistent with the goals and objectives of the City's master

plan and benefit residents as well.

The Mayor asked Ms. Kessler if she had anything to add. She noted that currently there are only 10 parcels in the Commerce Limited district. This request would expand that to include the two parcels to the south on Winchester Street. There are about 103 parcels in the Industrial district. She added there was a public workshop held on May 11. At that time, the Planning Board did vote that the ordinance does comply with the Comprehensive Master Plan. The applicant did note that the two parcels are in the floodplain. Regardless of the zoning designation, any development on these lots would need to adhere to our floodplain ordinance. She went on to review again the intent statements of the Industrial district versus the Commerce Limited district. Commerce Limited allows for greater variety of commercial uses, and there are a number of shared uses between the two districts. This provides more flexibility. The loss of uses from the Industrial district would be the heavier industrial uses. It is important to note that zoning is meant to guide a future use or development. In the future if this lot were to be rezoned the future development may need to conform with the new zoning dimensional requirements. The City Council in its review of proposed zoning changes should focus on the general suitability of the site with the proposed zoning district.

The Mayor asked if there were questions from the Council members.

Councilor Clark referenced a similar zone change that occurred a couple years ago, and asked if there is any consideration for looking at how much land we want to maintain as Industrial moving forward, and how much should be shifted to Commerce Limited. Ms. Kessler that several years ago there was an effort to review how much Industrial land remained in the city and there was a more recent effort to rezone Industrial parcels on the Marlboro Street corridor to uses that have a less intense industrial impact. She is not aware of any review to occur in the near future relative to the remaining parcels in the Industrial district. The Master Plan does specifically state that in this area it is important to maintain the opportunity for industrial manufacturing to occur of a higher quality that will provide higher wages as well as a result of the permitted uses.

Councilor Greenwald stated that his recall was that one of the primary concerns with zoning changes was to limit the loss of industrial land and stated this seems to be less of a priority as our regulations and the Master Plan have changed. Industrial land means jobs, whereas commercial means lower paying more minimal jobs. He is concerned that the impact on jobs will be minimal with this change.

Mayor Hansel commented that he tends to agree with both Councilor Clark and Councilor Greenwald. He added though, that this particular parcel is less likely to attract a large industrial user because of the flood zone, etc.

Mr. Branon noted the compatibility between these two zoning districts lends itself to this location because many of the lighter industrial uses are permitted in both zones. There are significant industrial uses allowed in the Commerce Limited zone that will attract jobs. This just allows more flexibility for office or other commercial uses. The current zoning has made it difficult to market these properties. They do not consider this spot zoning because it is adjacent

to the Commerce Limited zone.

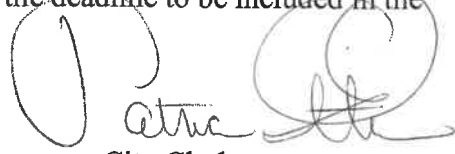
Councilor Remy asked if we would be creating a non-conforming lot if we move forward with this change. The Mayor stated they would have to comply with current zoning no matter what.

Councilor Jones stated this is supposed to be an opportunity for public input and stated the Council can continue their debate when this is before the Planning, Licenses and Development Committee.

The Mayor asked if any members of the public would like to speak.

There being none, the Mayor closed the public hearing at 7:40 PM. He noted the hearing would remain open for written public comments until Tuesday, June 23, 2020 at 1:00 PM. Comments must be signed and submitted to the City Clerk's Office by the deadline to be included in the record.

A true record, attest:



City Clerk

## NOMINATIONS

The following nominations were received from the Mayor: John Therriault to serve as an alternate member on the Conservation Commission with a term to expire December 31, 2023; and Hope Benik to serve as a regular member on the Historic District Committee with a term to expire on December 31, 2022. The nominations were tabled until the next regular meeting.

## FOP REPORT - COMMUNITY POWER PROGRAM & AD HOC COMMUNITY POWER COMMITTEE – ASSISTANT CITY MANAGER/COMMUNITY DEVELOPMENT DIRECTOR

The Mayor brought forward the Finance, Organization and Personnel Committee report recommending that the Mayor be requested to constitute an ad-hoc Community Power Committee to develop a Community Power Plan for submission to the City Council in accordance with RSA 53-E. A motion by Councilor Powers to carry out the intent of the report was duly seconded by Councilor Hooper. The motion passed on a roll call vote with 15 Councilors present and voting in favor.

## APPOINTMENT OF AN AD HOC COMMUNITY POWER COMMITTEE

The Mayor appointed an ad hoc Community Power Committee that would be charged with developing a community power plan for the citizens of Keene. The appointments from the Mayor included: Dr. Ann Shedd, Peter Hansel, Paul Roth, Jeffrey Titus, Michael Giacomo and Daniel Belluscio. A motion by Councilor Powers to confirm the appointments was duly seconded by Councilor Bosley. On roll call vote, 15 Councilors were present and voting in favor. The appointments were confirmed.

APPOINTMENT OF AN AD HOC RACIAL JUSTICE AND COMMUNITY SAFETY COMMITTEE

The Mayor appointed an ad hoc Racial Justice and Committee Safety Committee whose charge would be to prevent or correct systemic and cultural inequities in Keene. The members of the Committee include: Rick Van Wickler, Dr. Dottie Morris, Co-Chair Eli Rivera, Councilor Catherine Workman, Gail Somers – Stacey Massiah, Pierre Morton, Julia Atkins, Tia Hockett, and Aditi Saleh, Steve Russo, Keene Police Chief and Rebecca Landry, ACM/IT Director would serve as staff liaisons. The Mayor explained that he was not able to place Lt. Shane Maxfield on the Committee as a member because the City Code restricts City employees from being members on ad hoc committees. Lt. Maxfield would be representing Chief Russo as needed in the staff liaison role. A motion by Councilor Powers to confirm the appointments was duly seconded by Councilor Bosley. On roll call vote, 14 Councilors were present and voting in favor. The appointments were confirmed. Councilor Williams was absent from the vote.

COMMUNICATION – PETER MORAN – IN SUPPORT OF A SOCIAL HOST ORDINANCE

A communication was received from Peter Moran, expressing his support for a social host ordinance. The communication was filed into the record.

COMMUNICATION – TRACY KEATING GUNN/FLIGHT DECK RESTAURANT – IN SUPPORT OF MONADNOCK CHOPPER FLIGHT SCHOOL

A communication was received from Tracy Keating Gunn expressing her support for the potential new helicopter flight school at the Dillant-Hopkins Airport. The communication was filed into the record.

COMMUNICATION – TRACY KEATING GUNN/FLIGHT DECK RESTAURANT REQUEST FOR A WAIVER OF RENT PAYMENTS FOR THE MONTHS OF MARCH THROUGH JUNE

A communication was received from Tracy Keating Gunn requesting a waiver of the rent for the Flight Deck Restaurant for the months of March through June due to COVID-19 closure. The communication was referred to the Finance, Organization and Personnel Committee.

COMMUNICATION – DEREK AND LINDA STONE – REQUESTING PERMISSION TO REMOVE TREES ON CITY PROPERTY

A communication was received from Derek and Linda Stone, requesting to have several trees on City property removed. The trees have been reviewed by the City and they have been determined that they are healthy. The Stones are requesting permission to remove the trees at their expense with the City still responsible for any pruning until such time as they are removed. They are requesting to replace some of the trees at a future date. The communication was referred to the Municipal Services, Facilities and Infrastructure Committee.

COMMUNICATION – NATALIE QUEVEDO – SIX NINETEEN MARCH AND RALLY

A communication was received from Natalie Quevedo, requesting approval of her application for a march and rally to be held on June 19, 2020 that will be run in conjunction with Washington, DC and other local cities across the United States. The march will start from the Commercial Street Parking Lot and will end at the Patricia T. Russell on Carpenter Street. A motion by Councilor Bosley to suspend Section 26 of the Rules of Order to allow action on the request was duly seconded by Councilor Greenwald. The motion passed on a roll call vote with 15 Councilors present and voting in favor. A motion by Councilor Bosley to recommend that Natalie Quevedo, representing Rights & Democracy New Hampshire and the Monadnock Progressive Alliance, be granted permission to hold a “Six Nineteen March and Rally” on Friday, June 19, 2020 starting at 4:00 PM was duly seconded by Councilor Greenwald. The march will start in Commercial Street Parking Lot and conclude for a rally at the Patricia T. Russell Park on Carpenter Street. Said permission is granted subject to the petitioner’s assurance that they will abide by the safety protocols discussed with the Keene Police Department. The motion passed on a roll call vote with 15 Councilors present and voting in favor.

COMMUNICATION – PETITION – CALLING FOR THE KPD TO BE OUTFITTED WITH BODY CAMERAS

A petition from over 400 signatures calling for the Keene Police Department to be outfitted with body cameras and the City Council consider this before voting on the proposed operating budget was received. The signatures were obtained at a recent protest on Central Square on Saturday, June 13, 2020. The communication was referred to the Finance, Organization and Personnel Committee.

COMMUNICATION – COUNCILORS WORKMAN, JOHNSEN, AND ORMEROD – KEENE POLICE DEPARTMENT POLICIES

A communication was received from Councilors Catherine Workman, Gladys Johnsen and Raleigh Ormerod, raising the issue of the City Council’s role and authority to determine the standards of service to be offered by the Police Department and to determine the methods, means, and personnel by which the Department’s operations are to be conducted. They have raised specific questions as to hiring criteria, evaluations, accreditations and training. The communication was filed as informational with the understanding that staff will be making a presentation before the City Council with response to Police Department operations.

The Mayor tabled the next 2 communications until later in the meeting to be considered with the budget.

MSFI REPORT – EMERALD ASH BORER – MAIN STREET REMOVAL – PUBLIC WORKS DIRECTOR/EMERGENCY MANAGEMENT DIRECTOR

Municipal Services, Facilities and Infrastructure Committee report read recommending that the communication be accepted as informational. The report was filed as informational.



PLD REPORT – SARAH FRANKLIN/CONCERNED EAST SIDE NEIGHBORS-  
CONSIDERATION OF A SOCIAL HOST ORDINANCE *and* DAWN AND MED  
KOPCZYNSKI - IN SUPPORT OF SOCIAL HOST ORDINANCE

Planning, Licenses and Development Committee report read recommending that staff be directed to prepare a draft of a social host ordinance for the Committee's review. A motion by Councilor Bosley to carry out the intent of the report was duly seconded by Councilor Greenwald. The motion passed on a roll call vote with 15 Councilors present and voting in favor.

PLD REPORT – COUNCILORS WILLIAMS, FILIAULT AND CLARK – ENCOURAGING  
THE CONSIDERATION OF A RESOLUTION RELATING TO WEARING FACEMASKS

Planning, Licenses and Development Committee report read recommending that staff be directed to draft an appropriate Resolution for consideration by the Committee. A motion by Councilor Bosley to carry out the intent of the report was duly seconded by Councilor Greenwald. The motion passed on a roll call vote with 15 Councilors present and voting in favor.

PLD REPORT – PROPOSED AMENDMENTS TO THE RULES OF ORDERS – MAYOR  
HANSEL

Planning, Licenses and Development Committee report read recommending the City Council adopt the proposed amendments to the Rules of Order. A motion by Councilor Bosley to carry out the intent of the report was duly seconded by Councilor Greenwald. A brief discussion took place. Councilor Ormerod stated he understood that there were additional amendments being brought forward. He requested that these amendments be considered in conjunction with others so that he and other Councilors could have a full understanding of the changes. The Mayor responded that they had discussed the option of bringing in all of the amendments together, but it was determined that it would be best to bring in the significant changes first, followed by those that are more housekeeping. The motion passed on a roll call vote with 14 Councilors present and voting in favor. Councilor Ormerod voted in opposition.

