

10/21/2021

A regular meeting of the Keene City Council was held on Thursday, October 21, 2021. The Honorable Mayor George S. Hansel called the meeting to order at 7:00 PM. Roll called: Stephen L. Hooper, Michael J. Remy, Janis O. Manwaring, Bryan J. Lake, Randy L. Filiault, Robert C. Williams, Philip M. Jones, Gladys Johnsen, Andrew M. Madison, Bettina A. Chadbourne, Catherine I. Workman, Mitchell H. Greenwald, and Thomas F. Powers were present. Declaring a quorum physically present in the chambers, Mayor Hansel recognized Councilors Raleigh C. Ormerod and Kate M. Bosley, who joined the meeting via Zoom. Councilor Ormerod stated that he was participating remotely because of a temporary medical condition. Councilor Bosley stated that she was participating remotely due to health concerns. Councilor Johnsen led the Pledge of Allegiance.

ANNOUNCEMENTS

The Mayor began by extending birthday greetings to the Councilors celebrating birthdays in the month of October.

Mayor Hansel went on to announce that the workshop on Council goals has been rescheduled to Wednesday, November 3 at 6:00 PM.

There will also be two special City Council meetings both starting at 6:00 PM. The first will be on Tuesday, November 9 for the evaluations of the City Attorney and the City Clerk and the second special meeting will be on Tuesday, December 7 for the evaluation of the City Manager. The Mayor strongly encouraged all Councilors to attend these special meetings and to complete their portion of the online evaluation forms that will be sent to them electronically on Friday, October 22. The Councilors' portions of the evaluation forms are due on Friday, October 29. The Mayor said this is one of the most important duties of City Councilors.

MINUTES

A motion by Councilor Powers to adopt the minutes of the October 7, 2021 meeting was duly seconded by Councilor Bosley. The motion passed on a roll call vote with 15 Councilors present and voting in favor.

DECLARATION OF INCLUSION

Mayor Hansel invited Councilor Jones, Andy Bohannon (Parks, Recreation & Facilities Director), and Marti Fiske (Library Director) forward for presentation of the declaration.

Councilor Jones said this was a truly monumental and historic event for the City of Keene and all Councilors, Staff, and the community. He recalled that the Council voted to adopt this Declaration of Inclusion, which was signed by the 14 City Councilors in office at the time of its adoption. Councilor Jones said this was historic because it is the first declaration in the City of Keene, and Keene will be the first city in NH with such a declaration. He said this says a lot about the City. It was a team effort to accomplish, and he thanked everyone for their input, including Councilor Powers and the FOP Committee, Councilor Ormerod, Councilor Manwaring and the Human Rights Committee, Mayor Hansel, and City Staff. Councilor Jones hopes this Declaration will last forever and that times do not change so much that people do not believe in

it. Councilor Jones presented four copies of the framed and signed declaration: one to the Mayor, one to be displayed prominently in City Hall, and one to both Mr. Bohannon and Ms. Fiske, to be hung in the Parks & Recreation Center and Library as these are buildings that operate inclusively every day for everyone who wants to participate in the community. Mayor Hansel thanked Councilor Jones.

PRESENTATION – PUBLIC, EDUCATION AND GOVERNMENT COMMUNITY ACCESS TELEVISION PRESENTATION

Mayor Hansel welcomed the IT Director/Assistant City Manager, Rebecca Landry, for this presentation. Ms. Landry began stating that she, the City Manager, City Attorney, and City Clerk had been meeting for several months to talk about the future of public access or community access television in Keene, and that it was time to update the Council on their progress.

Ms. Landry continued with an overview of what Staff had been working on and how they envision returning public education and government programming to the community. She began with a basic overview of how the Spectrum agreement works. Keene has a franchise agreement with Spectrum, also known as Charter Communications. Per Section 611 of the Telecom Act, local franchising authorities (meaning the City of Keene) can require cable operators (in our case, Spectrum) to set aside channels for public education or government use. The FCC website states that public access channels are usually administered by the cable operator (Spectrum) or by a third party designated by the franchising authority, such as a nonprofit organization. The educational access channels are used by schools and other education institutions for educational programming. Time on these channels is typically allotted according to the FCC among schools by either the franchising authority, the City, or the cable operator (Spectrum). Governmental access channels are used for programming by local governments and most jurisdictions and local governments directly control those channels. Keene has done this differently in the past; Ms. Landry was here when we first started community access television a few decades ago. However, the City has indeed been facilitating the government content since early this year, with the help of part-time staff that were hired specifically for this purpose.

