



KEENE CITY COUNCIL
Council Chambers, Keene City Hall
February 3, 2022
7:00 PM

ROLL CALL

PLEDGE OF ALLEGIANCE

MINUTES FROM PRECEDING MEETING

- January 20, 2022

A. HEARINGS / PRESENTATIONS / PROCLAMATIONS

B. ELECTIONS / NOMINATIONS / APPOINTMENTS / CONFIRMATIONS

1. Confirmations

- Partner City Committee
- Human Rights Committee

2. Nominations

- Historic District Commission
- Energy & Climate Committee
- Congregate Living and Social Services Licensing Board

C. COMMUNICATIONS

1. Loretta Simonds - Damage to a Sewer Line and House Foundation at 79 Woodburn Street and a Request to Remove a Nearby City Tree
2. Adam Toepfer/Keene Pride - Request to Use City Property - September 11-18, 2022

D. REPORTS - COUNCIL COMMITTEES

1. Kevin Leary – Access to Property Through the Old Gilsum Road – Public Works Director/ACM
2. Relocation of Woodard Pond Road – City Attorney
3. Maintenance of the Wilson Pond Dam - City Manager
4. Monica Marshall – Request that Main Street be Designated as a Smoke-Free Zone
5. American Rescue Plan: Humanities Grants for Libraries - Library Director

E. CITY MANAGER COMMENTS

F. REPORTS - CITY OFFICERS AND DEPARTMENTS

1. Ordinance O-2021-16-B: Relating to the Wearing of Face Coverings

G. REPORTS - BOARDS AND COMMISSIONS

1. Resignation of Andrew Dey from the Energy and Climate Committee
2. Resignation of Abigail Abrash Walton from the Congregate Living and Social Services Licensing Board

H. REPORTS - MORE TIME

I. ORDINANCES FOR FIRST READING

J. ORDINANCES FOR SECOND READING

K. RESOLUTIONS

NON PUBLIC SESSION

ADJOURNMENT

A regular meeting of the Keene City Council was held on Thursday, January 20, 2022. The Honorable Mayor George S. Hansel called the meeting to order at 7:00 PM. Roll called: Bryan J. Lake, Gladys Johnsen, Randy L. Filiault, Robert C. Williams, Philip M. Jones, Andrew M. Madison, Kris E. Roberts, Raleigh C. Ormerod, Bettina A. Chadbourne, Mitchell H. Greenwald, Kate M. Bosley, and Thomas F. Powers were present. Catherine I. Workman, Michael Giacomo, and Michael J. Remy were absent. Councilor Greenwald led the Pledge of Allegiance.

ANNOUNCEMENTS

Mayor Hansel announced that Staff would be making their traditional presentations before the City Council and the Planning Board on the Capital Improvement Projects for the 2023–2029 fiscal years. These presentations will be at the Michael EJ Blastos Community Room on Saturday, January 22. Mayor Hansel referred the CIP to the Planning Board and the Finance, Organization and Personnel Committee. The FOP meetings for January 27, February 10, and if necessary, February 24, will start at 5:30 PM with a light meal in advance. A public hearing will be scheduled for March 3, 2022 at 7:00 PM.

Mayor Hansel also announced that the Legislative Delegation meeting is being hosted by the County on Monday, January 24 at 6:00 PM in Delegation Hall.

Councilor Powers led the Council in wishing the Mayor a happy 36th birthday.

MINUTES

A motion by Councilor Powers to adopt the January 6, 2022 minutes was duly seconded by Councilor Bosley and the motion passed unanimously with 12 Councilors present and voting in favor.

PRESENTATION – GREATER KEENE & PETERBOROUGH CHAMBER OF COMMERCE – REGIONAL BRANDING AND MARKETING CAMPAIGN

Mayor Hansel welcomed Luca Paris, CEO and President of the Chamber of Commerce, and Julie Schoelzel, Project Manager promoting the regional campaign, for a presentation on the regional branding and marketing campaign by the Greater Keene and Peterborough Chamber of Commerce.

