

A regular meeting of the Keene City Council was held Thursday, September 17, 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, Mitchell H. Greenwald, Kate M. Bosley and Thomas F. Powers were present. Catherine I. Workman was absent. A motion by Councilor Powers to accept the minutes from the September 3, 2020 regular meeting was duly seconded by Councilor Bosley. The motion passed on a roll call vote with 14 Councilors present and voting in favor. Councilor Workman was absent. The Mayor led the Pledge of Allegiance.

ANNOUNCEMENTS

The Mayor announced that beginning the week of September 21, 2020 the Standing Committees of the City Council would begin meeting again in person, with the public continuing to join the meetings via Zoom. Councilors will be required to wear masks during the meetings but masks can be removed when the Councilor wishes to speak. To comply with the regulations for remote meetings, at least one member of each public body must join the meeting via Zoom, and so the Chair of each Standing Committee must coordinate this with their membership. The Mayor still encouraged all City Councilors to continue accessing the Standing Committee meetings via Zoom if they are comfortable doing so because he thinks it sends an important message to the community that we should be avoiding social contact whenever possible.

The Mayor announced that October is Manufacturing Month. For the last seven years, the New Hampshire Manufacturing Extension Partnership with help from the NH Department of Business and Economic Affairs, the Community College System of New Hampshire, the New Hampshire Department of Education, and many other partners organized NH Manufacturing Month to encourage predominantly high school students' exposure to in-state manufacturing career opportunities. The Mayor said it is an important month and this year, student visits with manufacturers will be virtual. On October 3, Keene is hosting the kick-off event, which will be broadcast on various media platforms throughout the state, providing an opportunity to highlight the Monadnock region and provide vital exposure to Keene area companies growing their workforces. In light of the ongoing pandemic and goals to keep the in-person event participation low, the Mayor encouraged any Councilor interested in attending to contact him in advance and he will try to accommodate.

RESOLUTION R-2020-34: IN APPRECIATION OF RUSSELL PAUL FISH UPON HIS RETIREMENT

The Mayor read Resolution R-2020-34: In Appreciation of Russell Paul Fish Upon His Retirement. A motion by Councilor Powers to adopt the Resolution was duly seconded by Councilor Bosley. On roll call vote, with 14 Councilors present and voting in favor, the motion passed. Resolution R-2020-34 was declared adopted. Councilor Workman was absent.

CONFIRMATIONS

A motion was made by Councilor Powers and duly seconded by Councilor Bosley to confirm the following nominations: Rowland Russell to serve as a regular member of the Bicycle Pedestrian Path Advisory Committee with a term to expire December 31, 2022; Russ Flemming to serve as a regular member of the Historic District Commission with a term expiring December 31, 2020; and Charles H. Redfern to serve as a regular member of the Library Board of Trustees with a term expiring June 30, 2023. On a roll call vote, with 14 Councilors present and voting in favor, the motion passed and the nominations were confirmed. Councilor Workman was absent.

COMMUNICATION – MEAGHAN RAFFERTY – RESIGNATION – ENERGY & CLIMATE COMMITTEE; AND JENNIFER ALEXANDER – RESIGNATION – LIBRARY BOARD OF TRUSTEES

A communication was received from Meaghan Rafferty resigning from the Energy & Climate Committee. An additional communication was received from Jennifer Alexander resigning from the Library Board of Trustees. A motion by Councilor Powers to accept both resignations with regret and appreciation of service to the City was duly seconded by Councilor Bosley. On a roll call vote, with 14 Councilors present and voting in favor, the motion passed. Councilor Workman was absent.

COMMUNICATION – ATTORNEY ADAM KOSSAYDA – LEASE REQUEST – HANGAR LOT 15A

A communication was received from Attorney Adam Kossayda, requesting the termination of an existing lease for Hangar Lot 15A upon the execution of a new lease with his clients, Christopher Chesney and Peter Temple. The request was referred to the Finance, Organization and Personnel Committee.

COMMUNICATION – COUNCILOR FILIAULT – CITY SPONSORSHIP OF A "TRUNK OR TREAT" EVENT

A communication was received from Councilor Filiault, recommending that the City sponsor a "trunk or treat" event at 350 Marlboro Street in lieu of the traditional "Halloween." The Mayor welcomed comments from Councilor Filiault, who said it is yet unclear what the State will choose to do for Halloween. In the event that traditional "Trick or Treat" is disrupted, the Councilor suggested this back-up alternative. The recommendation was referred to Staff as they begin plans for this year's Halloween.