FOP REPORT – ACCEPTANCE OF DONATION – PARKS, RECREATION AND  
FACILITIES DIRECTOR AND ACCEPTANCE OF DONATIONS – KEENE DOWNTOWN  
MEMORIAL TREE FUND – PUBLIC WORKS/EMERGENCY MANAGEMENT DIRECTOR

Finance, Organization and Personnel Committee report read recommending that the City Manager be authorized to do all things necessary to accept a donation of \$26,600.00 from Pathways for Keene, Inc. and that the money is allocated for the design phase of the Cheshire Rail Trail Phase 4 project; and, to accept with gratitude, donations made in memorial of James P. Finnegan to the Keene Downtown Memorial Tree Fund. A motion by Councilor Powers to carry out the intent of the report was duly seconded by Councilor Hooper. The motion passed on a roll call vote with 15 Councilors present and voting in favor.

FOP REPORT – ACCEPTANCE OF STATE OF NEW HAMPSHIRE GRANT FUNDING FOR YOUTH SERVICES’ JUVENILE COURT DIVERSION PROGRAMMING – YOUTH SERVICES MANAGER

FOP REPORT – ACCEPTANCE OF GRANT FOR AIRPORT – FAA CARES ACT – AIRPORT DIRECTOR

FOP REPORT – ACCEPTANCE OF CARES ACT FUNDING – DHHS – FINANCE DIRECTOR

Finance, Organization and Personnel Committee report read recommending that the City Manager be authorized to do all things necessary to accept and administer funds provided by the State of New Hampshire for Juvenile Court Diversion programming.

Finance, Organization and Personnel Committee report read recommending that the City Manager be authorized to do all things necessary to accept and execute a grant in the amount of \$69,000 from the Federal Aviation Administration as part of the CARES Act.

Finance, Organization and Personnel Committee report read recommending that the City Manager be authorized to do all things necessary to accept the receipt of CARES ACT Department of Health and Human Services funding in the amount of \$37,085.71 under RSA 21-P:43 which states that gifts, grants or loans for emergency management purposes may be accepted by the City Council with no public hearing requirement. A motion by Councilor Powers to carry out the intent of the three reports was duly seconded by Councilor Hooper. The motion passed on a roll call vote with 15 Councilors present and voting in favor.

FOP REPORT – OPERATING AGREEMENT WITH MONADNOCK CHOPPERS LLC – AIRPORT DIRECTOR

Finance, Organization and Personnel Committee report read recommending that the City Manager be authorized to negotiate and execute an Operating Rights Agreement with Monadnock Choppers LLC, to provide specialized aeronautical services at the Dillant-Hopkins Airport subject to the condition that the agreement specify in writing the specific measures that Monadnock Choppers LLC is required to implement to address the multiple noise, air pollution and safety concerns that have been voiced by the public; and that the City Manager be authorized to negotiate and execute a Lease Agreement with Monadnock Choppers LLC for office space located in the Airport Terminal building; and that the City Manager be authorized to do all things necessary to amend an existing Land Lease Agreement with Kevin Provost, managing member of Monadnock Choppers LLC, so that the lease term and termination provisions run together with the Operating Rights Agreement and Terminal building Lease Agreement. A motion by Councilor Powers to carry out the intent of the report was duly seconded by Councilor Hooper. A motion by Councilor Remy to amend the report by adding language that the City Manager be authorized to do all things necessary to continue to advance the FAA process to document the noise sensitive areas surrounding the Airport was duly seconded. The amendment passed on a roll call vote with 14 Councilors present and voting in favor. Councilor Giacomo opposed.

Referring to the report as amended, on a roll call vote with 15 Councilors present and voting in favor.

FOP REPORT – RENEWABLE ENERGY PROJECT AT DILLANT-HOPKINS AIRPORT  
PHASE 1 – WASTEWATER TREATMENT PLANT, PHASE 2 – NET METERING FOR  
MUNICIPAL USE – ASSISTANT PUBLIC WORKS DIRECTOR

Finance, Organization and Personnel Committee report read recommending that the City Manager be authorized to do all things necessary to negotiate and execute a Letter of Intent (LOI) with ReVision Solar to develop Phase 1, a Behind the Meter 1 Megawatt (AC) solar installation to supply the City of Keene Wastewater Treatment Plant. Furthermore, the LOI will seek to assess the viability of a Phase 2 development to install a Front of the Meter 2.25 Megawatt (AC) solar installation adjacent to the Wastewater Treatment Plant access road on Keene Dillant-Hopkins Airport property. A motion by Councilor Powers to carry out the intent of the report was duly seconded by Councilor Hooper. The motion passed on a roll call vote with 15 Councilors present and voting in favor.

FOP REPORT – COUNCILOR REMY – REQUESTING USE OF THE CITY SEAL -  
FACEMASKS

Finance, Organization and Personnel Committee report read recommending approving the use of the City Seal for facemasks to be paid for and provided by Councilor Michael Remy for official business. A motion by Councilor Powers to carry out the intent of the report was duly seconded by Councilor Hooper. The motion passed on a roll call vote with 15 Councilors present and voting in favor.

CITY MANAGER COMMENTS

The City Manager provided an update regarding our National Pollutant Discharge Elimination System (NPDES) Permit. On May 20, 2020, the City received our draft (NPDES) permit for the Wastewater treatment plant. A formal request was submitted to extend the comment period an additional 90 calendar days beyond the allowed 30 day period. The City was granted a 30 day extension through July 20, 2020.

The City Manager announced that Keene State College President Melinda Treadwell will be attending the July 2, 2020 City Council Meeting. She will discuss the college's plan for the safe return of students to campus. The City Manager added that she has a meeting with Ms. Treadwell on Friday, June 19, 2020 and will follow up with her on the proposed Social Host Ordinance as well.

The City Manager announced that Monadnock Economic Development Corporation President Art Roberts will be attending the July 16, 2020 City Council Meeting. He will be presenting the conceptual drawing and plans for the Arts and Culture Corridor Project.

The City Manager advised the Council that the Roxbury Street Bridge demo work is scheduled to begin next week, the week of June 24<sup>th</sup>. The variable messages have been installed around the downtown letting the public know of the upcoming detour.

The City Manager went on about the project updates were put in the Council mailboxes last week. This is the annual construction season project update from City Engineer Don Lussier.

The City Manager announced that Beth Wood has returned on a part time basis as she transitions back to her Downtown Coordinator position. The group, Downtown Opening Task Force, was initially focused on an experimental closure at Central Square to expand outside dining around the Square. However, with the increased protest activity in the Square, the Downtown Opening Task Force was hesitant to move forward with anything that would shut down the square or limit access. So the Downtown Opening Task Force, next focused on the block from Eagle Court to Roxbury Street (east side of Main Street). Ms. Wood and others from the task force reached out to restaurants and retailers along this block and received mixed reactions. Some things to consider, shops need time to purchase more inventory after being closed and restaurants need more employees. In addition, we need to be mindful of business opening guidelines and social distancing requirements as our businesses continue to flex open. Therefore, the task force delayed plans for any sort of initiative until at least mid-July. The focus now is on an experiment that would use additional sidewalk and parking space on a case-by-case basis in the downtown for those who wish to participate. To allow more outside dining and retail, creating a Sidewalk Saturday theme. A downtown business survey is being finalized and several City Councilors have already offered to personally bring the survey to businesses to collect their feedback. We hope to gather good contact information, understand the challenges businesses are facing, and if they are interested in using more space for something like this "Sidewalk Saturdays" idea. There will also be a one-page information sheet about the Keene Safe initiative given to them.

The City Manager updated the Council that the City has been working with Consolidated Communications and Spectrum for a couple of years to address the lack of broadband in two Keene neighborhoods. There have been some concerns from residents over the last couple of weeks about the additional challenges they have faced during the pandemic. The Governor just recently announced \$50 million from the Cares Act allocated to New Hampshire for emergency broadband expansion. Assistant City Manager/ I.T. Director, Rebecca Landry, sent a letter to the Governor and to the GOFERR Committee outlining our challenge here in Keene and asked for consideration. A copy of this letter was also emailed to the Councilors. \$50 Million will not be enough to address statewide broadband needs and when broadband is discussed Keene does not come to the top of the list because of the majority of our community is served. However, it is important to advocate for a piece of this funding for our last mile.

The City Manager congratulated Frank Anderson, the City's Building Mechanic at the Library on completing and earning the Building Operator Certification Level 1 from Lakes Region Community College. This is an 8-week program aimed at professionals managing large commercial, institutions or industrial facilities. Among other things, students learn how to reduce building energy costs through energy efficient operations and maintenance.

06/18/2020

MEMORANDUM – CITY CLERK – 2020 WARRANT FOR UNLICENSED DOGS

A memorandum was received from the City Clerk, requesting for issuance of the annual warrant for unlicensed dogs pursuant NHRSA 466:14. The request was referred to the Municipal Services, Facilities and Infrastructure Committee.

NOTICE –NHDES – EXTENSION OF THE PUBLIC NOTICE PERIOD – WWTP DISCHARGE PERMIT

A notice was received from NH Department of Environmental Services and the US Environmental Protection Agency relative to an extension of the public comment period for the draft permit for the Keene Wastewater Treatment Plan pursuant to Section 401 of the Clean Water Act. The public notice has been extended to July 20, 2020. The notice was filed in the record as informational.

MORE TIME

More time was granted by the Mayor for the following item in Committee: Patrick Cannon/Eclipse Management Group – Construction on City Property and Eclipse Hockey at Keene ICE – Parks, Recreation & Facilities Director; Darren Humphrey/Trax Club – Request to Use City Property – Railroad Square and Use of Railroad Square - Parks, Recreation & Facilities Director.

MEMORANDUM – ACM/HUMAN RESOURCES DIRECTOR AND ORDINANCE O-2020-07: RELATING TO PERSONNEL SYSTEMS AND PROCEDURES

A memorandum was received from, Elizabeth Fox, ACM/Human Resources Director along with Ordinance O-2020-07. The memorandum recommended that Ordinance O-2020-07 be referred to the Finance, Organization and Personnel Committee for consideration. The memorandum was filed into the record. Ordinance O-2020-07 was referred to the Finance, Organization and Personnel Committee.

RECESS

The Mayor called for a brief recess at 9:02 PM. The meeting reconvened at 9:10 PM.

FOP REPORT AND RESOLUTION R-2020-22-A: RELATING TO THE 2020/2021 FISCAL YEAR BUDGET *and* COMMUNICATION – COUNCILOR FILIAULT – PROPOSED AMENDMENT TO OPERATING BUDGET – DOWNTOWN REVITALIZATION STUDY

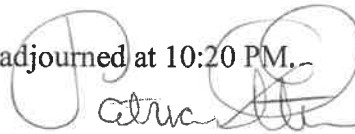
Resolution R-2020-22-A: Relating to the 2020-2021 Fiscal Year Budget was read in full. A motion by Councilor Powers for the adoption of R-2020-22-A was duly seconded by Councilor Hooper. The Mayor removed from the table the communication from Councilor Manwaring (Item C8). The Mayor recognized Councilor Manwaring who moved to amend the operating budget to increase the amount of outside agency funding for the accounts 00001-62133 (Keene Senior Center) in the amount of \$1,800.00; 00001-62136 (Keene Community Kitchen) in the

06/18/2020

amount of \$4,000.00; 00001-62149 (Hundred Nights Shelter) in the amount of \$5,000.00; and 00001-62187 (Kids Collaborative) in the amount of \$5,000.00 was duly seconded by Councilor Clark. A brief discussion took place. The motion passed on a roll call vote with 10 Councilors present and voting in favor. Councilors Remy, Giacomo, Jones, Greenwald and Bosley opposed. The Mayor removed from the table the communication from Councilor Filiault (Item C9). Councilor Filiault moved to amend the operating budget to reduce the appropriation in the Partner City Committee by \$5,000.00 to making it a zero appropriation was duly seconded by Councilor Greenwald. Councilor Filiault noted he would not be introducing a second amendment to increase the appropriation of the Human Rights Committee by \$5,000.00. A brief discussion regarding the budget process for outside agencies took place. The motion to reduce the appropriation to the Partner City Committee passed on a roll call vote with 14 Councilors present and 10 voting in favor. Councilors Remy, Giacomo, Williams, and Powers opposed. Councilor Johnsen was not present for the vote. A motion by Councilor Powers to delete \$15,400 from account 99998-65102 (representing the interest on the Gilbo Avenue Infrastructure Bond) was duly seconded by Councilor Johnsen. On roll call vote, 14 Councilors were present and voting in favor. Councilor Jones was absent from the vote. Referring to the Resolution as amended, on a roll call vote with 15 Councilors present and voting in favor, Resolution R-2020-22-B declared adopted.

