

**City of Keene**  
**New Hampshire**

**MUNICIPAL SERVICES, FACILITIES AND INFRASTRUCTURE COMMITTEE**  
**MEETING MINUTES**

**Wednesday, October 21, 2020**

**5:30 PM**

**Remote Meeting via Zoom**

**Members Present:**

Janis O. Manwaring, Chair  
Michael Giacomo, Vice Chair  
Randy L. Filiault  
Bettina A. Chadbourne  
Robert C. Williams

**Staff Present:**

Elizabeth A. Dragon, City Manager  
Thomas P. Mullins, City Attorney  
Rebecca Landry, IT Director/Assistant City  
Manager  
Steve Russo, Police Chief  
Kürt Blomquist, Public Works  
Director/Emergency Management Director  
Andy Bohannon, Director of Parks,  
Recreation & Facilities  
David Hickling, Airport Director  
Rhett Lamb, Community Development  
Director/Assistant City Manager

**Members Not Present:**

Chair Manwaring called the meeting to order at 5:30 PM and read the executive order authorizing a remote meeting: Emergency Order #12, issued by the Governor of the State of New Hampshire pursuant to Executive Order #2020-04. Pursuant to this Order, Committee members stated their locations and whether alone.

**1) Katie Schwerin – Proposal for Permanent Public Art Installation – Airport Property [Chair Manwaring heard this agenda item first, out of order.]**

Chair Manwaring welcomed Katie Schwerin of Gilsum. Ms. Schwerin recalled presenting before this Committee in 2019, with artist Adam Schepker, to propose installation of his sculpture on airport property. Ms. Schwerin recalled that this sculpture and others were proposed originally to accompany the labyrinth art installation, also on airport property. In 2019, Mr. Schepker worked with former Airport Director, Jack Wozmak, to source scrap metal from former runway light plates to create the sculpture under discussion, for which dimensions, etc. were in the plans provided to the Committee. Ms. Schwerin said that after consulting with other local artists, the sculpture seemed more appropriately located at the Airport itself. Thus in consultation with the Airport Director, David Hickling, and the Director of Parks, Recreation & Facilities, Andy Bohannon, a logical site was found across from the terminal entrance and near to the sign for the trail that leads to the labyrinth. In further discussions with the Public Works Director, Kürt Blomquist, it was determined that the sculpture would need only a simple one-foot thick concrete

slab foundation that would be mostly below-ground, filled with a rebar lattice for strength, and set on a few inches of gravel. Ms. Schwerin presented in her proposal a letter signed by the artist and answering the other questions City Staff indicated. She added that Friends of Public Art fundraised this summer to pay the artist and they also arranged the insurance quote. The sculpture would be donated to the City by the artist. Chair Manwaring waited to hear comments from the Friends of Public Art representative until she had heard from City Staff.

Chair Manwaring welcomed the Director of Parks, Recreation & Facilities, Andy Bohannon. Mr. Bohannon said that Ms. Schwerin had brought forward another great project, after having proposed the first art installation (the labyrinth) approved through the Public Art Resolution review process. He recalled presenting before this Committee on October 7, reporting out that this project was delayed until spring 2021, and he apologized for that miscommunication having forgotten there were two different sculptures proposed originally, only one of which was delayed until spring. Mr. Bohannon recommended unfortunately accepting this proposal as informational for one meeting cycle to provide Staff adequate time to ensure the art and proposal meet all of the Resolution criteria set forward, which he said is essential for every proposal.

Chair Manwaring recognized Georgia Cassimatis of Acworth, NH, who represented Friends of Public Art. Ms. Cassimatis said that Ms. Schwerin had already provided documents proposing this sculpture to accompany the labyrinth when it was proposed. Ms. Cassimatis said she was unaware and did not understand the City's process and due diligence to accept a piece of art, stating her misunderstanding that this meeting was the second-to-last step before passing the proposal to Council. Chair Manwaring clarified that if placed on more time at this meeting then there would be one more session with this Committee before proceeding to Council. Ms. Cassimatis questioned what the Committee would need to approve the proposal today.

Councilor Filiault had no concerns voting to approve at this meeting if the majority of the Committee agreed. It did not seem to him that the proposal had changed since last presented to Committee and he thought there was sufficient time for Staff to identify any glitches and intervene during the week preceding the Council vote. The City Manager, Elizabeth Dragon, stated her only concern that Staff did not receive this written request until the day before this meeting, that it was not on the original agenda, and so there was insufficient time to review the submission. Chair Manwaring agreed she had not time yet to identify fine details within the proposal for things such as insurance, and so she understood Staff's perspective. Ms. Schwerin said that she submitted the proposal on the Friday before this meeting (October 16) because that is the timeframe she understood, she was unsure why Staff did not receive the information until the day before the meeting (October 20), and so she was unsure what else she was to have done. While they might lose their window to accomplish the installation this fall, she wanted everyone to be comfortable moving forward.