Ms. Schoelzel began by stating that regional branding is important because it is the process of defining a regions' distinct and authentic qualities and capturing them with a simple and compelling, honorable story. A regions brand or reputation is the first step to consideration for a visit, move, job, or investment. Then, regional marketing is the act of sharing that story to attract our desired audiences through communications and tactical efforts that serve the region's objectives. This is not about logos and taglines; it is about a strategic roadmap for competing as a region. Ms. Schoelzel stated that the sky is not falling but we need to take action, because our regional population declined by one half percent between 2010 and 2020. She said this does not seem all that earth shattering, but by 2040, our 65 plus population will have expanded from 15% to 30% of our population, which she thought everyone could agree would impact the workforce substantially. Meanwhile, she said our K–12 population has shrunk by 15–25% in enrollment

regionally since 2007, and enrollment at our local colleges and universities has declined substantially in the last 10 years.

Ms. Schoelzel continued sharing some other key facts. The latest unemployment rate for November 2021 was 2.2% for Cheshire County, meaning roughly 900 people are looking for work, which is far from enough to fill the over 4,000 open positions within a 25-mile radius of Keene. In 2020, University of New Hampshire anticipated two-thirds of regional employees retiring in the next five years, which would have a negative impact on their organization's efficiency. She said that trend has accelerated because people are retiring much earlier due to the pandemic and the stresses it is causing just for working. She said this also presents a unique opportunity. A December 2020 Gallup Poll showed that close to half of Americans expressed a preference for living in either a town or rural area, rather than a city or suburb, which is a distinct increase from 2018, when only four out of 10 thought that country living was ideal. Ms. Schoelzel said that Torrington, CT, Pittsfield, MA, and Lebanon, NH all went from a negative net migration rate in 2019 to positive net migration rate in 2020; this trend had not happened in many years and is related to people realizing they could work from these rural areas. Many more workers are feeling confident that opportunities can be found outside large urban areas. However, she said a challenge is that our region is not widely understood. While we are well regarded by those who do know us, not enough people know us. Only one in five people in NH are very familiar with the Monadnock Region and there is low intent to work, live, or go to school here. Only one in 10 people in MA are very familiar with our region, and only one in three in Massachusetts, even though we're there and then knock region is. Positively, however, she said our region does not need to repair any reputation and has the opportunity to start fresh; it is better to be unknown than to be known for something that we have to recover from.

Next, Ms. Schoelzel displayed the project leadership: Luca Paris (Chamber President), Julie Schoelzel (Project Manager), Jamie Townbridge (Yankee Publishing), Kenny Ballard (Kenny Ballard Consulting), Patty Blake (People's United Bank), Chris Coates (Cheshire County), Rebecca Landry (City of Keene), Zach Luse (Paragon Digital), Jarvis Coffin (Hancock Inn), Tim Murphy (Southwest Regional Planning Commission), Emily Hall Warren (Badger), Jeff Whitcomb (Communications Group), Ed Coppola (The Richards Group), and Jessica Garcia (The Keene Sentinel).

Ms. Schoelzel said that the marketing and branding partner is Northstar out of TN and FL. All Northstar does is place branding, and they have two decades of experience in over 200 communities. Their process is immersive and inclusive. The first step is stakeholder and community education. They were here in October 2021 for five days, when they toured over 200 miles of the region and met with many key stakeholders. Northstar's second step, which they were in the process of currently, is research and gathering insight. She said it is more than who, what, why, and how, but they also look at how the region is known today so they have something to measure against once the region launches its marketing. Next, Northstar will work with the community on brand identity and message development to define the brand more. The subsequent step would be to develop action ideas, the marketing plan, and then rollout. In addition to these efforts, Ms. Schoelzel said that what is helpful about this process is that it

would help us identify the target audiences that we need to hit. She said it is very easy to say everyone would want to live here and it is wonderful, but we really need to target specific demographics most importantly to make sure we have a workforce going forward. There are four key areas in the campaign's goal: workers in general, college students, young families, and tourists who could develop interest in working here.

