

11/05/2020

A site visit was held on November 5, 2020 relative to a petition from the Colonial Theatre Group for the discontinuance of a portion of the Commercial Street Parking Lot. The site visit commenced at 5:15 PM. Councilors in attendance included: Councilor Greenwald, Councilor Giacomo, Councilor Powers, Councilor Manwaring, Councilor Workman, Councilor Filiault, Councilor Bosley, Councilor Remy, Councilor Jones, Councilor Hooper, and Councilor Clark. Councilors Ormerod, Chadbourne, Williams and Johnsen were absent. Mayor George S. Hansel, City Manager Elizabeth Dragon, City Attorney Thomas Mullins, and Public Works Director Kurt Blomquist were also present. The Public Works Director noted that the public hearing that was advertised for the same evening would be rescheduled due to a notification error in the public notice.

With the aid of a plot plan, the Public Works Director identified the original 1969 layout of Commercial Street and the portion of that layout that is being requested to be discontinued. The Director stated that when the Commercial Street parking lot was laid out in 1969 that several land owners requested direct access. Several years later when the property changed hands, they no longer wanted their property encumbered by the 1969 layout and they petitioned the City Council for a discontinuance. In 1970 the City Council adopted a Resolution which revised the Commercial Street layout; however, the City Council did not follow the statutory process and – in effect – the 1969 layout still exists.

Attorney Gary Kinyon representing the Colonial Theatre Group as well as Colonial Theatre Executive Director Alex Doyle were present. Attorney Kinyon stated that their request is to have the City Council discontinue the 1969 layout that encumbers a portion of both the former Hamblet property to the west and a portion of Colonial Theatre property to the east. Attorney Kinyon added that having the 1969 encumbrance on their property is preventing from the Colonial Theatre Group from proceeding with their renovation/addition plans.

As there were no further comments, the site visit concluded at 5:25 PM.

A true record, attest:

  
City Clerk

A site visit was held on Thursday, November 5, 2020 relative to a petition from the Public Works Director that there is public necessity to take land for a public purpose, said purpose being the reconstruction of Winchester Street, between state Route 101 and the Winchester Street bridge, including the Winchester Street/Island Street/Pearl Street intersection and the replacement of the Island Street bridge in order to improve vehicular and pedestrian safety and to allow for a more efficient flow of traffic through the corridor pursuant to the authority granted by RSA 31:92. The site visit commenced at 5:45 PM.

Councilors in attendance included: Councilor Greenwald, Councilor Giacomo, Councilor Powers, Councilor Manwaring, Councilor Workman, Councilor Filiault, Councilor Bosley, Councilor Remy, Councilor Jones, Councilor Hooper, and Councilor Clark. Councilors Ormerod, Chadbourne, Williams and Johnsen were absent. Mayor George S. Hansel, City Manager Elizabeth Dragon, City Attorney Thomas Mullins, City Engineer Don Lussier and Public Works Director Kurt Blomquist were also present.

Mr. Lussier noted that the public hearing that was advertised for the same evening would be rescheduled due to a notification error in the public notice. With the aid of a plot plan, Mr. Lussier

11/05/2020

identified the Winchester Street intersection. The selected alternative for the Winchester Street roundabout project was a recommendation of the ad hoc Winchester Street Committee. Their final report was heard by the Municipal Services, Facilities and Infrastructure Committee which recommended the selected alternative at their Jan. 2017 meeting. The City Council recommended the roundabout alternative at their February 6, 2017 meeting.

Mr. Lussier stated that there are 12 different parcels and 11 different property owners who will be impacted by the project. Nine of the property owners have agreed to the necessary purchase of their property rights to accommodate the project. Mr. Lussier stated the project is 80% funded through Federal funds and 20% City funds. As such, the City must follow the Federal guidelines that are intended to compensate property owners impacted by the project. Those Federal guidelines do not include "convenience of access" as a compensable expense. Mr. Lussier pointed out the Sandri Sonoco Gas Station at the corner of Winchester Street and Key Road and the Chipotle Mexican Grill as two properties whose owners have concerns with the project. In particular, the Sandri property will lose one of its two curb cuts on Winchester Street and the Chipotle property will lose its one curb cut on Winchester Street.

Attorney Steven Clark representing Keene Retail and the Lisciotti Development stated that the loss of the curb cut from Winchester Street will substantially impact his client's business. He questioned whether the design could be adjusted to allow the existing curb cut or perhaps create a slip lane for access.

Councilor Workman references the two housing developments whose residents often cross through the Winchester Street intersection. She inquired of the location of the crosswalks and encouraged the design to include lighted crosswalks.