As there was no further business, the meeting adjourned at 10:20 PM.

A true record, attest:

A handwritten signature in cursive, appearing to read "Patricia", written in dark ink.

City Clerk



City of Keene, N.H.  
*Transmittal Form*

June 15, 2020

**TO:** Mayor and Keene City Council

**FROM:** Mayor George S. Hansel

**ITEM:** B.1.

**SUBJECT:** Confirmations

---

**COUNCIL ACTION:**

In City Council June 18, 2020.

Tabled until the next regular meeting.

**RECOMMENDATION:**

I hereby nominate the following individuals to serve on the designated board or commission:

Conservation Commission

John Theriault, alternate slot 10  
76 Bradford Road

Term to expire Dec. 31, 2023

Historic District Committee

Hope Benik, slot 6  
44 Probate Street

Term to expire Dec. 31, 2022

**ATTACHMENTS:**

**Description**

Background\_Theriault

Background\_Benik

**Patty Little**

---

**From:** Patty Little  
**Sent:** Saturday, January 04, 2020 8:42 PM  
**To:** Patty Little  
**Subject:** Fw: Interested in serving on a City Board or Commission

---

**From:** helpdesk@ci.keene.nh.us <helpdesk@ci.keene.nh.us> on behalf of City of Keene <helpdesk@ci.keene.nh.us>  
**Sent:** Wednesday, January 1, 2020 6:21 PM  
**To:** Helen Mattson  
**Cc:** Patty Little; Terri Hood  
**Subject:** Interested in serving on a City Board or Commission

<p>Submitted on Wed, 01/01/2020 - 18:20</p>

<p>Submitted values are:</p>

**First Name:**

John

**Last Name:**

Merriault

**Address**

76 Bradford Road  
Keene, NH 03431

**Email:**

**Cell Phone:**

508-717-9997

**Home Phone:**

603-903-0213

**Please select the Boards or Commissions you would be interested in serving on:**  
Ashuelot River Park Advisory Board, Conservation Commission, Planning Board

**Employer:**

Retired

**Occupation:**

Fomer General Manager at Janos Technology



**Education:**

BS in Ocean Engineering, US Naval Academy and MBA Binghamton University

**Have you ever served on a public body before?**

No

**Other Information/Relevant Experience:**

I am the former Chair of the Keene City Republican Committee and the Cheshire County Republican Committee. I am a Beekeeper and the Treasurer of the Monadnock Beekeepers' Association.

**Please provide some references:**

Marilyn Huston

[REDACTED]

603-352-3302

**References #2:**

Jane Lane

[REDACTED]

603-355-9166

**If would like to, please provide your resume**

[Keene City Council Introduction 2019.docx](#)

## Patty Little

---

**From:** helpdesk@ci.keene.nh.us on behalf of City of Keene <helpdesk@ci.keene.nh.us>  
**Sent:** Thursday, May 21, 2020 4:35 PM  
**To:** Helen Mattson  
**Cc:** Patty Little; Terri Hood  
**Subject:** Interested in serving on a City Board or Commission

<p>Submitted on Thu, 05/21/2020 - 16:35</p>

<p>Submitted values are:</p>

**First Name:**

Hope

**Last Name:**

Benik

**Address**

44 Probate Street, Keene, NH 03431

**Email:**

[REDACTED]

**Cell Phone:**

773-425-2419

**Home Phone:**

773-425-2419

**Please select the Boards or Commissions you would be interested in serving on:**

Historic District Commission

**Employer:**

Paragon Digital Marketing

**Occupation:**

Digital Marketing Team Lead

**Education:**

Some college

**Have you ever served on a public body before?**

No

**Other Information/Relevant Experience:**

Grew up in the architecturally rich city of Chicago, where I was employed at a large architecture firm, OKW Architects, for 6 years as Marketing Coordinator. Duties included photography of projects and assembly of award submittals, including historical preservation projects. Moved to Keene 7 years ago and have fallen in love with the downtown area and would be thrilled to be a part of preserving it's character and history. Can bring digital marketing experience on board to support and promote the awareness of the commission's mission and

purpose through social media channels.

**Please provide some references:**

Zach Luse, Employer  
[zach@paragondigital.com](mailto:zach@paragondigital.com)  
603.399.6400

**References #2:**

Hans Porschitz

[REDACTED]  
603-892-1543



City of Keene, N.H.  
*Transmittal Form*

June 30, 2020

**TO:** Mayor and Keene City Council

**FROM:** Mayor George S. Hansel

**ITEM:** B.2.

**SUBJECT:** Nomination

---

**RECOMMENDATION:**

I hereby nominate the following individual to  
serve on the designated Board:

- Human Rights Committee

Ritu Budakoti, slot 10 alternate  
15 Skyview Circle

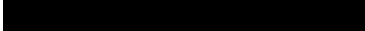
Term to expire Dec. 31, 2023

**ATTACHMENTS:**

Description

Background - Budakoti

RITU BUDAKOTI  
15 Skyview Circle  
603-479-6508



I have spent the majority of my professional life working in the field of Education. I am an experienced International School Educator. Currently teaching at the Keene Middle School. I am happy to share that I am also one of the ten recipients of the Exceptional Teacher Award 2020, which was recently announced.

Having worked internationally, I understand the need for including community voice in any policy that we plan that impacts our community. I find myself confident, an effective communicator, a strong team player, and also a professional who believes in building positive relationships with all respective stakeholders for future sustainable partnerships.

My personal philosophy is what we focus upon expands. I have been an active community member who is working to make Keene community stronger and better. As a **founder and President of Keene India Association**, I have worked with a group of like minded individuals to plan and undertake many successful events that impacted the community positively. I have gained extensive experience in building effective networks within this community and outside. We have collectively raised funds for planning and manifesting many successful events in Keene. Service before self has been my personal mantra and I work collaboratively with all stakeholders to make Keene an amazing place to be.

I am also fortunate to be a **Co- Chair of the Keene International Festival** Planning committee, KIF is a community event which is organized annually with a vision to recognize and celebrate cultural diversity and strengthen our Keene Community.

Service before self is the mantra that I live by, and I do everything possible to work toward achieving this personal goal. Serving on the board **of the Historical Society of Cheshire County (HSCC)**, is one of the ways that I contribute my time and experience to build our community.

I will be honored to be on the Human Rights Committee and will do my very best to offer my insights and support and work towards the goals set by the committee to move our community in the right direction towards a more just world, where peace prevails



City of Keene, N.H.  
*Transmittal Form*

June 26, 2020

**TO:** Mayor and Keene City Council

**FROM:** David Crawford

**THROUGH:** Patricia A. Little, City Clerk

**ITEM:** C.1.

**SUBJECT:** David Crawford - Police Officers and Firearms

---

**ATTACHMENTS:**

Description

Communication - Crawford

**BACKGROUND:**

David Crawford is recommending that firearms be optional equipment for Police Officers.

To the Mayor and City Council,

In the spirit of  
making the PD part of  
the community and not  
separate from the community.

I propose that police  
officers' firearms be a  
optional choice for the officer.  
and Not a mandatory part  
of the uniform.

The particular officer  
has a choice, when he puts  
on his or her uniform.

David Crawford  
36 Marlboro St  
Keene NH  
03431

RECEIVED  
CITY OF KEENE

JUN 26 2020

OFFICE OF  
CITY CLERK

RECEIVED  
CITY OF KEENE

JUN 10 2020

OFFICE OF  
CITY CLERK



External Communication  
*Transmittal Form*

June 30, 2020

**TO:** Mayor and Keene City Council

**FROM:** Ruth Sterling/Let-It-Shine

**THROUGH:** Patricia A. Little, City Clerk

**ITEM:** C.2.

**SUBJECT:** Let It Shine - Request for Use of City Property - Pumpkin Festival

---

**ATTACHMENTS:**

Description

Communication\_Let It Shine

**BACKGROUND:**

In light of COVID-19, Let It Shine is recommending that the Pumpkin Festival go forward with a program that requires no street closures and jack-o-lanterns lined up snug to the buildings in front of the downtown stores and restaurants. The program would take place on Saturday, October 24 with a preview on Friday, October 23.



PumpkinFestival.org  
c/o Sterling, 214 Washington Street  
Keene, NH 03431



Keene Pumpkin Festival

*In the HeART of Downtown Keene*

June 23, 2020

Honorable Mayor and City Council,

In a year when trick-or-treating and getting together to carve pumpkins may not be possible, we hope we have found a way to carry on the tradition of Keene Pumpkin Festival. Celebrating what is unique about Downtown Keene, NH, and continuing to give school children a chance to create jack-o'-lanterns are the basis of this event proposal and license request. And in a year when small businesses have been hard-hit, helping to safely attract customers to Keene's Downtown businesses is at the heart of the proposal.

The Board of Keene Pumpkin Festival—Let it Shine Inc.—feels a responsibility to offer a bright spot on the autumn horizon and attract community members to experience and patronize our Downtown businesses. We are envisioning...

A program involving no street closures (and a limited budget) displaying jack-o'-lanterns lined up snug to the buildings in front of downtown stores and restaurants, like a ribbon visually tying together our Downtown. We envision 5-20 pumpkins in front of each Downtown establishment (depending on the length of storefront) so people could mill the sidewalks and see the pumpkins and be drawn into the shops and restaurants.

After gauging interest, the number of participating establishments would be matched with participating carvers, or could create their own jack-o'-lanterns. The model for this program would be similar to Artwalk, where preregistered carvers would be assigned to exhibit in front of a specific store/restaurant.

The scale of school pumpkin distribution would be limited, and the amount of pumpkins shared with each school would be smaller—for example, 20 per school. These student carvers would be matched with a Downtown site. Let it Shine would organize the matching of carvers and establishments and would assist with delivery, set-up and, if necessary, clean-up.

In order to maximize the benefit to Downtown businesses, the group is proposing this program take place on Saturday, October 24, with a preview Friday, October 23.

This proposal is based on what we know now and can be re-evaluated as new information becomes available. As Tim Zinn has commented, "No one has a crystal ball," but we are proposing a scalable plan incorporating social distancing and a small school distribution program.

An additional virtual component would allow families and others to carve pumpkins, photograph their creations and share them on the Keene Pumpkinfest Facebook page, which currently has 15,000+ fans. The plans for an online "festival" are early in the brainstorming phase but would likely include Instagram and possibly a Pinterest gallery.

This re-imagined program is not intended as a model for future Keene Pumpkin Festivals. In fact, Let it Shine's original 2020 license request included an option for the return of the spectacular pumpkin tower at the head of Central Square. But with so many unknowns to try to consider, this license request may make it possible for Downtown Keene to shine in October 2020.

We look forward to working with City officials and community members in the months ahead.

Respectfully,

The Board of Let it Shine (Tim Zinn, Ruth Sterling, Nancy Hickox, Shaundi Brown and Jacob Weststrate)

*Let it Shine, Inc., Nonprofit organizers of Pumpkin Festival 2011-2014, 2015, 2017 -2019*

**Statement of Purpose:** *Keene Pumpkin Festival is a community-hosted, family-friendly celebration of fall and of what is unique about New Hampshire. It is also a celebration of artistry and creativity and a demonstration of our commitment to non-profit efforts to serve those in need.*



**CITY OF KEENE  
USE OF CITY PROPERTY APPLICATION  
STREET FAIR/EVENT LICENSE**

*Applicant/Sponsoring Organization Information:*

NAME OF ORGANIZATION: Let it Shine, Inc.