Next, Ms. Schoelzel explained what is expected to happen. They expect wider and more frequent consideration from visitors, investors, employers, residents, and workers; as well as converting our key economic metrics to more tourism and investment, expanding and diversifying our employment base, attracting new residents and workers, and increasing return migration, such as people who graduate from here spend a few years elsewhere and decide to come back. She shared an example of another community that Northstar worked with that had to change its name entirely. She said that Keene has a lot to be known for, such as great recreational activities and a thriving art scene, which makes for great quality of life and a great place to raise a family.

Next, Ms. Schoelzel shared how the City Council could help with spreading the word, educating, and advocating. If any Councilors knew of other organizations that would appreciate this presentation, she welcomed that information. She shared information with Councilors for a survey she hoped they would participate in to help Northstar identify what makes the area special and what people wish would be different. She said that individuals could also sign-up to be brand ambassadors, which means that when the branding rolls out, the individual would help with community education to ensure a cohesive roll out. Ms. Schoelzel welcomed questions.

Councilor Roberts said that 20 years ago, the City could count on people going to college, leaving Keene for a while, and then coming back to settle down and raise kids here. There used to be 1,800 plus students at the high school, which is now down to approximately 1,300. He asked if any effort was made to reach out and find out why people in their late 20s and early 30s stop coming back to Keene. Mr. Paris said that part of this process is trying to get as much information as possible from people. He is an example of someone who left the region and the came back, and he mentioned others who did the same. He said he was unsure what is missing, but that the survey process would help to identify some of those factors. He hoped that many would participate so that diverse voices are heard. He said it is important to remember that this process would not answer all questions, like housing problems, but it would start to get people thinking about this region as a place worth considering when looking for a more rural lifestyle. He said we have the unique opportunity with a City that feels rural but has art and technology, is innovative and exciting. He said we have everything as a region and now the goal is to formulate the story so that people want to come and come back.

Councilor Bosley referred to that statistics of one in 10 people in MA being able to recognize this region. She wondered if they were questioned about where the region is in general or whether they knew where the City of Keene was, which she said is the heart of the Monadnock region. When Councilor Bosley speaks to people when traveling she said people would never know where she was from if she said the Monadnock Region, but they recognize where Keene is on a map. She wanted to understand the processes for identifying and branding the Monadnock Region and how Keene was associated specifically. She also wanted to know what the process

would be to help the City transition because it is already a touristy City with trails, etc. Mr. Paris said that in the 20 years he has lived here, he has created a life on Main Street. When he travels, he finds it hard to say he is from Keene and have people know what he is talking about. Mr. Paris said that when he took this job, he realized that Keene is the heart of the region and has the notoriety. However, he said we need to figure out the whole story that brings the region together because Keene does not live on an island; without all the towns around Keene doing well, Keene and the whole region will not do well. He said there has to be a balance and that is why the survey is important and the process is important to ensure the best and more effective branding and marketing. This process is developing the story that will benefit both Keene and the region. He said that because Keene is the heart of the region, Northstar wants to hear the stories here and all around through the survey. Mr. Paris believes in this process, which should provide a better understanding come March or April. Ms. Schoelzel answered Councilor Bosley's question about the statistics, which were from a UNH survey about the term "Monadnock Region." Ms. Schoelzel said that one interesting thing about the term is that it already has a life of its own organically. She recalled a New York Times article, with a full front page in the travel section on the Monadnock Region, which mentioned Keene and walking downtown. Ms. Schoelzel said they are focusing on both the Monadnock Region and Keene.

Councilor Jones thanked the Chamber of Commerce for taking on this project. He looks forward to the process and would gladly be an ambassador when the time comes. He said they need to address the weaknesses in the region that visitors see that are easy for locals to overlook. He congratulated Mr. Paris and Ms. Schoelzel on this project.

With no further questions or comments, Mayor Hansel thanked Mr. Paris and Ms. Schoelzel for their presentation.

CONFIRMATION

A motion was made by Councilor Powers to confirm the following nominations to the Zoning Board of Adjustment: Jane Taylor with a term to expire December 31, 2024 and Richard Clough with a term to expire December 31, 2023. The motion was duly seconded by Councilor Bosley. On roll call vote, 12 Councilors were present and voting in favor. Councilors Remy, Giacomo and Workman were absent.