Ms. Landry showed a slide to demonstrate that the information she provided was on the Spectrum website and she quoted part, “Franchise fees. If collected by Charter on behalf of local governments and municipalities, this fee is paid directly to the local government to use the public rights-of-way when providing cable service. According to Federal law, cable operators may pass the entire amount of the franchise fee to their customers and itemize the fees on the customers’ bills.” Ms. Landry continued stating that the current franchise fee with Spectrum in Keene is a 3.5% fee; the fee has a 5% cap cited in Keene’s franchise agreement and imposed federally. The franchise fees are paid by cable operators to local governments as compensation for the use of the public rights-of-way, and cable operators (Spectrum) may collect that full amount from cable subscribers. The current franchise fee in fiscal year 2020 yielded \$206,000 for the City of Keene. Ms. Landry said that what is expected in the future, as more and more broadband options become available to our residents and businesses, is that people will switch away from cable TV in favor of streaming services, which has been expected for some time; we are not seeing any dips in cable use right now, but it is expected in the coming years. The franchise fee can only be applied

to fees associated with cable TV services, not voice or internet, so if customers bundle their cable phone, and internet services, this franchise fee can only be charged against the cable TV services. Some communities use a portion of that franchise fee to support public education and government programming, and many use it to support their general fund expenditures; there is no restriction that requires it to be used for public programming.

Ms. Landry continued stating that moving forward, local paid programming will require transparency, financial stability, and enhanced programming. A process is established and followed for transparency in decisions regarding PEG business activities in the interest of all cable subscribers. Financial management best practices will be used for long-term sustainability and stewardship of the franchise fee dollars, and enhanced programming. Public education and government content will be expanded and sufficiently supported to inform and involve our citizens. Ms. Landry said that Staff believe this is certainly possible, and are prepared to move forward in the following way after meeting as a group and with outside parties

- Public schools in the City of Keene would produce educational and government content and have access to the channels provided by Spectrum that are designated for that purpose. The City and the schools continue to discuss future use of various resources and locations to produce that content (i.e., meeting rooms, cameras, and camera setups studios). The City owns and maintains the TV studio space and equipment into the future. Ms. Landry noted that working together with the schools and taking on that educational and government programming, which the City has not done in the past, would enable the City to better serve the public with that franchise fee funding, while still providing for public programming activities as well, which Staff feel is important.
- On public programming, Ms. Landry said the City is interested in negotiating the agreement with a third-party organization for a lease of the TV studio and use of equipment, which could be a nonprofit organization that the City helps create as was the case several decades ago. This could be an existing organization that is interested as well. The third-party organization would produce public content on the channel provided for that purpose. They would be responsible for all the public content, policy procedure, and programming, which is subject to many policies and regulations. Then, the City would pay the organization for public programming services using a percentage of the franchise fee revenue received from Spectrum. Ms. Landry said this is very prominent in NH. It would affect the funding formula used to determine how much franchise fee revenue supports a third-party entity and how much is retained by the City.
- On government and education programming activities, now that the City would be taking more on, the City could continue what it is doing presently, which is broadcasting City of Keene public meetings held in the Council Chambers on channels provided by Spectrum. City Staff have been working very hard on inventorying all the equipment purchased previously with the franchise fee with the money paid to the other organization; this was a large project with a lot of equipment to clean and log. The City is also publishing City of Keene slides between meetings that are broadcast on the channel, providing information about the fire danger setting level for the day, upcoming meetings, etc.

Ms. Landry said that in the short term, Staff would continue meeting with Keene public schools, looking for opportunities to collaborate for the use of resources to enhance that content for government and education, and doing more events, meetings, and activities. There had been discussion of engaging the Cheshire Career Center. Ms. Landry said that Staff are looking forward to beginning the process of negotiating the public programming services with a new or potentially existing nonprofit organization.