APPLICANT NAME: Ruth Sterling

ADDRESS: 214 Washington Street, Keene

DAYTIME PHONE: (603) 352-4410 EVENING: ( ) FAX #: ( )

E-MAIL: Ruth.Sterling@gmail.com

DAY OF EVENT CONTACT NAME AND CELL NUMBER: Ruth Sterling, Tim Zinn 603-209-4179

*Special Event Information:*

- SPECIAL EVENT ON CITY PROPERTY  STREET FAIR
- DISCHARGE OF FIREWORKS
- SERVING OF ALCOHOL AT A CITY FACILITY - please specify location  HEBERTON HALL  COMMUNITY ROOM
- PARADE, WALK-A-THON, OR BIKE/FOOT RACE REQUIRING STREET CLOSURES/POLICE ASSISTANCE
- OTHER (please specify) \_\_\_\_\_

EVENT TITLE: Keene Pumpkin Festival

EVENT DATE(S): 10/24/2020 and possibly 10/23/2020 ESTIMATED ATTENDANCE: 5,000 or less

LOCATION OF EVENT: Downtown Keene sidewalks

DURATION OF USE (INCLUDING SET UP/BREAKDOWN): from: 6pm FRI AM / PM to: 9pm SAT AM / PM

HOURS OF ACTUAL EVENT: from: Noon SAT AM / PM to: 8pm SAT AM / PM

DESCRIPTION OF EVENT: A family-friendly display of jack-o'-lanterns

~~Replacing the event plan used in 2017, 2018 and 2019, we are proposing that the 2020 event be a scalable, carefully-managed plan involving no street closures, incorporating social distancing, and a smaller pumpkin-carving program for schools. In order to maximize the benefit to Downtown businesses, this program could take place on Saturday, October 24, with a preview Friday, October 23.~~  
Please attach additional sheets as necessary

STREET CLOSURES/DETOURS REQUESTED: None anticipated

\_\_\_\_\_  
Please attach additional sheets as necessary



**CITY OF KEENE  
USE OF CITY PROPERTY APPLICATION  
STREET FAIR/EVENT LICENSE**

Is this the first time your organization has sponsored this event?     Yes                     No

If not, has the person(s) in charge of organizing the event changed since it was last applied for?     Yes                     No

For events that have been held previously, has the City provided any support or services to your event?     Yes                     No

If so, please describe: We envision this event requiring very few, if any, KPW, KPD or KFD services.

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**DETAILED MAP OF PROPOSED EVENT FOOTPRINT:** Please provide as an attachment to your application a single line sketch/drawing of the layout of the event. On the sketch/drawing include sidewalks/streets/lanes to be closed and/or blocked, locations of vendors (merchandise, food, etc.), display tables, or other encumbrances, and identify areas of activities (start lines, finish lines, attractions, etc.).

**PLEASE INDICATE WHETHER THE FOLLOWING ITEMS PERTAIN TO YOUR EVENT:**

<b>YES</b>	<b>NO</b>	
_____	_____ X _____	WILL ACTIVITIES AND ATTENDEES BE ENCUMBERING THE TRAVELED PORTION OF ANY PUBLIC WAY, STREET OR LANE?
_____	_____ X _____	FOOD CONCESSIONS AND/OR OUTDOOR COOKING
_____	_____ X _____	USE OF PROPANE
_____	_____ X _____	candles OUTDOOR BURNING (CAMPFIRE)
_____	_____ X _____	SET UP OF TABLES AND CHAIRS (if so, how many): _____
_____	_____ X _____	DOES THE EVENT REQUIRE ACCESS TO CITY ELECTRICAL?  (location): _____



**CITY OF KEENE  
USE OF CITY PROPERTY APPLICATION  
STREET FAIR/EVENT LICENSE**

**YES**

**NO**

\_\_\_\_\_

\_\_\_\_\_

X

DOES THE EVENT REQUIRE ACCESS TO CITY WATER?

(location): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

X

BOOTH(S), EXHIBIT(S), DISPLAY(S) AND/OR ENCLOSURE(S)

(if so, please describe): \_\_\_\_\_  
(Use a separate sheet if necessary)

\_\_\_\_\_

\_\_\_\_\_

X

CANOPY(IES) AND/OR TENT(S) (please provide number of set-ups and their dimensions): \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

X

SCAFFOLDING, BLEACHER(S) OR OTHER STRUCTURES

(if so, please describe): \_\_\_\_\_  
(Use a separate sheet if necessary)

\_\_\_\_\_

\_\_\_\_\_

X

CHILDREN'S CARNIVAL OR INFLATABLE RIDES (please describe number, type, location, dimensions and proposed means of anchoring): \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

X

VEHICLE(S) AND/OR TRAILER(S) (if so, how many): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

X

WILL YOUR EVENT ENCUMBER METERED PARKING SPACES?

(if so, please provide number, location, and what they'll be used for): \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

X

PORTABLE TOILET(S) (if so, how many): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

X

ENTERTAINMENT (if so, please describe): \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

X

BANNERS OR TEMPORARY SIGNAGE

\_\_\_\_\_

\_\_\_\_\_

X

WILL THE EVENT BE ADVERTISED? (if so, how?): \_\_\_\_\_  
calendar listings, Facebook listings, NO PAID ADVERTISING  
\_\_\_\_\_





## **CITY OF KEENE USE OF CITY PROPERTY APPLICATION STREET FAIR/EVENT LICENSE**

### **What is General Use of City Property?**

General use City property is defined as the use of public property for a specified duration, including but not limited to use of city parking spaces, city sidewalks or rights-of-way, or facilities. It also includes the sale or service of alcohol on city property, which in addition to requiring City permission, shall also be in compliance with the requirements of the state liquor commission.

### **Obtaining a License**

The City Clerk is the licensing authority for general uses of City property that have a minimal impact on the public. Events that are larger in scale may be referred to the Keene City Council for license approval. To obtain a license, the applicant must complete an application that is submitted to the City Clerk's Office along with the applicable fee. The applicant will also need to submit a certificate of liability insurance listing the City of Keene as an Additional Insured.

### **Licenses issued by the City Clerk**

The City Clerk's Office will initiate a review process with various City departments to determine licensing conditions. If deemed necessary, the applicant may be asked to attend a safety protocol meeting with City staff to determine public safety needs. Once the review process had concluded, the applicant will sign an indemnification agreement and the City Clerk will issue the license.

### **Licenses Requiring City Council Approval**

If upon initial review of the application it is determined that City Council approval is needed, the applicant will submit a cover letter to the City Clerk's Office addressed to the Honorable Mayor and City Council. The applicant will be invited to a meeting of the Planning, Licenses and Development Committee to discuss their request. In addition, safety protocol meeting(s) will be scheduled with City staff to determine public safety needs. The City Clerk's Office assists applicants through the process and helps to facilitate communication with the City Council and/or the various City departments. Once the review process has concluded, the applicant will sign an indemnification agreement and the City Clerk will issue the license.

Licenses issued under this section of the City Code are date specific. There is no application fee for this type of license; however, if City resources are required to ensure safety, these costs are passed along to the applicant.

**To review the regulations relative to this type of license, please go to the Keene City Code at the following web address:**

[https://www.municode.com/library/nh/keene/codes/code\\_of\\_ordinances](https://www.municode.com/library/nh/keene/codes/code_of_ordinances)

**Chapter 46 is the Licensing Chapter.**



**CITY OF KEENE**  
**USE OF CITY PROPERTY APPLICATION**  
**STREET FAIR/EVENT LICENSE**

**What is a Street Fair?**

As define by NH Statute **31:100 Street Fairs**. – The selectmen of a town or governing body of a city may grant a license in writing to any person or persons to use and occupy a portion of any street or sidewalk, as may be designated in general or in specific terms, for the purpose of conducting thereon street fairs or other community events, including but not limited to the sale of merchandise by commercial retailers, or by community associations conducting street fairs or other promotions. Such licenses may include the right to encumber the designated area with boxes, shelves, stands and other devices useful in conducting such sales and shall be issued for not in excess of 3 consecutive business days. Licenses may also be subject to such other terms and conditions, to be expressed in the license, as the public convenience and safety may require.

**Obtaining a License**

The Keene City Council is the licensing authority for Street Fair Licenses. To obtain a license, the applicant must complete an application that is submitted to the City Clerk's Office along with a certificate of liability insurance listing the City of Keene as an Additional Insured and a cover letter addressed to the Honorable Mayor and City Council. The applicant will be invited to a meeting of the Planning, Licenses and Development Committee to discuss their request. In addition, safety protocol meeting(s) may be scheduled with City staff to determine public safety needs. The City Clerk's Office assists applicants through the process and helps to facilitate communication with the City Council and the various City departments. Once the review process has concluded, the applicant will sign an indemnification agreement and the City Clerk will issue the license.

Licenses issued under this section of the City Code are date specific. There is no application fee for this type of license; however, if City resources are required to ensure safety, these costs are passed along to the applicant.

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**[https://www.municode.com/library/nh/keene/codes/code\\_of\\_ordinances](https://www.municode.com/library/nh/keene/codes/code_of_ordinances)**

**Chapter 46 is the Licensing Chapter.**



City of Keene, N.H.  
*Transmittal Form*

June 30, 2020

**TO:** Mayor and Keene City Council

**FROM:** Kristin Finnerty

**THROUGH:** Patricia A. Little, City Clerk

**ITEM:** C.3.

**SUBJECT:** Kristin Finnerty - Requesting to Discharge Fireworks on Private Property

---

**ATTACHMENTS:**

Description

Communication - Finnerty

**BACKGROUND:**

Kristin Finnerty is requesting a permit to set off fireworks on her property at 163 Liberty Lane on July 4, 2020 and July 18, 2020 between 8:00 PM and 10:00 PM. She indicates that th fireworks will include some of the permissible fireworks in NH, such as aerial, shells and ground spinners.



**Kristin Finnerty**

163 Liberty Lane, Keene NH 03431

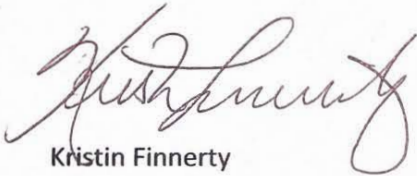
978-320-7174 | [REDACTED]

6/30/20

Dear City of Keene,

I would like to request a permit to set off fireworks on my property, 163 Liberty Lane, on July 4<sup>th</sup> and July 18<sup>th</sup> between 8pm and 10pm. The fireworks will include some of the permissible fireworks in NH, such as Aerial, Shells, and ground spinners.

Thank you for your consideration,

A handwritten signature in cursive script, appearing to read 'Kristin Finnerty', written in dark ink.

Kristin Finnerty



City of Keene, N.H.  
*Transmittal Form*

June 24, 2020

**TO:** Mayor and Keene City Council

**FROM:** Municipal Services, Facilities and Infrastructure Committee

**ITEM:** D.1.

**SUBJECT:** Derek and Linda Stone – Requesting Permission to Remove Trees on City Property

---

**RECOMMENDATION:**

On a vote of 4-1, the Municipal Services, Facilities & Infrastructure Committee recommends that Derek and Linda Stone be authorized to remove several trees in front of their property at 31 Andover Street at their expense. Councilor Williams was opposed.

**BACKGROUND:**

Chair Manwaring welcomed Derek Stone who was calling from the property in question, 31 Andover Street, Keene, with his wife Linda Stone present. Mr. Stone explained that there are four City trees on his private property, two on each side of his driveway. In 2016, the Stones were concerned about one of the trees closer to the road and thought that the City should remove it. At that time, the Highway Superintendent, William Byrne, visited the property to assess the trees and he did not think the trees required removal at that time. Mr. Stone said that Mr. Byrne had stated at that visit that if the trees needed removal, the City would be responsible for the trees and the property owner would be responsible for property damage, such as to the driveway. Mr. Stone said he questioned what would happen if one of the trees fell on a person or car, for example, and stated that Mr. Byrne said to contact the City if that happened. Mr. Byrne told Mr. Stone that he could also petition City Council to remove the trees at his own expense.