NOMINATIONS

Mayor Hansel re-nominated Councilor Michael Giacomo to the Partner City Committee, with a term to expire December 31, 2023. He also nominated Heidi Schwieger as an alternate to the Human Rights Committee, with a term to expire December 31, 2024. Mayor Hansel tabled the nominations until the next regular meeting.

COMMUNICATION – COUNCILOR REMY – CONFLICT OF INTEREST – KEENE YOUNG PROFESSIONAL'S NETWORK – REQUEST TO USE SURPLUS COMMUNITY EVENT FUNDS

A communication was received from Councilor Remy, submitting a conflict of interest regarding the Keene Young Professional's Network request to use surplus community event funds for the Food Festival.

A motion by Councilor Powers to accept Councilor Remy's conflict of interest was duly seconded by Councilor Bosley and the motion passed unanimously with 12 Councilors present and voting in favor.

COMMUNICATION – COUNCILOR MADISON – CONFLICT OF INTEREST – KEENE YOUNG PROFESSIONAL'S NETWORK – REQUEST TO USE SURPLUS COMMUNITY EVENT FUNDS

A communication was received from Councilor Madison, submitting a conflict of interest regarding the Keene Young Professional's Network request to use surplus community event funds for the Food Festival.

A motion by Councilor Powers to accept Councilor Madison's conflict of interest was duly seconded by Councilor Bosley and the motion passed unanimously with 12 Councilors present and voting in favor.

FOP REPORT – COUNCILOR RANDY FILIAULT – REQUEST TO USE EXCESS NH ROAD TOLL CREDITS AS THE CITY'S MATCH FOR THE LOWER WINCHESTER STREET PROJECT

Finance, Organization and Personnel Committee report read recommending that the Mayor and City Manager submit a letter to the State on behalf of the City in support of the opportunity for the City to obtain surplus motor vehicle highway toll credits to fund the 20% local City match required to obtain Federal transportation grant funds and to take any appropriate action to accomplish this purpose.

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

The motion passed unanimously with 12 Councilors present and voting in favor.

FOP REPORT – 79E COMMUNITY REVITALIZATION TAX RELIEF APPLICATION FOR 112 WASHINGTON STREET

Finance, Organization and Personnel Committee report read recommending granting a period of five years for this application.

The report further recommended that the City Council determine that the structure proposed for redevelopment located at 112 Washington Street is a qualifying and historic structure as defined by RSA 79E; that the structure is not within the tax increment financing district, but the structure is not a residential property, subject to an election towards tax assessment relief under the low income housing tax credit program of RSA 75-1A; that the proposed rehabilitation costs estimate exceeds the threshold amount of \$75,000 and constitutes substantial rehabilitation that is at least \$5,000 of the total rehabilitation costs and is devoted to energy efficiency in accordance with the

US Secretary of the Interiors Standards for Rehabilitation; that the proposed rehabilitation is consistent with the City's master plan, and that the proposed rehabilitation provides the following public benefits as required by Resolution R-2018-33: 1. Enhances the economic vitality of downtown areas. 2. Enhances and improves a structure that is culturally or historically important on a local, regional, state or national level, either independently or within the context of a Historic District Town Center or Village Center in which the building is located. 3. Promotes the preservation and reuse of existing building stock throughout a municipality by the rehabilitation of historic structures, thereby conserving the embodied energy in accordance with energy efficiency guidelines established by the US Secretary of the Interior Standards for Rehabilitation. 4. Promotes efficient design, safety, and a greater sense of community in a manner consistent with the Keene Comprehensive Master Plan. 5. Results in an increase in energy sustainability and conformance with the City adopted greenhouse gas emissions, as determined by Home Energy score of at least six and demonstrated carbon emissions reduction of at least 10. Therefore, the Committee recommends that the application for real property tax relief on any assessed tax increment resulting from the substantial rehabilitation of the qualifying structure be granted for a period of five years, beginning with the substantial rehabilitation as determined by the Page 25 of 72 City's Community Development Department, and conditioned upon the property owner granting to the City at the time of substantial completion, a covenant ensuring the structure shall be maintained and used in a manner that furthers the public benefits for the period of the tax relief to be recorded at the Cheshire County Registry of Deeds at the expense of the property owner.