Ms. Landry said that in the long-term, Staff imagined a third-party organization operating public programming and City of Keene schools providing expanded coverage. The third-party could also be other organizations, like the Town of Swanzey or Keene State College, which could potentially provide a revenue source to support their operations. Ms. Landry said that Staff met with members of the public who were involved with local programming before and were very concerned about whether it would continue. Staff met with some of them, and they are very interested in continued public programming and were encouraged that the City looks forward to supporting that. Ms. Landry concluded her presentation by welcoming questions.

Mayor Hansel asked if there was any way to evaluate how many people watch the public access channels to know whether all this annual work and money are a good use of funds. Ms. Landry said it was a good question and that she could inquire with Spectrum to receive the exact data. However, she said that public meetings tend to be quite popular. She also said there were opportunities to do more programming than just on Spectrum channels; this content could be broadcast more widely on services like Facebook and other streaming services. She said it was also worth considering that the City website is used as well and how the fees could be used to support that service if people are not subscribing to Spectrum channels. She said these were all considerations in the formula and she would follow-up with Spectrum. Mayor Hansel said that his general comment was that he thinks the Council should come-up with some goals for this funding. He said the Council has an opportunity do something completely different than has been done in the past. The Mayor's fear was that the Council would recreate what they did in the past in a different, constrained way. He wanted Staff to come to Council with what is possible. He also said it was important to clarify the goal (e.g., spreading information) and said there could be different opportunities for the community to create their own visual programming too. He appreciated this presentation but thought the Council needed to start in a different way and decide what they were trying to accomplish on this matter before trying to find a solution. Ms. Landry understood.

Councilor Hooper thought the goals presented were great and he thought it was important to continue giving the community access to information, whether it be meetings or the ability to create some things that they feel are important for the community. He emphasized that he believes from his experience that the City should set aside funds for public relations and marketing this wonderful resource, which it has done in the past and he thought was possible again. Whatever the platform is used for, he said the information needs to be spread aggressively to make everything that is created worth it.

Councilor Chadbourne suggested reaching out to the public, who pay the franchise fees, to determine what they want to happen with those funds before moving forward. She suggested getting consensus via something like a survey, which should also be publicized well.

With no further questions or comments, Mayor Hansel thanked Ms. Landry for her presentation.

NOMINATION – AIRPORT DEVELOPMENT AND MARKETING COMMITTEE

Mayor Hansel nominated Mr. Peter Temple to the Airport Development and Marketing Committee, with a term to expire December 31, 2021. The Mayor tabled the nomination until the next regular meeting.

COMMUNICATION – MONICA MARSHALL – REQUEST THAT MAIN STREET BE DESIGNATED AS A SMOKE-FREE ZONE

A communication was received from Monica Marshall, requesting that the City Council consider prohibiting smoking on Main Street by designating it a Smoke-Free Zone. Mayor Hansel referred the communication to the Municipal Services, Facilities, & Infrastructure Committee.

COMMUNICATION – ROBERT JOHNSON – PROPOSAL TO BUILD A 9-HOLE GOLF COURSE AT FORMER WHEELOCK PARK CAMPGROUND

A communication was received from Robert Johnson and the Keene Disc Golf Club, proposing to build a 9-hole disc golf course at the former Wheelock Park Campground location. Mayor Hansel referred the communication to the Municipal Services, Facilities, & Infrastructure Committee.

COMMUNICATION – COUNCILOR JONES – PROPOSAL TO COLLABORATE WITH THE CHAMBER OF COMMERCE ON THE INSTALLATION OF MEMORIAL PAVERS FOR FALLEN POLICE AND FIRE PERSONNEL

A communication was received from Councilor Philip Jones, proposing a collaboration with the Chamber of Commerce for the installation of memorial pavers for fallen Police and Fire personnel. Mayor Hansel referred the communication to City Manager for consideration with the Police and Fire Departments.