COMMUNICATION – COUNCILOR GREENWALD – REQUESTING UPDATES ON SEVERAL PROJECTS

A communication was received from Councilor Greenwald, requesting that updates be presented to the appropriate Standing Committees for the various initiatives identified in his letter. The Mayor welcomed comments from Councilor Greenwald, who said that while the City Manager and Staff have performed wonderfully during Covid-19, he thought the City Council needed to

increase participation. He also thought it important for Council and its Standing Committees to begin meeting again face-to-face and felt there are suitable locations to make this possible following the examples of other institutions, like schools. He requested a timeline, and suggested the matter perhaps be referred to the Finance, Organization and Personnel Committee or agreed with the referral to Staff.

The Mayor stated that in-person meetings for the Council and its Standing Committees are a good step forward, but the City remains at the whim of the current pandemic as far as large in-person gatherings beginning again, considering there are many Councilors at potentially higher risk. Additionally, the Mayor stated that this pandemic is not over and that the City Council should be making sacrifices to set a positive example for the rest of the community to maintain social distancing measures, including limiting in-person gatherings, and to protect City Staff. Mayor Hansel does not think a tangible timeline for returning to face-to-face meetings is possible at this time and he will continue assuring Councilor Greenwald that while in person meetings are preferable, the Mayor is uncomfortable putting all 15 Councilors in the same room for a meeting any time soon. The Mayor thanked the Councilor for his letter and said it is a worthy matter to continue discussing creative ideas. The matter was referred to City Staff.

FOP REPORT – LAND WATER CONSERVATION FUND GRANT APPLICATION – PARKS, RECREATION AND FACILITIES DIRECTOR

A Finance, Organization and Personnel Committee report read recommending that the City Manager be authorized to do all things necessary to execute the submission of the application for LWCF Grant Round 31 for the Russel Park Renovation Project. 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 14 Councilors present and voting in favor. Councilor Workman was absent.

FOP REPORT – DESIGN CHANGE ORDER – CHESHIRE RAIL TRAIL PHASE III – CITY ENGINEER

A Finance, Organization and Personnel Committee report read recommending that the City Manager be authorized to do all things necessary to negotiate and execute a contract Change Order for an amount not to exceed \$5,234.46 with CHA Consulting, Inc. for the revision of final bid documents for the Cheshire Rail Trail, Phase III Project. 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 14 Councilors present and voting in favor. Councilor Workman was absent.

FOP REPORT – PROFESSIONAL SERVICES CONTRACT – CHESHIRE RAIL TRAIL PHASE III – CITY ENGINEER

A Finance, Organization and Personnel Committee report read recommending that the City Manager be authorized to do all things necessary to negotiate and execute an engineering and technical services contract in an amount not to exceed \$48,000 with CHA Consulting, Inc. for the construction phase of the Cheshire Rail Trail – Phase III Project. 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 14 Councilors present and voting in favor. Councilor Workman was absent.

FOP REPORT – 2021 REVALUATION CONTRACT – CITY ASSESSOR

A Finance, Organization and Personnel Committee report read recommending that the City Manager be authorized to do all things necessary to negotiate and execute a contract with Vision Government Solutions for the 2021 Revaluation. 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 14 Councilors present and voting in favor. Councilor Workman was absent.

FOP REPORT – COMMUNITY POWER CONSULTING SERVICES – ACM/COMMUNITY DEVELOPMENT DIRECTOR

A Finance, Organization and Personnel report read recommending that the City Manager be authorized to do all things necessary to do all things necessary to negotiate and execute a contract with Good Energy, L.P. and Standard Power of America, Inc. for Community Power consulting services for a fee not to exceed \$0.001 per kilowatt hour. This fee shall be paid directly to the Consultant by the Competitive Supplier, in the event that a third party contract with a competitive supplier is signed. In the event that negotiations with the preferred vendor are not successful, the City Manager is authorized to do all things necessary to negotiate and execute a professional services contract with Freedom Energy Logistics, Inc. A motion by Councilor Powers to carry out the intent of the report was duly seconded by Councilor Hooper.