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

Councilor Powers disclosed that Joshua Gorman, the applicant is his second cousin. He continued that he previously disclosed this fact during Mr. Gorman's initial application at both the Committee and the Council level and that no Councilor had raised an objection to his presenting the recommendation of the Committee.

The motion passed unanimously with 12 Councilors present and voting in favor.

Mayor Hansel commented that he was glad to see this 79-E program starting to get utilized. He said it is one more thing that the City can be proud of and he thinks Keene is using it for a lot smaller projects than some other places in the State. He said the City was taking a program enabled by State legislation and making it accessible to a lot of different people, not just big developers, which the City should be proud of.

FOP REPORT – 79E COMMUNITY REVITALIZATION TAX RELIEF APPLICATION FOR 310 MARLBORO ST., LLC

Finance, Organization and Personnel Committee report read recommending granting a period of five years for this application.

The report further recommended that the City Council determine that structure proposed for redevelopment located at 310 Marlborough Street is a qualifying structure as defined by RSA

79E; that the structure is not within a currently defined tax increment financing district; that the structure is not a residential project subject to an election for tax assessment relief under the low income housing tax credit program of RSA 75-1a; that the proposed rehabilitation cost estimates exceed the threshold amount of \$75,000 and constitutes substantial rehabilitation; that at least \$5000 of the total rehabilitation cost is devoted to energy efficiency and according to the US Secretary of the Interior Standards for Rehabilitation; that the proposed rehabilitation is consistent with the City's Master Plan; and that the rehabilitation provides the following public benefits as required by Resolution R-2018-33: 1. Enhances the economic vitality of downtown areas. 2. Promotes efficient design safety and a greater sense of community in a manner consistent with the Keene Comprehensive Master Plan. 3. Adds to the City's employment base by creating at least one new full time job and keeps downtown area. 4. Directly supports the integration of public art in the downtown, 5. Promotes development of a sustainable building stock in the downtown that achieves a nationally or internationally recognized green building standard. Therefore, the committee recognizes the ability for real property tax relief on any assessed tax increment resulting from the substantial rehabilitation of the qualifying structure be granted for a period of five years, beginning with a substantial rehabilitation as determined by the City's Community Development Department and conditioned upon the property owner granting to the City at the time of substantial completion, a covenant ensuring that the structure shall be maintained and used in a manner that furthers the public benefits for the period of the tax relief to be recorded at the Cheshire County Registry of Deeds at the expense of the property owner.

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

Discussion ensued. Councilor Chadbourne expressed excitement for the project. Councilor Jones also expressed excitement and recommended revisiting Resolution R-2018-33, which might need to be adjusted to conform with State law.

The motion passed unanimously with 12 Councilors present and voting in favor.

FOP REPORT – KEENE YOUNG PROFESSIONALS NETWORK – TASTE OF KEENE – USE OF SURPLUS COMMUNITY EVENT FUNDING

Finance, Organization and Personnel Committee report read recommending that unspent funds from the City's FY-22 community event budget be used to help offset the cost of City services for the Keene Young Professionals Network Downtown Summer Food Festival tentatively scheduled for either June 4 or June 5, 2022. Costs over the above available funds will be the responsibility of the Keene Young Professionals Network. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Chadbourne. The motion passed with 12 Councilors present and 11 voting in favor. Councilor Madison was recused.

FOP REPORT – RADIO REPROGRAMMING GRANT REIMBURSEMENT – DEPUTY FIRE CHIEF

Finance, Organization and Personnel Committee report read recommending that the City Manager be authorized to do all things necessary to accept and spend \$1,400.00 awarded from the Department of Safety under the 2019 Homeland Security Grant for the radio reprogramming grant reimbursement initiative. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Chadbourne. The motion passed unanimously with 12 Councilors present and voting in favor.