PLD REPORT – KEENE SNORIDERS – REQUEST TO USE CITY PROPERTY – 2021/2022 SNOWMOBILE SEASON

Planning, Licenses, & Development Committee report read recommending that the Keene SnoRiders be granted permission to use the following locations on City property for a snowmobile trail: the right-of-way along the north side of Krif Road from Krif Court to Winchester Street; City property identified by tax map numbers 911-26-015, 909-05-012 and 707-02-009; the crossing of Winchester Street at Krif Road; and, The crossing of Production Avenue approximately 200 +/- feet south of NH Route 9. As well as access to the Class VI Portion of the Old Gilsum Road starting approximately one mile from the Gilsum Town Line and going north, (“Premises”) for the following purpose: for a snowmobile trail, and under the following conditions:

Said use shall commence on December 15, 2021, and expire on March 30, 2022, and is subject to the following conditions: the signing of a revocable license and indemnification agreement; and the submittal of a certificate of liability insurance in the amount of \$1,000,000, naming the City of Keene as an additional insured.

In addition, the Keene SnoRiders, Inc. will be responsible (including cost) for the installation and maintenance of all signage/markings, which will be in accordance with Snowmobile Trail Standards published by NH Department of Business and Economic Affairs; that all signage/markings installed shall be removed from the City right-of-way and City property when there is no longer any snow cover, no structures, including buildings, shelters, lights, displays, walls, etc. shall be permitted with the City right-of-way or on City property; no parking of motor vehicles or trailers and no catering servicing activities of any kind shall be permitted within the City right-of-way or on City property; grooming shall not extend outside the right-of-way of Krif Road, snow windows shall be groomed to provide adequate sight distances and a gentle sloping approach at all road and driveway intersections; no part of the City Street (paved surfaces) may be used by off-highway recreational vehicles (OHRV) or their operators for any purpose, other than direct crossing; and that Keene SnoRiders, Inc. shall be responsible for the repair of any damage (including costs) and the City right-of-way and property shall only be used when there is snow cover.

A motion by Councilor Greenwald to carry out the intent of the Committee report was duly seconded by Councilor Workman. The motion passed on a roll call vote with 15 Councilors present and voting in favor.

PLD REPORT – KEENE KIWANIS CLUB – REQUEST TO USE CITY PROPERTY – TREE LIGHTING CEREMONY

Planning, Licenses, & Development Committee report read recommending that the Keene Kiwanis Club be granted permission to use downtown City rights-of-way on November 26, 2021 for the Tree Lighting Festival from 5pm to 8pm conditional upon the signing of a revocable license and indemnification agreement, submittal of a certificate of liability insurance in the amount of \$1,000,000 listing the City of Keene and an additional insured, and that the Petitioner complies with any recommendations of City staff. In addition, the Petitioner is granted permission to erect a holiday tree on the Main/Marlboro/Winchester Street roundabout. The Petitioner agrees to absorb the cost of any City services over and above any amount of City funding allocated in the FY 22 Community Events Budget. Said payment shall be made within 30-days of the date of invoicing.

A motion by Councilor Greenwald to carry out the intent of the Committee report was duly seconded by Councilor Workman.

Discussion ensued. Councilor Jones said they left the Main/Marlboro/Winchester Street roundabout in the motion despite there being an issue with the vendor right now, meaning there is a chance there might not be a tree there.

The motion passed on a roll call vote with 15 Councilors present and voting in favor.

PLD REPORT – ATTORNEY JAMES CALLAHAN – ASSIGNMENT OF LICENSE – 43-45 ROXBURY ST. – ACCESS TO CITY PROPERTY

Planning, Licenses, & Development Committee report read recommending that the prior existing license with Roxbury Realty Partnership be terminated and to issue a new, revocable license in a form acceptable to the City Attorney and containing the standard City license terms and conditions to FLC Elm St. Realty Trust, Inc., for the use of City property located adjacent to 43—45 Roxbury St. to provide pedestrian access to the property.

A motion by Councilor Greenwald to carry out the intent of the Committee report was duly seconded by Councilor Workman. The motion passed on a roll call vote with 15 Councilors present and voting in favor.

FOP REPORT – SOLICITATION AND ACCEPTANCE OF DONATIONS – HOLIDAY FAMILY SPONSORSHIP PROGRAM – HUMAN SERVICES

Finance, Organization, & Personnel Committee report read recommending that the City Manager be authorized to solicit and accept donations associated with the City's 2021 Holiday Sponsorship Program.