Today, Mr. Stone stated that his beautiful driveway of more than 30 years is damaged by roots of the trees in question. Over the years, he has repaired the damage to his driveway manually at his expense but the cracks have progressed into two areas of approximately 3'x 4' and 5'x 11', respectively, which need to be repaired again. Mr. Stone said that the trees have continued deteriorating since 2016, citing significant moss buildup that has resulted in the trunks sagging, and he fears the old trees damaging the property further or hurting a person. If the dead areas were pruned from one area in particular, he said that an aesthetic void would remain. He said that an arborist, Jeff Garland, visited and saw how the tree roots are extending into the driveway. Mr. Stone noted that he received three different estimates and said that all agreed that the two trees close to the house should come down and that the one tree close to the road that Mr. Byrne assessed in 2016 should come down as well. As such, Mr. Byrne visited again and Mr. Stone said he agreed that the tree needed to be removed and that a new tree could be planted at the City's expense. Mr. Stone believes that the City saw leaves on the trees in 2016 and did not look as closely as they should have. The Stones requested that City Council permit them to remove the trees, which they said would be replanted. Forty photos of the property were available for reference through the City Clerk's office.

Vice Chair Giacomo referenced one of the submitted photos in which he noticed flags in the yard and asked their purpose. Mr. Stone said that Dig Safe flagged areas of concern if tree removal progressed; he added that Dig Safe staff said that Mr. Byrne is overwhelmed with tree issues.

Chair Manwaring requested Staff comments. The Public Works Director & Emergency Management Director, Kurt Blomquist, shared aerial and street photos of the site and provided background. In the 1970s and early 1980s, the City developed a tree-planting program in response to the Dutch elm disease. With private property owner permission, the program allowed the City to plant trees within 20' of property lines outside the City right-of-way. The Public Works Director said that in 1974, this property's owner entered this agreement and had the four trees in question planted on their property, giving the owner general responsibility of the trees minus emergency City maintenance in case of hazard. Ultimately, if a property owner wanted to remove one of the trees, they were to contact the City. The Public Works Director said City Code dictates that Council permission is needed to remove healthy trees planted through this program or otherwise in the City right-of-way. In general, if a property owner requests removal of a tree in this program, he said that the Public Works Department could find a reason to remove the tree, like age. Sometimes, he said that a property owner requests to remove a healthy tree and Mr. Byrne consults an arborist to determine tree health. The Public Works Director said that the arborist consulted in this instance, Mr. Garland, is someone the City works with on occasion. In this case, Mr. Garland reported that the trees are healthy and provided trimming recommendations to maintain good health. Because the trees are healthy, the City would not remove these trees. The Public Works Director said that the Stone's concerns regarding pavement damage are valid. He said that in most cases in which a property owner has sought Council permission to remove a tree with potential to damage private property, Council has granted. In a few instances, Council has denied the requests because the only reason was the owner not liking the trees.

Chair Manwaring asked what type of trees these are. The Public Works Director said there are two multi-stem red maples, one multi-leaf red maple, and one single-boled red maple. When this program began in the 1970s, maple trees were chosen because of their tall height, wide canopies, and quick maturity.

Vice Chair Giacomo was unable to find Mr. Garlands up-to-date NH Arborist Association License #105, and asked whether that matters; the Association had yet to reply to him. The Vice Chair said he questioned less Mr. Garland's knowledge and more the potentially outdated license. The Public Works Director said he would inquire and noted that Mr. Garland has been the arborist at Keene State College for many years as well. Mr. Stone said he was disappointed that Mr. Garland did not identify unhealthy areas of the trees beyond noting some tree roots 2"-3" above the surface. The Public Works Director said exposed tree roots indicate the trees are crowded and the only remedy is to cover the roots with more soil. Chair Manwaring said she saw green leafy trees in the photos.

Vice Chair Giacomo moved to recommend that Derek and Linda Stone be authorized to remove several trees in front of their property at 31 Andover Street at their expense, which Councilor Filiault seconded.

Councilor Williams said that he drove past the property and the trees did not look to him worse than any others around. He was concerned with setting a precedent for cutting many trees. He said that Keene is a City within a forest and he is leery of things that damage the forest, like cutting mature trees. While new trees can be planted, the Councilor said that it is hard to replace 40-50 year-old trees. He understood the frustration about a cracked driveway but said that we live in a forest and sometimes must accommodate trees in the ecosystem around us.

Councilor Filiault said that Council periodically sees similar requests and if Staff has no major objections, the requests are granted. He has never experienced a large series of requests after granting this permission. Because Staff did not object, the Councilor said he also did not object.

Vice Chair Giacomo said he also drove past the property and agreed with Councilor Williams' assessment, but said it seemed like asking Council for permission in the context of this program was simply a formality. He questioned the phrasing of the aforementioned motion and asked whether the language should read as, "four trees," instead of, "several trees." He understood removing two or three of the trees, but he could not see damage to or understand removal of the smaller tree. Mr. Stone said that if the larger trees were removed, the

small one would be aesthetically displeasing, with too few branches and leaves. Mr. Stone continued to say that he was not guaranteeing that all four of the City's trees would come down, but he wanted the option.

Councilor Filiault asked whether the Public Works Director looked at the trees recently. The Public Works Director said no but he is familiar with the trees, and while he did not have sufficient knowledge to determine what trees are damaging the driveway, he would assume those immediately adjacent are the culprits. Councilor Filiault was uncomfortable guessing about these trees based on possibly inaccurate information and suggested placing the matter on more time. The Public Works Director was unsure what more information he could gather for the Committee because it is hard to know what tree is causing the damage and while the owner was asking to remove all four trees, they might not take all at once. With the current motion under discussion, the Public Works Director said the background notes could indicate that the petitioner should work with the Public Works Department as they remove the trees. He said that all four trees are a concern for the Stones and Chair Manwaring agreed it was clear they were interested in all four.

Vice Chair Giacomo said that the Stones only need permission to remove these trees because the City planted them on private property. He thought the Committee might be making too much of the matter and so he did not amend his motion.

On a vote of 4-1, the Municipal Services, Facilities & Infrastructure Committee recommends that Derek and Linda Stone be authorized to remove several trees in front of their property at 31 Andover Street at their expense. Councilor Williams was opposed.



City of Keene, N.H.  
*Transmittal Form*

June 24, 2020

**TO:** Mayor and Keene City Council

**FROM:** Municipal Services, Facilities and Infrastructure Committee

**ITEM:** D.2.

**SUBJECT:** Dog Warrant for Unlicensed Dogs – City Clerk

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**RECOMMENDATION:**

On a vote of 5-0, the Municipal Services, Facilities & Infrastructure Committee recommended that City Council issue a warrant for unlicensed dogs pursuant to NHRSA 466:14, and the Animal Control Officer be directed to issue a civil forfeiture to those dog owners who have failed to license their dog by April 30, 2020.

**BACKGROUND:**

Chair Manwaring welcomed the City Clerk, Patricia Little, who was at the meeting regarding the annual warrant for unlicensed dogs. Ms. Little explained that annually, per state statute, City Council must vote to authorize the Keene Police Department to issue forfeitures – a \$25 fine – for owners who have failed to license their dogs. Due to Covid-19, the Clerk's office has found two things affecting the number of dogs on this warrant: 1) the Clerk's office being closed for face-to-face business until accepting appointments in the last few weeks, and 2) vet's offices being similarly closed except for emergencies until recently, forcing some rabies vaccinations to be delayed. A dog cannot be licensed without an up-to-date rabies vaccination. As a result, there are several hundred more owners on this list than previous years with many vets booked through July/August. As such, the Clerks have removed from this list owners whose dogs remain unlicensed solely due to expired rabies and are working with those owners case-by-case if those owners notify the Clerks in writing. Therefore, the City Clerk requested Council authorization for issuance of a civil forfeiture for unlicensed dogs pursuant to NHRSA 466:14.

Councilor Filiault spoke with his vet and they were concerned because they were getting reports from angry dog owners of rabies information they sent to the Clerk's office not making it into the system. He assumed a glitch somewhere in the system due to Covid-19. The City Clerk reiterated that if a dog's rabies was still due and the owner worked with the Clerk's office, they would not be fined. She said it was conceivable that vets were not sending rabies information for the past few months due to Covid-19 and she shows discretion if a problem can be found in the flow of information. She said the Clerk's office is not interested in fining dog owners. Councilor Filiault was concerned with the April 30 date in the motion irritating constituents and was glad that Staff was using discretion.

As opposed to showing discretion, Councilor Williams asked whether the deadline can be extended a few months, and the City Clerk said that was not authorized under state law.

Vice Chair Giacomo questioned whether the motion should mention formally the rabies delay. The City Clerk said that was unnecessary because dogs that remained unlicensed due to rabies vaccination delay were removed from this warrant list.

Vice Chair Giacomo made the following motion, which Councilor Filiault seconded.

On a vote of 5-0, the Municipal Services, Facilities & Infrastructure Committee recommended that City Council issue a warrant for unlicensed dogs pursuant to NHRSA 466:14, and the Animal Control Officer be directed to issue a civil forfeiture to those dog owners who have failed to license their dog by April 30, 2020.



City of Keene, N.H.  
*Transmittal Form*

June 25, 2020

**TO:** Mayor and Keene City Council

**FROM:** Finance, Organization and Personnel Committee

**ITEM:** D.3.

**SUBJECT:** Melanson Heath FY19 Audit Presentation - Finance Director

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**RECOMMENDATION:**

On a vote of 5-0, the Finance, Organization and Personnel Committee recommends accepting the Melanson Heath FY19 Audit Presentation as informational.

**BACKGROUND:**

Finance Director Merri Howe began by introducing Ed Boyd and Brian McDermott from Melanson Heath. Mr. McDermott addressed the committee and stated the audit went well and the pandemic caused the presentation to be late. He thanked the Finance staff for their assistance with this process. He indicated they found the finance books and records to be in good working order, no disagreement in generally accepted accounting practices, and as of 6/30/19 they offered an unmodified opinion. The city also presents a Comprehensive Annual Financial Report (CAFR), which is a more extensive public document with good historical data.

Mr. McDermott went on to say the City received the Certificate of Achievement for excellence for financial reporting, which he indicated was a great accomplishment.

Mr. McDermott stated he would like to provide the committee with the financial hi-lights. He indicate the most important item on a financial statement is the General Fund, Unassigned Fund Balance. Over the last four years this number has trended well – the city has gone from a 7.4 million dollar fund balance in 2016 to a 10.7 million balance in 2019 – 9.8% which is within the financial policy the city has adopted.

The utilization of capital reserves continues to trend as well - \$860,000 was put into capital reserves while utilizing close to \$650,000 in capital reserves. This is a committed fund balance, where money is used for a specific purpose. The city funding capital with existing resources is also a positive item and is looked at as a credit strength.

City's Debt – Is very manageable from a credit rating perspective – seven million dollars during 2019 – paying off about 90% of the debt in ten years is looked at positively and this is what is looked at for AAA communities (75% is what is required – the city is at 90%).

Enterprise Funds – The Water Fund is paying 75% of the debt in ten years and the Sewer Fund 90% of the debt in ten years – which again exceeds the expectation.

Long Term Liabilities – For the net pension liability the city is at a little bit less than 1% member of the NH Retirement System which is about 64% funded as of 6/30/18 which represented a liability of approximately 34 million dollars (down three million from the prior year). Mr. McDermott noted this is not something unique just

to Keene. He added if good things happen between now and 2039 this number could be brought down to a zero. He noted the entire country is trying to grapple with how to deal with pension. The rating agencies are aware of this.