Vice Chair Giacomo said that while he had no problem moving quickly from the perspective of the art itself, having seen most aspects of the Public Art Resolution addressed in the proposal. He thought that hesitancy lied in one year having passed since the labyrinth and then undetermined

associated sculptures were proposed originally. Therefore, regardless of where the fault in communication was on the timing of submission, he thought there was simply insufficient time for all parties to do their due diligence. The Vice Chair asked whether delaying the proposal until mid-November, as delaying this one cycle would do, would impact the proposal. Ms. Cassimatis said yes because it would be too cold for the concrete foundation to solidify. She continued asking that if this proposal was pushed to spring, what the applicants can do now to gather all information needed to ensure neither they nor Council are blindsided again. The City Manager said that a proposal is given typically to Staff for review before it proceeds to this Committee but a glitch in this instance caused the matter to be placed on the agenda without materials being distributed to Staff. Because Ms. Schwerin has worked with Mr. Bohannon since her first art proposal, the City Manager advised her to continue bringing proposals to him for vetting before proceeding to Committee. Vice Chair Giacomo was hesitant placing this on more time knowing it would physically delay the project not just three weeks but rather six months; he wanted to hear from Committee members on what could be done within the confines of this meeting.

Chair Manwaring requested comments from the Public Works Director, Kurt Blomquist, who recalled working with Ms. Cassimatis, Mr. Bohannon, and others to develop this Public Art Resolution. Mr. Blomquist said the purpose of the policy is to ultimately ensure the Council and Staff follow a standard process. There was insufficient time between receiving this proposal and this meeting for Staff to ensure that due diligence, which is why more time was requested.

Chair Manwaring recognized Councilor Terry Clark, who thought the Committee should make a decision and vote at this meeting, which he said would leave Staff sufficient time before the subsequent week's Council meeting to vet the proposal; if Staff identified problems in the next week, they could notify Council to refer the matter back to this Committee. He questioned why not to review the project on merits at this meeting and vote. He appreciated the City Manager counseling the applicant to speak with Mr. Bohannon in advance next time, but Councilor Clark thought this was a special case.

Ms. Cassimatis thanked Councilor Clark for his support and she hoped to start discussions about the proposal at this meeting given that she and Ms. Schwerin made time. Ms. Cassimatis continued that she was unsure what steps she missed this time as she was under the impression that Mr. Bohannon already had the proposal and so she wondered why it was not provided to this Committee. She continued stating that the draft contract with the City was included in the proposal and based on the City Manager's comments, Ms. Cassimatis asked if Mr. Bohannon is the Staff liaison to this Committee and so proposals should be submitted to him first. The City Manager said that Staff typically help applicants to ensure applications are complete before they are presented to Committee. Chair Manwaring agreed and clarified that requests such as these are typically first read at a City Council meeting, at which time the Mayor would refer the communication to this Committee or another the week (or two) after that Council meeting. Staff and the Committee would review the application before that subsequent Committee meeting. Thus, this application would need to have been received by Friday, October 9, to be read to Council at their October 15 meeting and properly referred to this Committee meeting; however,

the City Clerk received this proposal on October 16, the day after the Council meeting, and it was sent directly to Committee through some miscommunication. Ms. Schwerin understood that her speaking before this Committee once before for the related labyrinth project did not mean she did not need to do so every time.

Councilor Filiault said the more he heard that, with all due apologies, he thought it best to follow the process and allow the City Manager and this Committee sufficient time to review the proposal. He hoped that November would be mild.

Councilor Williams questioned what long-term maintenance the sculpture would require and who would be responsible. The Chair thought those details were part of what remained for review. Ms. Schwerin said the City would own the art and therefore be responsible for maintenance, per the Public Art Resolution. She could solicit more information from the artist about the metals used and how they are treated regarding corrosive possibilities. Vice Chair Giacomo said he had compared quickly the Resolution checklist to the application and agreed that one question he felt missing on first glance was regarding durability and specifically the potential for leakage between the metal plates. Councilor Williams agreed his primary maintenance concern was corrosive potential between contrasting metals used. The Vice Chair heard the Committee leaning toward accepting the proposal as informational for one more Committee cycle.