At 6:07 PM the site visit concluded.

A true record, attest:



City Clerk

A regular meeting of the Keene City Council was held on Thursday, November 5, 2020. The Honorable Mayor George S. Hansel called the meeting to order at 7:01 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 that the members of the City Council would be participating remotely. The Mayor asked that during the roll call for attendance, each Councilor identify their online presence and whether 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, Terry M. Clark, Raleigh C. Ormerod, Bettina A. Chadbourne, Catherine I. Workman, Mitchell H. Greenwald, Kate M. Bosley, and Thomas F. Powers. Gladys Johnsen was absent. Due to connection challenges, Philip M. Jones was absent for some votes. The Mayor led the Pledge of Allegiance.

## ANNOUNCEMENTS

There will be a Council Workshop on Tuesday, November 17, 2020 at 6:00 PM regarding City Council Goals. Councilors may reach out to Mayor's office with any questions.

## MINUTES

A motion by Councilor Powers to accept the minutes from the October 15, 2020 regular meeting was duly seconded by Councilor Bosley. Councilor Clark proposed a correction to the minutes on page 165, with respect to the vote on the Council goals process. He noted that the minutes should reflect that the City Council voted nine to five to set a meeting on the Council goals for the *Council as a whole* and not to schedule a meeting after conferring with staff on the best forum. The correction was acknowledged as a Scribner's error. The minutes of October 15, 2020 were adopted on a roll call vote with 14 Councilors present and voting in favor. Councilor Johnson absent.

## PUBLIC HEARINGS – RESOLUTION R-2020-38: RELATIVE TO THE COMPLETE DISCONTINUANCE OF A PORTION OF THE COMMERCIAL STREET PARKING LOT; AND RESOLUTION R-2020-36: AUTHORIZING THE CONDEMNATION OF LAND FOR THE WINCHESTER STREET RECONSTRUCTION PROJECT

The Mayor announced that both Public Hearings scheduled for this evening would need to be continued due to an error in the contact information contained in the Public Hearing Notices. The Public Hearing on Resolution R-2020-38: Relative to the Complete Discontinuance of a Portion of the Commercial Street Parking Lot was opened and immediately continued until 7:10 PM on December 17, 2020.

The Public Hearing on Resolution R-2020-36: Relative to the Public Necessity to Take Land for the Public Purpose – Reconstruction of Winchester Street and Replacement of the Island Street Bridge was opened at immediately continued until 7:00 PM on December 17, 2020.

## PROCLAMATION – ELECTIONS

The Mayor extended personal thanks to City Staff, Councilors, and volunteers who worked hard to carry out a successful election during such a challenging time with a pandemic and national election uncertainty. The City Clerk, Patty Little, deserved credit in addition to countless others. In recognition of these efforts, the Mayor read a proclamation extending the City's thanks to the many volunteers that assisted with the 2020 Elections.

## CONFIRMATION – DR. YVES GAKUNDE – LIBRARY BOARD OF TRUSTEES

A motion was made by Councilor Powers and duly seconded by Councilor Bosley to confirm the following nomination: Dr. Yves Gakunde to serve as a regular member of the Library Board of Trustees, with a term expiring June 30, 2021. The nomination was confirmed on a roll call vote with 13 Councilors present and voting in favor. Councilor Jones was unable to participate in the vote. Councilor Johnsen was absent.

COMMUNICATION – CHARLOTTE SCHUERMAN – RESIGNATION – HERITAGE COMMISSION

A communication was received from Charlotte Schuerman resigning from the Heritage Commission. A motion by Councilor Powers to accept the resignation with regret and appreciation of services was duly seconded by Councilor Bosley. The motion passed on a roll call vote with 13 Councilors present and voting in favor. Councilor Jones was unable to participate in the vote. Councilor Johnsen was absent.

COMMUNICATION – KEENE SNORIDERS – REQUEST TO USE CITY PROPERTY – 2020/2021 SNOWMOBILE SEASON

A communication was received from the Keene Snoriders submitting their annual request for the use of City rights-of-way for the 2020/2021 snowmobiling season. The Mayor referred the communication to the Planning, Licenses and Development Committee.