A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy. The motion passed on a roll call vote with 15 Councilors present and voting in favor.

FOP REPORT – LAND AND WATER CONSERVATION GRANT – ACCEPTANCE OF AWARD – RUSSELL PARK RENOVATION PROJECT – PARKS, RECREATION AND FACILITIES DIRECTOR

Finance, Organization, & Personnel Committee report read recommending that the City Manager be authorized to accept and execute a Land and Water Conservation Fund Grant Round 31 award for \$400,000.00 for the Russell Park Renovation Project.

A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy. The motion passed on a roll call vote with 15 Councilors present and voting in favor.

FOP REPORT – ACCEPTANCE OF ENERGY INCENTIVE PAYMENTS – PUBLIC WORKS DEPARTMENT

Finance, Organization, & Personnel Committee report read recommending that the City Manager be authorized to do all things necessary to accept Energy Savings incentives of \$3,860 for LED lighting upgrades in the Downtown and \$10,485 for interior and exterior lighting upgrades at the Wastewater Treatment Plant and expend these funds for energy work in the downtown area and at wastewater facilities.

A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy. The motion passed on a roll call vote with 15 Councilors present and voting in favor.

FOP REPORT – STRATEGIC PARKING PLAN – ECONOMIC DEVELOPMENT AND SPECIAL PROJECTS

Finance, Organization, & Personnel Committee report read recommending accepting this item as informational. Mayor Hansel filed the report as informational.

CITY MANAGER COMMENTS

The City Manager began by introducing and welcoming the newest member of the Fire Department command staff, Donald Farquhar, to the City of Keene as our second Deputy. Deputy Farquhar has had an eventful first few days participating in the emergency response team for the City related to the Liberty Utilities service outage. However, he is no stranger to working in a busy community in this role. He served the City of Manchester, CT, for 26 years, rising through the ranks to Battalion Chief-shift commander. Upon retirement in 2019, he then went on to serve as Fire Chief of the Electric Boat Fire Department in Groton, CT. He has an exhaustive list of training certifications to compliment his Bachelor's Degree in Management from Eastern Connecticut State University and his Master's Degree in Homeland Security from George Washington University.

Next, the City Manager provided an update on the Liberty Utilities service disruption. She began by stating how proud she was of our team. During the previous 48, the team was called together again to plan for any impacts to City services and/or impacts to the City residents, which might result in the need for emergency assistance because of the Liberty service disruption. She said have first class group of people working for the City. She specifically recognized Chief Howard, who had been in the forefront of the City's response, serving as the Emergency Management Team's liaison to Liberty's response team. She also recognized Rebecca Landry, IT Director/Assistant City Manager, who had been communicating for the City on social media and adding information on our website, including sending out a message last night once the Liberty website was up and running.

The City Manager continued, providing a timeline of the Liberty Utilities service disruption. At approximately 10:45AM on October 20, a problem occurred at the Liberty Gas production facility in Keene, which, caused a drop in pressure. To ensure the safety of customers, gas service was shut off to approximately 1100 customers. Within approximately 30 minutes, the Fire Department was notified, and the Chief was at the facility. By 11:45 AM, Chief Howard briefed the Emergency Management Team regarding the magnitude of this outage. At the conclusion of this meeting, Staff decided to send out a short social media post to alert people that Liberty had a service issue but that it was not a safety issue. Within the next hour, the NH Liberty president called both the Mayor and the City Manager to alert them to their issue, to tell us he would be on the way to Keene, and he would remain until services were restored. He arrived in Keene around 4:00 PM, just in time to attend a City team briefing. At that meeting, we connected our Information Officer for Emergencies (Rebecca Landry) to their information officer. By the end of this meeting, we had another message to share along with Liberty's press release. We communicated this information across all our social media accounts and the City Manager was forwarding this update to the Council via email. Staff communicated their concerns

related to nursing home/rehab facilities that would need to move patients if service was not restored, and so they were priority locations. October 20 by 10:30 PM, service to one of those facilities had been restored and by midnight, service to the other center had been restored. On October 21, Liberty made significant progress restoring service and intend to have restored service to about 600 meters, and have the remaining meters restored by the end of the day on October 22.