Ms. Cassimatis said the City established a standard practice that is used across cities nationally to take ownership of art. She added that there are sufficient contracts available online to demonstrate how that transfer of ownership, and therefore maintenance responsibility, occurs. She continued that per the Public Arts Resolution, the Public Works Director suggested that the applicants propose donating the maintenance cost, which is calculated as 1% of the art's worth. In this instance, the art is valued at \$3,400 and so Friends of Public Art proposed to donate that \$34 maintenance fee. She recalled that in taking ownership of the art, the City can make money from its use, and the City can also choose what happens to the art if/when it is damaged. Ms. Cassimatis hoped that if Staff or Councilors identified overwhelming questions that they be forwarded to allow the applicant's response in a timely manner.

Vice Chair Giacomo moved to put the Proposal for Permanent Art Installation on more time one additional cycle for review, which Councilor Filiault seconded, and motion passed with a unanimous roll call vote.

The City Attorney, Thomas Mullins, noted that because October is a five-week month, one Committee cycle is actually four weeks, and so the matter would return to this Committee next on November 10 and then to Council for a possible final vote on November 19.

**2) Verbal Update – Lower Speed Limits on Eastern Avenue – Police Department**

Chair Manwaring welcomed Police Chief, Steve Russo, to provide data collected recently on Eastern Avenue using the City's radar trailers left unflashing.

Chief Russo compared the traffic results of the 9/30 to 8/6/2020 to 6/30 to 7/8/2016. There were 10,000 cars in 2016 and 9,013 in 2020. The average speed of motorists in 2016 was 29.53 mph and in 2016, 27.65. In 2020 the 85<sup>th</sup> percentile speed was 32.75mph but speeds up to 53 mph were noted. In 2016, the 85<sup>th</sup> percentile speed was 29.53 mph. The Chief stated that the 85<sup>th</sup> percentile speed indicates that most motorists are traveling at a speed that is “safe and reasonable under the conditions on that road.”

Councilor Filiault assumed that traffic was down compared to 2016 due to people working from home during Covid-19. He hoped that Covid-19 would take a backseat in 2021 and then traffic might return. He thought there was an opportunity now to reduce the speed limit as occurred for Stonehouse Drive, while traffic is low. He thought that Councilors and Staff could debate the issue but thought it worth reducing the speed by 5mph to potentially save a life. Chief Russo stated that he was not taking a side but noted that if the speed is lower and traffic increases again on this arterial street he is concerned that speeds will not decrease in-kind, but rather there would be more speed complaints because the limit is lower and can provide a false sense of security.

Vice Chair Giacomo wondered if there is a correlation between lower traffic and higher speeds. He questioned the downsides of lowering the speed limit. Chief Russo said that posted speed limits give the public an expectation that police can maintain people at that speed. He added that in the six hours of directed police patrols since the last meeting, there were only three stops and one was unrelated to speeding. He could not state an overarching downside. Chief Russo did say, however, that lowering the speed limit on this connector street could impact truck traffic. He added that the radar signs are now flashing speed at drivers again on Eastern Avenue. From an engineering perspective, the Public Works Director said that a challenge is putting up signs that are ineffective and provide the public with a false sense of security of a condition that does not exist. He said reliance on data is important to understand reality versus perception.

Councilor Filiault said that the Police cannot be expected to enforce all roads at all times. Still, he thinks lowering the speed limit reminds drivers of their personal responsibility, which he said neighbors experienced on Stonehouse Drive. He had not heard any downsides to lowering the speed limit, which could save lives. He still planned to make a motion to lower the speed unless he heard a real argument otherwise for this congested neighborhood.

There were no public comments.

Chair Manwaring recalled suggestions at the last meeting to visually narrow the roadway, like white lines. The Public Works Director said the white outer line painting is already planned for spring 2021, especially along the west side to better delineate the street and sidewalk; he did not think a motion was needed since already planned.

Councilor Williams thought the white lines would improve the situation. He added that citizens asked Council to lower the speed and he thought the Council should oblige. He theorized that a few years from now there would be more people on electric bikes and scooters, which travel

20mph at most, sharing roads like Eastern Avenue with potentially dangerous vehicles going much faster; he said the lower the speed differential between the two the better.

Vice Chair Giacomo agreed that the citizens of Eastern Avenue requested a lower speed limit and the Council should move ahead complying.

Chief Russo reminded everyone that there are statutory requirements before speeds can be lowered. It is possible in this instance because data showed speeds up 3mph since the last study. Still, he cautioned moving forward thinking lower speed limits can be authorized solely on merit of citizen request.

Councilor Filiault moved to recommend to full Council the reduction of speed from 30mph to 25mph on Eastern Avenue and that other calming issues there be handled administratively for report back to this Committee at an appropriate time, which Vice Chair Giacomo seconded, and the motion passed with a unanimous roll call vote.

There being no further business, Chair Manwaring adjourned the meeting at 6:26 PM.

Respectfully submitted by,  
Katryna Kibler, Minute Taker  
October 25, 2020