COMMUNICATION – KEENE CLERGY ASSOCIATION – URGING PRO-ACTIVE SUPPORT OF HUNDRED NIGHTS' ATTEMPTS TO FINDING SUITABLE OVERFLOW SLEEPING SPACE FOR THIS WINTER; AND UNITED CHURCH OF CHRIST KEENE – URGING SUPPORT OF HUNDRED NIGHTS' EFFORTS TO SECURE ALTERNATIVE SITES FOR LODGING; AND MONADNOCK INTERFAITH PROJECT – ENCOURAGING THE COUNCIL TO LOCATE AND FUND ADEQUATE SHELTER FOR THOSE IN NEED

Communications were received from the Keene Clergy Association, The United Church of Christ, and The Monadnock Interfaith Project regarding the Hundred Nights Shelter's attempt to seek overflow lodging for winter. The communications and other public comments submitted to the Clerk's office would be placed in Councilor's mailboxes. Mayor Hansel accepted the communications as informational and provided the following comments on the important issue of homelessness in Keene.

He recognized the efforts of Keene's various faith communities that have supported the homeless for years and continue to do so through this advocacy for the Hundred Nights Shelter. The Mayor referred to the City's legal obligation to care for anyone without shelter and said the City would not leave anyone out in the cold. He also recognized that to have an effective strategy against homelessness, a coordinated effort between many entities is essential to curb this problem in the City. The Mayor and City Staff have worked with staff from the Hundred Nights Shelter to develop a plan for a much needed new location for many months and will continue to do so. The Mayor is also working in collaboration with various other NH Mayors on the shared concern of homelessness and recognition that leadership is needed from the State. In particular, he has been working with Manchester Mayor, Joyce Craig, to develop ideas to suggest to the State. Currently, homelessness is an issue left to cities and towns, and while the City Staff would never leave people in the cold, the Mayor said the State's help is needed long-term to develop a viable solution, for which the Mayor was hopeful.

FOP REPORT – FAA REIMBURSABLE AGREEMENT – AIRPORT DIRECTOR

A Finance, Organization and Personnel Committee report read recommending on a vote of 4-0 that the City Manager be authorized to do all things necessary to negotiate and execute an agreement with the FAA to perform services required for the completion of the airport taxiway extension project. A motion by Councilors Powers to carry out the intent of the report was duly seconded by Councilor Hooper. On roll call vote, 13 Councilors were present and voting in favor. Councilor Jones was unable to participate in the vote. Councilor Johnsen was absent.

FOP REPORT – WASTEWATER TREATMENT PLANT POWER PURCHASE PROJECT – EMD/PUBLIC WORKS DIRECTOR

A Finance, Organization and Personnel Committee report read recommending on a vote of 4-0 that the City Manager be authorized to do all things necessary to negotiate and execute a Power Purchase Agreement with Revision Solar for the installation and maintenance of a solar array on the grounds of the Dillant Hopkins Airport to provide renewable energy for the Wastewater Treatment Plant including an option to purchase the array on or after year six of the agreement. A motion by Councilors Powers to carry out the intent of the report was duly seconded by Councilor Hooper. The Mayor recognized Councilor Clark, who said this was a wonderful step forward. He urged City Staff and Council to consider developing further the northern site, which would allow increasing the scale of solar, as well as working with the Town of Swanzey's industrial park authority to install possibly a larger micro grid without net metering restriction. He congratulated Staff and the company going forward with the project. On roll call vote, the motion passed with 14 Councilors present and voting in favor. Councilor Johnsen was absent.

FOP REPORT – PRESENTATION – CHESHIRE TV – ANNUAL REPORT

A Finance, Organization and Personnel Committee report read accepting on a vote of 4-0 the presentation from Cheshire TV as informational. The report was filed as informational.

FOP REPORT – TAD SCHRANTZ/COLONIAL THEATER GROUP – REQUESTING TRANSFER OF LAND

A Finance, Organization and Personnel Committee report read recommending on a vote of 4-0 that the City Manager be authorized to do all things necessary to negotiate and execute the transfer of land within the Commercial Parking Area to the Colonial Theater Group to support the Colonial Theater Renovation/Addition Project. A motion by Councilors Powers to carry out the intent of the report was duly seconded by Councilor Hooper. On roll call vote, 14 Councilors were present and voting in favor. Councilor Johnsen was absent.

MSFI REPORT – LOWER SPEED LIMITS ON EASTERN AVENUE – POLICE DEPARTMENT

A Municipal Services, Facilities and Infrastructure Committee report read recommending on a vote of 5-0, the reduction of speed from 30mph to 25mph on Eastern Avenue and that other calming issues there be handled administratively with a report back to this Committee at an

appropriate time. A motion by Councilors Powers to carry out the intent of the report was duly seconded by Councilor Hooper. On roll call vote, 14 Councilors were present and voting in favor. Councilor Johnsen was absent.