The Mayor accepted comments from Councilor Clark, who described dissatisfaction with Senate Bill 286, which he said the proposal before Council was based on, as opposed to the NH Community Power Aggregation (CPA) Plan. Councilor Clark further suggested that the request for proposal model the City is pursuing currently is outdated. He said the City could join the NH CPA group now and move at its own speed, as opposed to focusing solely on the community's effort. He urged acting regionally not just with power but all community and social services. He further urged the Council to delay action for a few months and to join the NH CPA as a regional effort. Councilor Clark made a motion that was duly seconded by Councilor Filiault to amend the presented motion as follows: "that the City Manager be authorized to do all things necessary to join the NH Community Power Aggregation Group."

Further discussion occurred.

The Mayor welcomed comments from the City Manager, who said that NH CPA is not an established entity, but rather a group of people that have been working on this concept for several months to potentially more than one year. She said one of their greatest challenges is figuring out how to bring all of these governments together. She clarified that moving forward with the proposed motion would allow the City to progress on its energy plan, putting it ahead of the NH CPA while it gets up and running, at which time the City can determine what it would get from NH CPA for a price and whether that price is worth it. The City Manager said that moving forward with the FOP motion would not only give the City the most flexibility but also the most knowledge as to what the City can do on its own for comparison to what NH CPA

could eventually offer. The City participates in NH CPA meetings, follows their progress, and wishes them well in further establishing the group.

The Mayor led a vote on the proposed amendment. A roll call vote failed to carry with 14 Councilors present and Councilors 4 voting in favor, Williams, Clark, Ormerod, and Greenwald. Councilors Hooper, Remy, Manwaring, Giacomo, Filiault, Jones, Johnsen, Chadbourne, Bosley, and Powers were opposed. Councilor Workman was absent. The amendment failed.

The Mayor welcomed comments on the primary motion and recognized Councilor Clark, who said he would support the motion because it gives the City at least something to move toward eliminating dependence on fossil fuels.

Referring to the original motion, on a roll call vote with 14 Councilors present and voting in favor the City Manager be authorized to do all things necessary to do all things necessary to negotiate and execute a contract with Good Energy, L.P. and Standard Power of America, Inc. for Community Power consulting services for a fee not to exceed \$0.001 per kilowatt hour. This fee shall be paid directly to the Consultant by the Competitive Supplier, in the event that a third party contract with a competitive supplier is signed. In the event that negotiations with the preferred vendor are not successful, the City Manager is authorized to do all things necessary to negotiate and execute a professional services contract with Freedom Energy Logistics, Inc. Councilor Workman was absent.

CITY MANAGER COMMENTS

The City Manager began by updating the Council about changes at City Hall. She said that Covid-19 required restricted access to parts of the building and rethinking how we provide service. Recent modifications occurred in the City Clerk's office utilizing Cares Act funds through the State to reconfigure the front desk including the addition of a Plexiglass barrier. These physical modifications allowed reopening the doors to the Clerk's office. The City Manager recalled mentioning previously her desire to accomplish something similar on the 3rd and 4th floors of City Hall, which she said is still planned for later this year.

The City Manager explained that the next change to City Hall would occur over the next several weeks because it is necessary to reopen public access to the Human Services Department, which provides assistance to the needy. Right now, Human Services is located on the 2nd floor, toward the end of a long hallway beyond an access point that has been locked due to Covid-19. To serve the public, an employee must meet residents in the lobbies of the 1st or 2nd floors. To address this, the City Manager said that she is moving Human Services to the City Hall 2nd floor Committee Room, across from the Council Chambers, where there is already a window similar to the one across the hall in Parking Services. With some physical modifications to the space, she said it will meet the needs of the department quite well, be much easier for members of the public to find, be ADA accessible, and will allow reopening of public access. More importantly, the City Manager said that if there were a spike in Covid-19 or another public health issue in the future, this modification will ensure these critical services for our neediest and most vulnerable populations.

The City Manager continued by providing updates on the hybrid – in-person and virtual – Council Standing Committee meetings beginning the next week. She said a mobile Zoom room will still be used and the meeting will still be live streamed, though only on the City website – streaming on Cheshire TV is not workable for the time being. Using the Governor’s emergency order regarding meetings, conducting hybrid meetings is allowed, with the number of public participants physically attending the meeting restricted. The plan is to allow one or two members of the public to represent their item on the agenda that evening, while all other public participants will be virtual. Some staff will also be in the room. The day before this meeting, the NH Municipal Association provided a legal opinion that further restricts this ability and of course complicates matters for the City again. The City Manager said that every time we have a plan, the rules change seem to change.