OPEB Liability (Other Post Employment Benefit) – Related to retiree health care. Even though retirees pay 100% of the premium, the rate is what is driving this liability. Having the retiree group in the city's overall pool, the current employees are subsidizing the pool and this is what causes the liability for the city. He noted there are more structures that are going to be out in place moving forward.

Councilor Clark asked how the market is responding to the tax receipts municipalities are not getting because of Covid-19. Mr. McDermott stated this is a focus point and noted there is an appetite to use more of the fund balance than has happened in the past and it is understood there is going to be a lot of pressure on the revenue side.

Councilor Ormerod referred to unreserved fund balance and asked whether there is an expectation to use this to compensate for revenue now and whether this is the best use of those funds or should the city stretch out its payables like most companies would do during these times. Mr. McDermott stated for AAA rating using fund balance will not be a good idea. He indicated perhaps the city should not be that reactive and make some tougher decisions – use some of the fund balance but stay within the financial framework; look at what the immediate needs are, put together a budget that is conservative, look at where state aid is going to be. He did not feel pushing out payables would help a lot as these vendors are going to want to get paid eventually. The Councilor stated the reason he brought up payables is because there is legislation to provide relief from property taxes, extending a helping hand to people who owe the city. Mr. McDermott stated initially there was the hope the Cares Funding would help with revenue shortfall but that has not happened yet. He went on to say the Heroes Act is supposed to get some traction in July. The hope is that the legislature is going to be able to step in and bridge the gap.

City Manager, Elizabeth Dragon was the next speaker who stated it has been pointed out to her that New Hampshire's revenue is more stable compared to other states because New Hampshire is not reliant on sales or income tax; New Hampshire's revenue which relies on property tax has been stable. The only fund that has had an impact so far is the parking fund where adjustments were required. She indicated staff will be monitoring municipal aid numbers and necessary adjustments will need to be made but these numbers are holding steady. She went on to say with reference to Rooms and Meals Tax for the recent budget that was approved, the Governor's Office has assured the city those numbers will remain. She added if we see a revenue dip it will be in the following year and the city will be closely monitoring what is happening with property taxes compared to last year. Taxpayers have the ability right now to pay property taxes late for three months without a penalty. She added if the city wanted to get to the AAA rating this would be a good conversation to have with the city's financial advisor.

Ms. Howe thanked the team at Melanson Heath, especially Brian McDermott, the finance staff and department heads. She stated the city will not be able to receive this award without their assistance.

Councilor Clark what the city's current rating was. Mr. McDermott it was AA.

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

On a vote of 5-0, the Finance, Organization and Personnel Committee recommends accepting the Melanson Heath FY19 Audit Presentation as informational.





City of Keene, N.H.  
*Transmittal Form*

June 25, 2020

**TO:** Mayor and Keene City Council

**FROM:** Finance, Organization and Personnel Committee

**ITEM:** D.4.

**SUBJECT:** Acceptance of Donation - Parks, Recreation and Facilities Director

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**RECOMMENDATION:**

On a vote of 5-0, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept a donation of \$2,500.00 from Community Gardens Connections and that the money is allocated for the installation of a water line to the community gardens in Monadnock View Cemetery.

**BACKGROUND:**

Parks Recreation and Facilities Director, Andrew Bohannon addressed the committee next. Mr. Bohannon stated the city has a community garden behind the Monadnock View Cemetery (three rows). These rows are prepped and ready every May and individuals are charged \$25 per lot where they grow their own vegetables. He indicated during these times of food security for many the city wanted to increase awareness of the gardens. He indicated the Community Garden Connection is based out of Antioch University who have provided community gardens for many nonprofit organizations.

This \$2,500 donation will be used to run an irrigation line from the building to the garden (200 feet). This will eliminate the need for running hoses and also the ability to control water usage.

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

On a vote of 5-0, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept a donation of \$2,500.00 from Community Gardens Connections and that the money is allocated for the installation of a water line to the community gardens in Monadnock View Cemetery.



City of Keene, N.H.  
*Transmittal Form*

June 25, 2020

**TO:** Mayor and Keene City Council

**FROM:** Finance, Organization and Personnel Committee

**ITEM:** D.5.

**SUBJECT:** Acceptance of NH Juvenile Court Diversion Network Funding for Youth Services - Youth Services Manager

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**RECOMMENDATION:**

On a vote of 5-0, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept and administer funds provided by New Hampshire Juvenile Court Diversion Network for Youth Services programs.

**BACKGROUND:**

Mr. Bohannon addressed this item as well and noted this grant has been accepted in the past and it has been for a total of \$8,000. This year it has been reduced to \$6,000 for work related to substance use screening. He indicated the Youth Services Manager, Dimitria Kirby has done a great job working with the Tobacco Program Manager at the Cheshire Medical Center and has created programs for such things as to curb vaping. The program was doing well until Covid-19 hit but she has continued to work on this program and conduct classes online.

He went on to say the reimbursement is based on evidence-based substance use screening tool for youth and the city gets reimbursed \$250 per screening and each screening sent into the state for up to \$6,000.

Councilor Clark stated this is the type of program he plans to discuss in the next few months and questioned why the city has to wait for grants to do this kind of work. He felt these types of preventative measures need to be included in the upcoming budgets and not have to rely on grants.

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

On a vote of 5-0, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept and administer funds provided by New Hampshire Juvenile Court Diversion Network for Youth Services programs.



City of Keene, N.H.  
*Transmittal Form*

June 25, 2020

**TO:** Mayor and Keene City Council

**FROM:** Finance, Organization and Personnel Committee

**ITEM:** D.6.

**SUBJECT:** Tracy Keating Gunn/Flight Deck Restaurant - Request for a Waiver of Rent Payments and Property Taxes for the Months of March Through June

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**RECOMMENDATION:**

On a vote of 4-1, the Finance, Organization and Personnel Committee recommends that the request be denied.

**BACKGROUND:**

Ms. Tracy Keating Gunn addressed the committee. She indicated a letter was forwarded to the council and explained her business was closed for over two months and noted the city was provided with grant funding through the Cares Act for the Airport due to loss of revenue and because she is one of the businesses at the airport, she would like to be compensated for some of the losses she incurred while she was required to be closed. She noted since she wrote the letter the city has contacted her and has waived the May rent.

Ms. Keating Gunn stated they are open now and are doing well with limited hours and limited staffing.

Ms. Dragon stated Ms. Keating Gunn is correct in that the council agreed to waive the rent for all leaseholders for the month of May (less property taxes) who were impacted by Covid-19. The leases at the airport are a little different as their property taxes are paid to the Town of Swanzey. She indicated at this point she does not feel anything more than what has already been approved by Council should be extended as she felt all leaseholders should be treated equally. She noted the one month waiver cost the City \$10,000. Ms. Dragon went on to say there was also other funding coming from the state such as the Main Street Relief Program and stated the city has been encouraging all businesses to sign up for this.

Councilor Clark asked Ms. Keating Gunn to respond to what the Manager had stated about applying for the state funds. Ms. Keating Gunn stated she applied for it but this is based on losses and added she also applied for the PPP Loan and noted such loans are not often geared toward restaurants as they are based on payroll. Ms. Keating Gunn went on to say she is not asking her other landlords for relief as they were not provided any grants for loss of business but the reason she is asking the Airport is because they were given funds for loss of revenue.

Councilor Remy asked what other loss of revenue was incurred at the airport and added his understanding is that the Cares Act was meant to offset loss of landing and fees etc. Ms. Dragon agreed the Cares Act funding was not meant for reimbursement for leaseholders; it is for city operations and expenses the city incurred. Similarly, the ambulance service was also afforded Cares Act funding which was meant for Medicaid payments. She added the funding was based on a particular formula.

Councilor Hooper made the following motion, which was seconded by Councilor Remy.

On a vote of 4-1, the Finance, Organization and Personnel Committee recommends that the request be denied. Councilor Clark voted in opposition.



City of Keene, N.H.  
*Transmittal Form*

June 25, 2020

**TO:** Mayor and Keene City Council

**FROM:** Conservation Commission

**THROUGH:** Rhett Lamb ACM/Community Development Director

**ITEM:** G.1.

**SUBJECT:** Bee City USA – Conservation Commission

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**RECOMMENDATION:**

Chair Von Plinsky moved to recommend that the City Council approve a resolution to become a “Bee City USA,” which Mr. Bill seconded, and the motion passed by unanimous roll call vote.

**BACKGROUND:**

Chair Von Plinsky discussed how to move this initiative forward with Councilor Williams and John Therriault, who was calling alone from his home address. Councilor Williams said that there was much discussion at the last meeting of what a Bee City *could* do but not what it *would* do specifically. Before defending the idea to City Council, the Councilor wanted to understand better the types of projects, the workload for this Commission, and the support that would be needed from City staff.

Mr. Therriault said that being a Bee City has three minimal annual requirements: 1) one project enhancing pollinator habitat such as improving a City park with pollinator forage; 2) one educational event that could be as simple as a school field trip to the observation hive at Stonewall Farm; and 3) review City policies and procedures to ensure pollinator friendliness such as during Parks Department lawn management. He said it is not a constant activity but rather raising awareness and improving pollinator habitat incrementally.

Councilor Williams asked how the three elements – education, habitat building, and policy – would be determined. Would this Commission as an entity be responsible for organizing and implementing the education and habitat aspects, or would the Commission identify and sponsor such projects implemented by non-profit organizations, for example? The Councilor was concerned about the Commission’s responsibility in identifying projects and ensuring they are executed to meet these Bee City requirements. Regarding the task to review policies and procedures, Councilor Williams said it is a great idea but he was unsure whether a plan/timeline would be needed for it to be clear to Council that the City, and specifically this Commission, would be reviewing those policies. Policy changes require public comment and Council support.

Mr. Walker asked for examples of specific projects from the Bee Cities of Burlington, VT and Durham, NH. Mr. Therriault could not provide examples from those cities because neither had not submitted on time their 2019 annual reports. Other 2019 reports from cities in the south describe enhancing park areas and rehabilitating roundabouts with pollinator gardens. In Keene, he posited that small portions of lands overseen by the Conservation Commission could be improved with pollinator habitat and developed as educational areas. If Council approved becoming a Bee City, Mr. Therriault said it simply means that anytime the Commission considers an action, that they question whether it is pollinator friendly on a case-by-case basis. Mr. Therriault

had not yet heard from the Mayor about joining the Conservation Commission as an alternate member to act as the Bee City point-of-contact.

Mr. Bill asked if the Commission would be obligated to run education events or to foster someone else doing so. Mr. Therriault said that he leads events routinely at local schools so it would be no additional work for him.

Mr. Bergman said that Peter Hansel and Laura Andrews in west Keene received a grant from the Cheshire County Conservation District for pollinator gardens. He recalled that Mr. Therriault offered to pay the annual \$200 Bee City USA fee and he asked whether that is possible in City policies. Mr. Lamb said that could occur through the donation process to City Council, however, he was unaware of instances of donations directly to a specific use, but he was unsure why it could not occur.

Mr. Madison wondered whether some requirements like education must be implemented by the City or if non-profit support could be leveraged, such as Stonewall Farm or the Cheshire County Conservation District. Mr. Therriault said yes, that the role as Bee City is more as a facilitator.

If Keene were a Bee City and wanted to improve pollinator habitat in a roundabout, for example, Mr. Reilly asked who would pay for that work. Mr. Therriault said that some roundabouts are already sponsored by businesses or groups that might be amenable to making those improvements, which require minimal input. For example, effective pollinator patches only require a minimum 4' x4' area to attract most pollinators.

Mr. Bergman said that it would be eventually important to assess the effectiveness of a project like this to determine whether pollinator populations were improved by such efforts. Mr. Therriault said that would be a good opportunity to collaborate with the University of New Hampshire, which already conducts pollinator studies; Mr. Bergman said they might have ideas about optimal planting as well.

Mr. Bill suggested that the Ashuelot River Park would be a good place for pollinator projects because there are already many sponsored garden beds there.