#### CITY MANAGER COMMENTS

The City Manager began with a heartfelt thanks to our City Clerk, her staff, and all of the approximately 100 volunteers (including Councilor Powers who stayed late into the night and actually early the next morning) and made the election day process a success here in Keene. The City Manager was thrilled to share good news that the tax rate had been set. The tax rate has dropped 0.32 cents per thousand. The 2019 tax rate was \$37.60 and we have set the new 2020 tax rate at \$37.28, which is a 0.32 cent drop. This is due to an increase in assessed valuation of \$34.5 million from the previous year. The Manager continued that the Council had adopted a budget with an estimated small increase of 1.55% in general property taxes as opposed to the 2.37% allowed under the Council's fiscal policy. The increased valuation created a drop in the overall rate. Overall, this 0.32 decrease in the tax rate is equal to a \$64 drop in annual taxes for a home valued at \$200,000. This is hopefully a small piece of welcome news during this difficult time.

The City Manager reported that leaf collection began this week. Leaves should be raked loose to the edge of the street on the grass belt or behind the sidewalk in areas where the sidewalk abuts the street on the Monday of your neighborhoods scheduled week. No branches or other objects that can damage equipment should be rake forward into the leaves. The full schedule by street is available on the Public Works webpage. Updates are provided through the Public Works Facebook and Twitter feeds.

She continued that due to drought conditions, the Public Works Department would be conducting a very limited fall water system flushing program. The focus is on water quality so the Department will be focusing primarily on dead end mains. This may result in discolored water and temporary low pressure in these neighborhood areas. The program is conducted primarily at night between 11:00 PM and 6:00 AM.

The City Manager noted that the City is engaging in a short, three-month digital advertising campaign with Paragon Digital Marketing to attract potential businesses and residents who are seeking rural New England living. Given the spread of COVID 19 in some of the more densely populated areas of the United States, she said it seemed like the time was right to step our social media efforts.

The City Manager reported that the Covid-19 positivity rate (that is the rate of positive tests to total tests) in NH is around 2%. According to Dr. Caruso at Cheshire Medical Center, the rate for the Monadnock Region is much lower at 0.93%, tending to lag behind the increase in other areas of the state. Cheshire Medical Center conducted 3,000 tests last month and Dr. Caruso reported that they are still well stocked in PPE and that testing capacity is still good. Keene State College President Dr. Treadwell reported that KSC's cumulative positive rate (all tests since the beginning of their screening) is 0.05% (extremely low). Since the start of school they have had a total of 16 positives of those 16 only 3 were symptomatic. On November 24, students return

home and only about 50 students will remain on campus. KSC will continue their testing surveillance for those students and any staff still on campus. Members of our emergency management team have been in communication with the State and our local health network regarding the vaccine plan for the state and potential point of distribution sites. Keene State has offered their property on Krif Road as a potential location. It appears the State plans to use the private sector for public distribution of the vaccine (e.g., Walgreens, CVS/Convenient MD). She continued that the Police and Fire Departments are pursuing participation in the State's Covid-19 surveillance testing for first responders. The fire department has secured the required CLIA waiver. This serves two purposes as it puts us in full compliance with blood draws, including checking blood sugar of a patient, and it allows us to be a test location for the responder antigen surveillance screening. Employees in both the Fire and Police Department who volunteer to be part of this program will be screened by the Fire Department for Covid-19 using the State's provided antigen testing kits. The Departments are in the process of securing training and administration details. This testing would provide piece of mind regarding potential asymptomatic transmission among our first responders.

The City Manager shared a few positive notes to end her comments. In October, the City received a letter from the Chair of Emergency Management at Cheshire Medical Center, who wrote to the Police Department to thank them their ongoing assistance in the Emergency Department. She quoted the letter, "your professionalism is greatly appreciated. You treat even the most challenging patients with respect. The recent rise in substance abuse and mental health issues is a challenge for all of us but knowing you are there is reassuring. Thanks for everything you do to keep us and our patients safe". The Police Department receives many of these types of thank you notes, and while the City Manager does not typically mention them publicly, she thought it was good to do so now to serve as a reminder of the quality men and women we have serving this community often under challenging circumstance.

Next, she said City Councilors would have received a press release from the Recreation Department, which has received the, "Better Sports for Kids Quality Program Provider Designation." The Department's policies, procedures, volunteer screening, coach training, parent education, and accountability were all scrutinized. The Department has made it a priority that youth sports in our community be fair, equitable, and above all safe. Our Recreation Department continues to lead the way in many areas related to recreation in the state of NH and the City Manager congratulated the Director of Parks and Recreation, Andy Bohannon, and his team.