The City Manager concluded on Liberty Utilities, stating that restoring service was a three-step process: isolate a zone, re-pressure the distribution system, and restore service to the customer, which requires a physical technician visit each property to turn the service back on and relight any pilots; this is a labor-intensive process. Several properties along Main Street had their service restored on October 21, the zone a property is in depends on where the service comes in from; for instance, the Stage might be a Main Street property but the service for the Stage comes in the back off Vernon Street, which is a different zone. She recommended that anyone looking for more information follow the updates on Liberty's website directly, or you could follow the banner on the City's website.

Next, the City Manager announced promotions in the Public Works Department. Zach Adams was promoted to the Industrial Pretreatment Coordinator position formerly held by Eric Swope, who is doing some contract work to assist with the transition. Neil Goodell has been promoted to the Maintenance Tech II position in the Utilities Maintenance Division. Harry McKelvey is returning to the Public Works Department as well.

The City Manager continued providing an update on the Chamber of Commerce branding project. The Chamber has engaged North Star Branding and Marketing to assist with the branding effort for the region. There is a public input session on Thursday, October 28th from 8:30 AM to 10:00 AM. In-person is limited to 50 people but there is also an opportunity to participate via Zoom. People can go to the Chamber's website for the link and more details. This information was provided to Councilors via email.

Next, the City Manager said that in addition to City's Holiday Assistance Program, the Salvation Army is currently scheduling appointments through October 29 for assistance providing gifts. If you know of anyone looking for assistance have them call 603-352-0607.

To conclude her report, the City Manager informed the Council that she heard from Senator Shaheen's office the week of this meeting about two projects the City put forth for consideration as "direct spending", or what used to be called earmarks. The City was notified that two of our projects were selected to receive funding by the Senate Appropriations Committee; \$415,000 for Keene Police body cameras and \$324,597 for the evaluation of the City's 36-year-old sewer force main. She said this is very good news. Funds will become available only after the new legislation funding the government for fiscal year 2022 is approved by both the Senate and House and signed by the President. This is not yet finalized but the City Manager said it was still an opportunity to celebrate the inclusion of these projects thus far.

Discussion ensued. Councilor Filiault said that he had many businesses contacting him regarding Liberty Utilities and he applauded the City for doing what he considered the best job possible

despite the challenging situation. He criticized Liberty Utilities for letting businesses and constituents down, and for having more frequent issues like this than other major gas companies. He urged the City to investigate whether Liberty is capable of servicing Keene. Mayor Hansel said he was certain there would be conversations with Liberty Utilities after the current situation is resolved.

Mayor Hansel added to the City Manager's comments regarding the City's emergency management personnel, indicating to the City Council the exceptional work they do not get to see City professionals doing behind the scenes in such emergency situations. He has been impressed with the City Manager and entire emergency management team throughout crises like Covid-19 and more. He said the way that Staff work together and consider every person in the City and their safety is incredible to witness and makes him tremendously proud, as the Council would be as well. Mayor Hansel thanked City Staff. The City Manager thanked the Mayor for his comments that would mean a lot to Staff.

REPORT – PROPOSED AMENDMENTS TO THE RULES OF ORDER – CITY CLERK AND CITY ATTORNEY

A memorandum from the City Clerk and City Attorney recommended referring the proposed Rules of Order amendments (from wordsmithing to more substantial changes) to the Planning, Licenses, and Development Committee for their review and recommendation. Mayor Hansel referred the Rules of Order to the Planning, Licenses, and Development Committee.

REPORT – ACCEPTANCE OF DONATION

A memorandum was received from the Finance Director/Treasurer, Merri Howe, acknowledging a donation made to the City. The City Manager recognized and thanked the donors, and the Mayor extended his and the Council's heartfelt thanks for the generous donation:

From Bradley and Angie Moore (\$50) to the Keene Parks, Recreation, and Facilities Department for the upkeep of Monadnock View Cemetery in a token of appreciation for the level of service dedicated to their family member.

A motion by Councilor Powers to suspend the Rules of Order to act on this donation was duly seconded by Councilor Bosley. The motion passed on a roll call vote with 15 Councilors present and voting in favor. The Rules were suspended.