The Chairman said it sounded more like a matter of coordination without hitting the City's budget.

Councilor Williams asked who would be responsible for creating the annual report. Mr. Therriault assumed that he would as the Commission's Bee City point-of-contact. The Chairman considered the long-term, when Mr. Therriault's time on the Commission ends, and said that it would be a general responsibility of the Commission and whoever takes his place. Mr. Therriault said it is not actually writing a report but answering nine-computer screens of questions that generate a report, which in his experience takes about one hour of work. Councilor Williams does not only want a report submitted to Bee City but also made available so that the citizens of Keene know about this work; he thought the whole Commission should have input on the responses before a report is final.

Councilor Williams was comfortable moving this matter back to the Municipal Services, Facilities, & Infrastructure Committee with comments from these meetings' minutes for Council review. The Chair, Mr. Lamb, and Mr. Therriault could help participate in those conversations.

Chair Von Plinsky moved to recommend that the City Council approve a resolution to become a "Bee City USA," which Mr. Bill seconded, and the motion passed by unanimous roll call vote.



City of Keene, N.H.  
*Transmittal Form*

June 25, 2020

**TO:** Mayor and Keene City Council

**FROM:** Finance, Organization and Personnel Committee

**ITEM:** H.1.

**SUBJECT:** Petition - Calling for the KPD to be Outfitted with Body Cameras

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**RECOMMENDATION:**

On a vote of 5-0, the Finance, Organization and Personnel Committee recommends putting this item on more time.

**BACKGROUND:**

Chair Powers stated there was a Petition on this item turned into the Clerk's Office with a number of signatures, many of whom were residents of Keene. The Council accepted the Petition at its last meeting and forwarded it to the Finance Committee for their consideration. The Chairman stated the committee would let the public weigh in on this item but would like to keep it to this topic.

Lynne Carrion of Keene Direct Action was not comfortable providing her address due to some negative issues she has experienced during the last few weeks. She indicated she was a resident of Ward 2. Ms. Carrion indicated she was concerned about the size of the Police Department's budget and none of it being allocated for any type of cameras. She indicated she as well as others have experienced negative interactions with the Keene Police Department. She noted a friend of hers was threatened with the use of the Bear Cat by a police officer. 716 people have signed this petition so far and felt of the 7.8 million dollar KPD budget, a portion could be for body cameras and dash cameras.

Ms. Fernandez-Anderson who was also not comfortable providing her address stated she is from Ward 4 agreed with what Ms. Carrion just said, and went on to say that other communities of similar demographics as Keene, allocate for body cameras. The Town of Bedford with a population size of 21,203 in 2019 when Keene was at 23,000 had a 4.66 million budget while Keene was at 7.26 million. She noted Bedford only has 64% of Keene's budget for a similar population. In other words, Keene spends nearly \$310,000 per capita on its Police Department whereas Bedford only spends \$202,000 which is 35% less than Keene and they had money to provide for body cameras. She went on to say Keene Direct Action contacted Bedford who confirmed the use of body cameras and the police announce the use of cameras during traffic stops.

Laura Dunfey Ehrenburg of Ward 2 stated during the past few months we have seen police officers use brutal force on peaceful protestors. She went on to say the reason for this behavior by the police in her opinion was that police do not want to be held accountable for their actions. While this is not happening in Keene and they do not expect it she felt this should be a concern for this community as well as to protect the safety of this community especially people of color who are under-represented.

Councilor Clark stated this discussion happened in 2015 and at that time staff raised the issue about privacy – for instance if they were to enter a house during a call if children were to be present. He questioned if staff still

had those concerns. Chair Powers agreed with Councilor Clark and added what he would like to see done today is to move this item forward by gathering information as there are a lot of ramifications attached to this item; there are cases when cameras are necessary and cases when they are not. He asked for the Manager's comments.

Ms. Dragon agreed this discussion happened in 2015, a lot has changed since then and staff is likely to ask this item be put on more time. She asked for the Police Chief's input.

Police Chief Russo stated the challenges raised back in 2015 still exist; however, technology has changed since that time and so have certain laws. He asked that this item be put on time to look at right to know exemptions, implementation, procedures and policies and training. He felt the best way to accomplish this is through a research committee and asked for a six-month period to complete this review.

Councilor Hooper agreed this was a complex issue and needed to be discussed. He recalled this discussion in 2015 and there were concerns raised about cost and privacy. He felt the forming of a committee suggested by the Chief was a good idea and agreed with placing the idea on more time.

The Manager added in discussion with the Chief they felt it would be necessary to have various stakeholders on this; members from the ACLU, IT, residents, a police officer, and the City Attorney. She indicated there will be diverse opinions on this issue and added it is difficult to compare communities. Keene is a community that serves two colleges and is a HUB community.

Councilor Ormerod referred to Ms. Anderson Fernandez and indicated population is one item the city would be looking at, but there are also other issues as has been mentioned by the Manager and would welcome data from other comparable cities in nearby States – Vermont and Massachusetts as well. He also asked what sort of measurable data the city will be looking at – how does the city know this is working. Chair Powers felt this was a question that should be posed to the committee that would working on this item. He added there are already procedures set up on this issue by the Attorney General's Office. He also added you cannot compare one city's budget with another – it is reported differently. Keene is a city, Bedford is a town, their expenditures are done by warrant and this is something that would need to be reviewed by Finance.

Ben Schiffelbein of 74 Beech Street, Defense Attorney did not feel this was a difficult issue but agreed it was expensive. He noted the Towns of Winchester and Hinsdale, smaller towns than Keene have body cameras, and the Towns of Chesterfield and Jaffrey have dash cameras. He stated as a criminal defense practitioner his work is eased a lot by viewing body and dash camera footage. He agreed Keene is different compared to these communities but the laws are not different, and referred to what was stated regarding privacy issues – he agreed this is true but most communities in the North Country have body cameras without much difficulty. Mr. Schiffelbein stated the measurable is not with economics but the benefit is in regards to police accountability, which the movement in the rest of the country is calling for.

Chair Powers asked Councilor Ormerod whether his question was addressed. The Councilor stated he understands the city will be addressing this issue but was looking for input from others and wanted to continue to welcome those comments.

A member of the Keene Direct Action addressed the committee again and stated the Petition calls for KPD to be outfitted with body cameras as soon as possible and understands there are issues that need to be addressed and this is what they are looking for from the elected officials. She felt this is a public safety emergency and hoped the committee takes it seriously.

Councilor Clark did not feel Keene needed six months to address this issue or that a committee was necessary. He indicated many communities have this in place and is something that benefits everyone. He felt Council and staff can get this done in a short time. He stated he learned during a recent video conference that there is



mistrust in the community for the Keene Police Department, and so felt anything Keene can do to alleviate that mistrust should be addressed. The Councilor suggested this item be brought back in a few weeks and unless he can be told otherwise, he felt the time has come to put this in place.

Councilor Hooper stated he always supports moving things forward but felt this a big change for the city and felt appropriate time should be taken to get the proper solution put forward. He felt there needs to be a valid discussion and it should not be rushed.

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

On a vote of 5-0, the Finance, Organization and Personnel Committee recommends putting this item on more time.



City of Keene, N.H.  
*Transmittal Form*

June 24, 2020

**TO:** Mayor and Keene City Council

**FROM:** Planning, Licenses and Development Committee

**ITEM:** J.1.

**SUBJECT:** Amendment to the Zoning Map – Properties on Krif Road and Winchester Street

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**RECOMMENDATION:**

On a vote of 3-1, the Planning, Licenses, and Development Committee recommends adopting Ordinance O-2020-04.

**ATTACHMENTS:**

**Description**

Ordinance O-2020-04

**BACKGROUND:**

Chair Bosley reminded everyone that the City Council has held a public hearing on this matter and will not be taking public input tonight. She continued that Rhett Lamb, Community Development Director, is here to answer questions as needed. She asked if the committee has comments or questions about this agenda item.

Councilor Jones stated that he is opposed to this ordinance for a number of reasons. He continued that as mentioned at the Joint Committee meeting, by Councilor Greenwald, the City Council adopted a policy a number of years ago saying there would be “no net loss of industrial zoning outside the bypass system.” In the presentation, yes, they heard about the Comprehensive Master Plan (CMP) but no one talked about the economic development plan that the City Council adopted on October 4, 2019. On page 9 of that plan under “Appropriate Industries” is a carry-over from the 1993 plan, which calls for “addition of land suitable for increased manufacturing capacity.” Page 10 says “growth in local economy will require drawing industrial development projects that will effectively expand the Keene tax base.”

Councilor Jones continued that he thinks this ordinance goes against all that was put into those plans. They also talked about the gateway, because this is a gateway area, at the Joint Committee. He does not see how changing from Industrial to Commercial helps the gateway at all. Coming up Route 12 from Swanzey is a gateway and it is commercial and he does not think there is anything pretty about it. Coming south on Route 12 from Westmoreland means going right through an industrial zone and it is probably the most beautiful gateway coming into Keene He thinks this ordinance goes against the City Council’s policies and he is opposed to it.

Chair Bosley stated that those are valid points. She continued that she has thought about this a lot herself. She noted she wants to hear from Mr. Lamb regarding those statements.

Mr. Lamb stated that this was one of the important pieces of their review. He continued that many of the principles in prior master plans, including the one about “no net loss of industrial land,” were paramount in staff’s minds as they evaluated this change. They tried to cover the subject well in the Joint Committee review.

Staff's take on it is: the only elements of industrial being given away, by changing from Industrial to Commerce Limited, are the smokestack industries that no one is building anymore. In that location you can no longer do an asphalt plant, smelter, tannery, forge, explosive manufacturing, and so on and so forth, but you can still do assembly or manufacturing or the type of industrial uses they want to encourage in that location. Commerce Limited is a hybrid district. It does allow manufacturing elements while it also allows larger commercial operations such as car dealerships that require a lot of outdoor storage. Staff thinks the change is not as drastic as it would seem with respect to the loss of industrial activities. If it were truly running against that he thinks staff would have identified that as a large concern from the beginning. They think Corporate Park meets the needs of the City, in terms of the possibility of industrial activity taking place there, and allows the current applicant to move forward with a use that tends more toward the commercial side.

Councilor Jones stated that he understands that clearly. He continued that he wanted to mention that they just took away a lot of Industrial zoned area during the Marlboro Street Rezoning project, which was originally his suggestion to the City Council, because it was mixed in with Residential, and he felt it did not belong. It was zoned Industrial many years ago when it was serviced by the railroad. He thought it was a good time for a change. If they are going to have any of those industrial uses, like Mr. Lamb mentioned, this is the part of town where they want it – away from the residential area. He thinks they should keep it Industrial. There might be one of those uses that want to come to town and they do not want them near residential areas.

Chair Bosley stated that she agrees with staff's interpretation of the use of this property and how it benefits the City moving forward. She continued that when she looked at the list of items that were being precluded by changing this zoning, it left all the things they would intend or think are important, and took away the polluting, difficult industries that she would not necessarily want to see sitting right there on Winchester Street. She cannot imagine what an asphalt smelting plant would look like sitting there. This particular piece of property fitting in with its neighbors made more sense to her.

Chair Bosley asked if other councilors had questions or comments. Hearing none, she stated that she would entertain a motion.

Councilor Workman made the following motion, which was seconded by Councilor Johnsen.

On a vote of 3-1, the Planning, Licenses, and Development Committee recommends adopting Ordinance O-2020-04.



# CITY OF KEENE

O-2020-04

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

AN ORDINANCE ..... Relating to Zone Change – 0 Krif Road and 472 Winchester Street .....

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

That the Zoning Map of the City of Keene, as amended, is hereby further amended by changing the zoning designation of Tax Map Parcels 115-19-000 and 115-20-000, known as 0 Krif Road and 472 Winchester Street respectfully, from Industrial to Commerce Limited.