Lastly, City Manager recognized Councilor Jones who was recognized by Cheshire Medical Center in their annual report. They recognized the Councilor for his nearly three decades in public service here in Keene and the use of his social media to lift others up, including his recent recognition of the staff at Cheshire Medical Center's Environmental Services Department for all they do to keep the facility spotless.

#### MEMORANDUM – ACCEPTANCE OF DONATIONS – HOLIDAY SPONSORSHIP PROGRAM –HUMAN SERVICES MANAGER

A report read recommending that the City Manager be authorized to accept donations associated with the City's 2020 Holiday Sponsorship Program.

A motion from Councilor Powers to suspend the rules of order to allow action on the recommendation was duly seconded by Councilor Hooper. The motion passed on a roll call vote with 14 Councilors present and voting in favor. Councilor Johnsen was absent. A motion from Councilor Powers to accept donations associated with the City's 2020 Holiday Sponsorship Program was duly seconded by Councilor Hooper. The motion passed on a roll call vote with 13 Councilors present and voting in favor. Councilor Johnsen was absent. Councilor Greenwald was not present for the vote.

#### MORE TIME – MSFI REPORT – KATIE SCHWERIN – PROPOSAL FOR PERMANENT PUBLIC ART INSTALLATION – AIRPORT PROPERTY

A Municipal Services, Facilities and Infrastructure Committee report read recommending to place the Proposal for Permanent Art Installation on more time one additional cycle for review. The Mayor granted more time.

#### PLD REPORT AND ORDINANCE O-2020-12: RELATING TO SOCIAL HOSTING

A Planning, Licenses and Development report read recommending on a vote of 4-0 the adoption of Ordinance O-2020-12, Relating to Social Hosting. The report was filed as informational. A motion from Councilor Bosley to adopt Ordinance O-2020-12, with an effective date of December 31, 2020 was duly seconded by Councilor Greenwald.

Councilor Clark said it is was a good compromise for something that was attempted 10-11 years ago through another way of dealing with landlords. Regarding the Staff position, while he knew it was needed, he urged the City Manager to consider a reorganization of safety services to best share all of the new duties. Regardless, he would vote in support of this positive Ordinance. The Mayor noted that this was a successful initiative by a group of neighbors, who did their own research and worked with the City for more than one year to come to this final conclusion, who would be pleased if this Ordinance passed. He said it is a great example of citizens bringing ideas to City Council and Staff, which can lead to positive changes.

Councilor Giacomo asked about the penalty section, in which the first offense states that, "a fine of \$300 to be served on the host or anyone violating this Ordinance who continues to do so after verbal warning," and asked for clarification whether the warning is actually the first offense. The City Attorney said that the Ordinance initially warned the party's host, but the warning for the host was removed in favor of a warning with respect to a person (non-host) that would receive a verbal warning from the Police. If that individual did not comply with the Police, then the first penalty would be enacted.

Councilor Workman clarified for the record that this Ordinance was not developed due to Covid-19 restrictions and protocols. This was an effort in the making and driven by community members. Councilor Jones said the Ordinance originally started as subcommittee of College/City Commission, which did great job telling citizens to go straight to City Council with issues instead of that Commission. He thanked that subcommittee. Ordinance O-2020-12 was adopted with 14 Councilor present and voting in favor. Councilor Johnsen was absent.



11/05/2020

MEMORANDUM AND RESOLUTION R-2020-39: RELATING TO THE ACCEPTANCE OF FUNDS FROM KEENE STATE COLLEGE – CITY MANAGER

A report from City Manager, Elizabeth Dragon, read recommending that Resolution R-2020-39 relating to the acceptance and use of funds from Keene State College have a first reading in front of the City Council and that it be referred to the Finance, Organization and Personnel Committee. The Mayor referred R-2020-39 to the Finance, Organization and Personnel Committee.

TABLED ITEM – RESOLUTION R-2020-06-A: RELATING TO AN APPROPRIATION OF FUNDS FOR GILBO AVENUE INFRASTRUCTURE IMPROVEMENTS

The Mayor pulled the long tabled item forward. The Mayor withdrew Resolution R-2020-06-A in light of Covid-19, which has resulted in downtown infrastructure work being delayed and hopefully restarting in the spring 2021.

ADJOURNMENT

There being no further business, the Mayor adjourned the meeting at 8:03 PM.

A true record, attest:

  
City Clerk