A motion by Councilor Powers to accept the donation with gratitude and appreciation was duly seconded by Councilor Bosley. The motion passed on a roll call vote with 15 Councilors present and voting in favor.

REPORTS – MORE TIME – COUNCILOR FILIAULT – CHARTER AMENDMENT RELATED TO MUNICIPAL PRIMARY; AND COUNCILOR FILIAULT – ROOMS AND MEALS TAX DECREASE

Finance, Organization, & Personnel Committee report read recommending placing the Charter Amendment Related to Municipal Primary on more time to allow staff to return with additional

information regarding the proposal to eliminate the municipal primary. Mayor Hansel granted more time.

Finance, Organization, & Personnel Committee report read recommending placing the rooms and meals tax decrease on more time with the understanding the issue will be discussed with the County Delegation in 2022 and add it to the agenda for discussion with State Representatives and Senators. Mayor Hansel granted more time.

ORDINANCE FOR FIRST READING – RELATING TO AMENDMENTS TO THE BUSINESS, GROWTH AND REUSE DISTRICT ORDINANCE O-2021-14

A memorandum was received from Randall Walter of 310 Marlboro Street LLC, submitting a Zoning Ordinance amendment application and recommending that Ordinance O-2021-14 be referred to the Joint Planning Board and Planning, Licenses, and Development Committee for their review and recommendation. Mayor Hansel referred Ordinance O-2021-14 to the Joint Planning Board and Planning, Licenses, and Development Committee.

ORDINANCE FOR SECOND READING – RELATING TO THE LAND DEVELOPMENT CODE – ORDINANCE O-2021-12-A

Planning, Licenses, & Development Report read recommending the adoption of Ordinance O-2021-12-A relating to the Land Development Code. Mayor Hansel filed the report.

A motion by Councilor Greenwald to adopt Ordinance O-2021-12-A was duly seconded by Councilor Workman. The motion passed on a roll call vote with 15 Councilors present and voting in favor.

ORDINANCE FOR SECOND READING – RELATING TO AUTHORITY TO USE ELECTRONIC SIGNATURES FOR OFFICIAL CITY DOCUMENTS – ORDINANCE O-2021-13

Finance, Organization, & Personnel Committee report read recommending the adoption of Ordinance O-2021-13. Mayor Hansel filed the report.

A motion by Councilor Powers to adopt Ordinance O-2021-13 was duly seconded by Councilor Remy. The motion passed on a roll call vote with 15 Councilors present and voting in favor.

RESOLUTION – RELATING TO THE APPROPRIATION OF FUNDS FROM THE WASTEWATER TREATMENT PLANT (WWTP) CAPITAL RESERVE FUND BALANCE FOR THE WWTP LABORATORY RENOVATION PROJECT – RESOLUTION R-2021-40

A memorandum was received from Aaron Costa, Wastewater Treatment Plant Operations Manager, recommending the first reading of Resolution R-2021-40 Relating to the Appropriation of funds from the Wastewater Treatment Plant Capital Reserve Fund Balance for the WWTP Laboratory Renovation Project and to refer it to the Finance, Organization, and Personnel Committee. Mayor Hansel referred Resolution R-2021-40 to the Finance, Organization, and Personnel Committee.

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RESOLUTION – RELATING TO THE APPROPRIATION OF FUNDS FROM THE SEWER FUND UNASSIGNED BALANCE FOR THE WASTEWATER TREATMENT PLANT’S NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT PROJECT – RESOLUTION R-2021-41

A memorandum was received from Aaron Costa, Wastewater Treatment Plant Operations Manager, recommending the first reading of Resolution R-2021-41 Relating to the Appropriation of funds from the Sewer Fund Unassigned Fund Balance for the Wastewater Treatment Plant’s NPDES Permitting Assistance project and to refer it to the Finance, Organization and Personnel Committee. Mayor Hansel referred Resolution R-2021-41 to the Finance, Organization and Personnel Committee.

ADJOURNMENT FOR LEGAL ADVICE

There being no further business, Mayor Hansel adjourned the meeting at 8:04 PM for legal advice, which Councilors Ormerod and Bosley joined by phone.

A true record, attest:



City Clerk