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George H. Hansel, Mayor

In City Council March 5, 2020.  
Referred to the Joint Planning Board and Planning, Licenses and  
Development Committee.

City Clerk



City of Keene, N.H.  
*Transmittal Form*

June 25, 2020

**TO:** Mayor and Keene City Council  
**FROM:** Finance, Organization and Personnel Committee  
**ITEM:** J.2.  
**SUBJECT:** Relating to Personnel Systems and Procedures

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**RECOMMENDATION:**

On a vote of 5-0, the Finance, Organization and Personnel Committee recommends adoption of O-2020-07.

**ATTACHMENTS:**

**Description**

Ordinance O -2020-07

**BACKGROUND:**

Asst. City Manager/Human Resources Director Beth Fox was the next speaker. She indicated there are approximately 12 changes to city code she will be addressing today. This is regarding Personnel Practices, Chapter 62.

The first two are to Subdivision Titles, III and VI – this change will move towards language used today – for exempt employees and non-exempt employees. This is for employees not under a collective bargaining agreement.

The next change beginning in Section 246 relates to City's Holiday Practices. This clarifies that the section of the Ordinance prescribes specific days off for holidays to apply to positions in the salary schedule, with the exception of probationary fire and police because their schedules do not account for holidays. There is a different method of compensation for these positions.

Chapter 62 – 302 – Probationary Police Officers – Makes it clear probationary police officers will receive what they get today, which is additional pay for holidays during their employment. The same rule applies to regular police officers who work holidays.

Chapter 62 – 303 – Probationary Fire Fighters – Same provision applies as was indicated for police officers where they are paid over-time pay for working holidays.

Councilor Remy noted these are changes to language but asked whether it was also a change to practice. Is something different going to be done tomorrow compared to what is being done today; will there be a change to payments? Ms. Fox stated relative to holidays it will not – there won't be anything different to holidays or holiday pay. The city code and the city handbook would be more in sync.

Councilor Hooper clarified there are holidays for which employees get time and a half and there are some that they get paid double time and asked for clarification. Ms. Fox stated there are differences in collective

bargaining agreements across the organization.

Section 56-425 – Eligibility for Sick and Injury Leave – This section is being proposed to be stricken as it already says what the rules are for each of those items.

Section 62-611 – Cost Sharing for Non Bargaining Unit Employees – (1) adjusts cost sharing for non-bargaining unit employees to the same standard as contract employees (option 1 plan – lower cost plan).

(2) To clarify if both employee and spouse work as full-time employees – they will be offered a 2-person plan or a family plan, whichever is applicable to their situation.

(3) Adjustment deals with scheduling of payments in lieu of health benefits the city offers. Language is added in bargaining agreements that the city only makes these payments when the city is not subject to a penalty under the Affordable Care Act, Tricare or any other legislation.

Section B – Dental Insurance – Language Update – When this was written there were several unions. The city has moved beyond this language – to eliminate the term “civil union” and replace it with employee’s spouse and if they are also a full time employee – they will be afforded one plan.

Section 2 ( c ) – Employee Death and Dismemberment Benefit – Payouts are made according to what is outlined under state law.

Councilor Remy referred to the insurance section where the date is being changed effective July 1, 2020 and the percentages referred to and this is being aligned with another plan and noted this is a future date and asked how the cost to the city would be affected by this change. Ms. Fox stated this is hard to predict, as the future year premium cost is unknown. Councilor Remy stated he was unfamiliar with Option 1 or Option 2 and asked for clarification. Ms. Fox explained Option 2 was a high-level plan, provided comprehensive coverage and we only a few employees are in this plan. Most employees choose Option 1.

Councilor Clark stated as the city moves towards 100% participation, the incentive might be to get employees off the City’s plan and asked whether it is the incentive to get employees a better plan. Ms. Fox stated it is not the intention of the city to move people off the health plan; it is the goal of the city to provide employees with an adequate plan so that they can come to work and perform their job. She added there is another plan known as Health Trust the city participates with who offer a variety of plans and encourage employees to sign up for the coverage they desire.

Councilor Ormerod referred to 62-611 (a) – this was updated from 11 years ago and asked when staff feels it would need to be updated again. Ms. Fox stated this change brings the city in line with its collective bargaining agreements. This would change as those agreements are updated. The current bargaining agreements run through FY22. The next change won’t happen at least until January 2022 or a little later, depending on where the city is with collective bargaining units.

Section 62-613 – Pension and Retirement for Regular Full Time Employees – Updated to align with State Statute. Eliminate section 4 which has not been applied for some period of time.

Section 62-614 – Pension, Retirement and Disabilities for Special Public Safety Service Employees - Eliminate this section – as there are no police auxiliary officers and there are none that are receiving a pension. If the city should hire any in the future this section can be reinvented.

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

On a vote of 5-0, the Finance, Organization and Personnel Committee recommends adoption of O-2020-07.



# CITY OF KEENE

O-2020-07

Twenty

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

Relating to Personnel Systems and Procedures

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 removing the stricken text and inserting the bold text in various sections in Article IV "Classification and Pay Schedules", and Article V "Policies, Procedures and Conditions of Employment" of Chapter 62 entitled "Personnel Systems and Procedures" as follows:

Subdivision III. - Classified Salary Schedules and Class Allocations for Regular, **Non-exempt and Exempt** (Non bargaining Unit) Employees

Subdivision VI. - Use of Scales for Regular ~~Full-Time Exempt~~ Employees

Sec. 62-246. - Holidays.

- (a) The following shall be holidays with pay for regular full-time ~~exempt non-bargaining unit~~ **employees holding positions recognized in Chapter 2-231 (council appointments), 62-166 (probationary public works), and 62-194 (administrative, office, technical and management):**

Sec. 62-301. – **Non-bargaining unit** Hourly employees.

- (b) When required to work on an observed holiday, a regular full-time non-exempt employee, **excluding probationary police officers and probationary firefighters**, will be paid for each hour worked at the rate of 1½ times the hourly rate, in addition to receiving pay for the observed holiday. When required to work on one of these actual holidays—January 1, Easter Sunday, July 4, the fourth Thursday of November, and December 25 a regular full-time non-exempt employee will be paid for each hour worked at the rate of double time, in addition to receiving pay for the observed holiday.

Sec. 62-302. – **Probationary Police Officers.**

- (b) Such personnel will work their assigned shift without regard to holidays. Each employee will receive an extra check for 11 days' pay in **November** ~~December~~ of each year. Employees hired during the year will receive an extra check prorated for the number of holidays **designated by Sec. 62-246** that occurred since their employment. **In the event that such personnel work on Independence Day,**



Labor Day, Thanksgiving Day or Christmas Day, they shall be paid at one and one-half (1 ½) times the regular rate for all hours worked on such holiday. In the event that such personnel work on Thanksgiving Day or Christmas Day, they shall be paid double time the regular rate for all hours worked on such holiday.

Sec. 62-303. – Probationary Firefighters Fire/ambulance.

- (c) Such personnel will work their assigned shifts without regard to holidays. Each employee will receive **additional pay in November of each year for the number of holidays designated by Sec. 62-246 that occurred since their employment in the same manner holiday pay is provided to full-time firefighters who have successfully completed the probationary period.** In the event such personnel work on Independence Day, Labor Day, Thanksgiving Day or Christmas Day, they shall be paid at one and one-half (1 ½) times the regular rate for all hours worked on such holiday. ~~an extra check for 11 days' pay in December of each year. Employees hired during the year will receive an extra check prorated for the number of holidays that occurred since their employment.~~

Sec. 62-425. – Eligibility for sick, vacation or injury leave.

~~All regular full-time employees who have completed six months of continuous service shall be eligible for sick leave. All regular full-time employees who have completed six months of continuous service, or 12 months of continuous employment for firefighters and police officers, shall be eligible for vacation leave and injury leave.~~

Sec. 62-611. - Insurances.

- (a) *Medical insurance for non-bargaining unit employees:*

(1) The city will, for all non-bargaining unit regular full-time employees, pay **95 83** percent of the cost of option II of the medical plan **premium** that the city makes available to employees as of **July 1, 2020** ~~December 1, 2010~~, **pay 94 to 82** percent **as of on July 1, 2021**~~42~~, and **pay 92 to 81** percent **as of on July January 1, 2022**~~43~~. In the event that the city's percentage of the cost of option II exceeds 100 percent of the cost of any other option offered by the city, no monies will be due the employee.

(2) **If an employee's spouse is also a regular full-time employee of the city, the city will offer one two-person medical plan or one family medical plan, as appropriate, so that each employee and his family, if any, receives the same coverage but not greater coverage than other employees receive.** ~~If both the husband and wife, or both the civil union partners, are employed by the city, this shall apply only for a single premium for either the two person or the family medical plan, whichever plan is selected by the couple.~~

(3) If a regular full-time employee so chooses, **the employee** he may elect, upon receipt by the city of written verification that the benefit is received by some other means, to receive taxable income in the amount of \$1,500.00 in lieu of the city health insurance benefit. **To qualify for such payment, the election must be**

**such that it will not subject the City to penalty or assessment and is compliant under the Affordable Care Act, Tricare or any other legislative requirements.** This amount shall be distributed in a lump sum payment in **December for the prior year (December 1 to November 30)** ~~at the end of the plan year,~~ or a pro-rated amount shall be distributed to the employee if employment ends **or insurance election changes** at some point during that **time period** ~~plan year.~~ If both **spouses** ~~the husband and wife, or both the civil union partners,~~ are employed by the city **and covered by the city medical plan benefit,** this shall not apply.

- (b) *Dental insurance.* The city shall make available for all regular full-time employees a dental insurance plan. The plan shall be contributory at \$1.00 per year. Participants shall have the right to opt out of coverage. If an employee's spouse or ~~civil union partner~~ is also a regular full-time employee of the city, the city will offer one two-person dental plan or one family dental plan, as appropriate, so that each employee and his family, if any, receives the same coverage but not greater coverage than other employees receive.
- (c) *Employee death and dismemberment benefit.*
- (1) The city shall provide a death and an accidental dismemberment benefit for each regular full-time employee once his eligibility is established. The benefit providing for a payment in a maximum amount of one times the employee's annual base pay (base pay to exclude overtime, bonus incentives, shift differential, or other compensation of this nature) for each loss, as prescribed in written guidelines for the eligibility and administration of the benefit, which may be amended from time to time. This benefit may be provided through term life insurance, or otherwise, at the election of the city.
- (2) Upon an employee's death, accumulated vacation time and compensatory leave benefits, in addition to 100 percent of accumulated sick leave will be paid **in the manner required by current state or federal regulation.** ~~to the employee's beneficiary.~~

Sec. 62-613. - Pension and retirement for regular full-time employees.

The city hereby accepts the provisions of the state retirement system subject to the following restrictions:

- (1) **In accordance with membership requirements established by the New Hampshire Retirement System** ~~All regular full-time employees, except department heads, will be enrolled as~~ ~~are required to become~~ members of the state retirement system.
- (4) ~~Any city official optionally exempted by the New Hampshire Retirement System from joining its plan may participate in one of the approved deferred compensation plans offered by the city, in which the city will pay to such employee's plan account a sum, as determined from time to time by the city council, at least equal to the amount the city would pay under the provisions of the state retirement system if such official were a member of the state retirement system.~~

~~Sec. 62-614.— Pension, retirement and disabilities for special public safety service employees.~~

~~A pension may be granted by the city council to any auxiliary police officer who has served faithfully for not less than 25 years or who, by reason of permanent disability directly incurred in the performance of his official duty, is no longer able to perform services in such capacity, subject to the following restrictions:~~

- ~~(1) — The maximum amount of such pension shall be \$2,000.00. Such payment shall deduct all sick leave pay, injury leave pay, and worker's compensation received.~~
- ~~(2) — All determinations for pensions under this section, in the first instance, shall be made by resolution of the city council.~~

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George S. Hansel, Mayor

In City Council June 18, 2020.  
Referred to the Finance, Organization  
and Personnel Committee.



City Clerk