The City Manager continued saying that the City is only able to restrict the number of public attendees at these hybrid meetings if we are utilizing the Governor’s order #12, which authorizes virtual meetings; meaning we must meet virtually, with at least one member of the Standing Committee attending the meeting via Zoom and not physically present. This will require advance planning with the Chairs of the Committees to ensure that all five members do not physically show up at City Hall. The City Manager said that Staff have established a room set up that will accommodate the maximum four Committee members allowed at these hybrid meetings, some staff, and up to two members of the public allowed to present their item on the agenda in person, if they chose to. In instances of multiple agenda items, a queuing location will be required, with enough physical distancing space for others waiting to come in. As each person completes their agenda item, they will need to let the next person know it is time for them to enter the Council Chambers. Staff will need to coordinate granting entry to the front door for members of the public presenting an agenda item; the door will then be locked. The Health Officer has worked with the City Clerk's office on mask-wearing protocols. Because more people will be in the same room for an extended amount of time, masks will be required for the entire meeting with the exception of the person speaking, who will have the option to take their mask off temporarily. Staff will experiment with the City's new mobile Zoom equipment and so the City Manager hoped everyone would be patient and understanding. New Chromebooks were available for Council members to bring between home and City Hall. To accommodate these changes, MSFI meetings must begin at 5:30 PM in order to allow sufficient time for Staff to clean the room before the PLD meeting begins at 7:00 PM.

The City Manager presented comments on Trick or Treating. As of this meeting, there was no indication that the Governor would be issuing any emergency orders to restrict Trick or Treating activities. NH Municipal Association has a webinar scheduled later in September to go over things local communities should consider and the City will be publicizing information on best practices and tips. The City Manager said this leaves up to individual residents/parents the decision whether to participate in Trick or Treating activities. It also leaves the activity spread throughout the community to encourage social distancing, instead of some event that would require managing groups of people.

The City Manager provided an update on the City's annual employee flu shot clinics in October. She said that preventing the flu is the best way we know how to keep employees healthy and reminded Staff that flu shots are free for employees. Unfortunately, flu symptoms are in part

similar to Covid-19 symptoms and it will be difficult to know the difference between the two without a test. The City Manager reminded Council that employees with potential Covid-19 symptoms could be required to stay out of work for at minimum five to six days, extending up to 14 days depending on the situation and testing.

The City Manager concluded her comments by providing two important updates on Covid-19 from Keene State College (KSC). She said that KSC is very concerned about the health of their students and President Treadwell has stated that they are holding their on- and off-campus students accountable through their Code of Conduct. The College created on their website an online portal to report any concerns related to student behavior off-campus. If it is a Police matter, people are still urged to contact the Police, whereas things such as large student gatherings that are not noise, etc. Police issues can be submitted to this website. The link is available in the Covid-19 information section on the City website and it will be shared on the City's social media to help get the word out.

Finally, the City Manager said that KSC has gone live with three online dashboards. One dashboard tracks cumulative positive Covid-19 tests of both staff and students. Another tracks wastewater sampling for the KSC campus as well as City wide. These tests look for the presence and concentration levels of Covid-19 in the wastewater. The third dashboard tracks pre-arrival testing status.

RESOLUTION R-2020-32: RELATING TO FISCAL POLICIES

Finance, Organization and Personnel Committee report read recommending the adoption of Resolution R-2020-32, which incorporates any amendments from the Council workshop and the Finance, Organization and Personnel Committee's review. The report was filed into the record. Councilor Powers made a motion to adopt Resolution R-2020-32, which was duly seconded by Councilor Hooper. The motion passed on a roll call vote with 14 Councilors present and voting in favor. Councilor Workman was absent. Resolution R-2020-32 was declared adopted.

RESOLUTION R-2020-36: AUTHORIZING THE CONDEMNATION OF LAND FOR THE WINCHESTER STREET RECONSTRUCTION PROJECT

A memorandum from the City Engineer along with a petition and Resolution R-2020-36 recommending the City Council move to accept a Petition to Acquire Property by Eminent Domain for Highway Purposes was received. The City Engineer requested that the Mayor schedule a public hearing and site visit. Mayor Hansel referred both the Petition and Resolution R-2020-36 to the Finance, Organization and Personnel Committee. The Mayor additionally scheduled a site visit on November 5, 2020 at 5:45 PM and a public hearing also on November 5, 2020 at 7:00 PM. This site visit will be different than those in the past, without a bus or dinner included, and so Councilors will have to arrange their individual transportation.

ADJOURNMENT

As there was no further business, the meeting adjourned at 8:57 PM.

09/17/2020

A true record, attest:



Assistant City Clerk