FOP REPORT – AGREEMENT FOR LEASED PARKING – LIBRARY DIRECTOR

Finance, Organization and Personnel Committee report read recommending that the City Manager be authorized to do all things necessary to negotiate and execute an agreement with Millar Realty, LLC for the lease of four parking spaces at 67 Winter Street. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Chadbourne. The motion passed unanimously with 12 Councilors present and voting in favor.

FOP REPORT – WINCHESTER STREET RECONSTRUCTION PROJECT – CONTRACT CHANGE ORDER – CITY ENGINEER

Finance, Organization and Personnel Committee report read recommending that the City Manager be authorized to do all things necessary to negotiate and execute a change order with McFarland Johnson for professional services associated with the Winchester Street Reconstruction Project, for an amount not to exceed \$12,000.00. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Chadbourne. The motion passed unanimously with 12 Councilors present and voting in favor.

FOP REPORT – COLONY COURT SEWER REPLACEMENT PROJECT – ENGINEERING CHANGE ORDER – CITY ENGINEER

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 with Dubois & King for engineering and technical services on the Colony Court Sewer Replacement Project, for an amount not to exceed \$72,000. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Chadbourne. The motion passed unanimously with 12 Councilors present and voting in favor.

FOP REPORT – LOWER WINCHESTER STREET RECONSTRUCTION PROJECT – PROJECT AGREEMENTS – CITY ENGINEER

Finance, Organization and Personnel Committee report read recommending that the City Manager be authorized to do all things necessary to negotiate and execute an inter-municipal Agreement with the Town of Swanzey relative to the Lower Winchester Street Reconstruction Project (NHDOT Project No. 40666).

The report further recommended that the City Manager be authorized to do all things necessary to negotiate and execute a three-party Project Agreement with the New Hampshire Department

of Transportation and the Town of Swanzev for the Lower Winchester Street Reconstruction Project (NHDOT Project No. 40666).

A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Chadbourne. The motion passed unanimously with 12 Councilors present and voting in favor.

FOP REPORT – WELLS STREET PARKING FACILITY – DESIGN AND TECHNICAL SERVICES FOR REPAIR

Finance, Organization and Personnel Committee report read recommending that funds appropriated in FY-22 for miscellaneous minor repairs to the Wells Street Parking Structure be designated for design and technical services for a large scope of repair work. A motion by Councilor Powers to carry out the intent of the Committee reports was duly seconded by Councilor Chadbourne. The motion passed unanimously with 12 Councilors present and voting in favor.

CITY MANAGER COMMENTS

The City Manager spoke about the Fire Staffing Committee that she created, which had highlighted the need for more support at the Fire Department (FD), but she said the need was long before Covid-19. She established the committee to review staffing needs at the FD. The Fire Chief has requested more firefighters, which she said was not in response to the recent fire prevention backlog; the only request for staffing related to that last year was a request for additional part-time administrative support, primarily for scheduling appointments. The City Manager said this is an issue larger than that. The Committee she established includes Council representation by Councilors Powers and Remy, in addition to representation from the Fire Union and FD leadership, and Finance and HR representatives. This Committee will review all aspects of Fire Department staffing to come up with recommendations for future budgeting. In the interim, the Fire Chief has made temporary adjustments, such as adding a 10th person to the shift a few weeks ago, and he has tasked the Fire Department leadership team with bringing forward other interim options. These changes obviously impact the bottom line of the FD budget, and so the City Manager may need to come back to the City Council towards the end of the fiscal year to shift funds from other sections of the budget to cover any overages that occur. The City Manager will be monitoring this situation and updating the Council periodically. The Staffing Committee will review data related to number of calls, call history and trends, how we respond to a call, and how many people and what pieces of equipment respond and why. They will review our current ambulance service agreements with some of our surrounding towns and analyze the impact of the change made to have 24-hour shifts, and whether the change helped us or hurt us. At the time of the change, the Union felt strongly that it would reduce sick time usage in the Department, which obviously impacts overtime costs and demand for firefighters to cover shifts beyond their own; this will be analyzed because Covid-19 has impacted sick time usage, which is being tracked separately to evaluate trends.

To complicate matters, the City Manager said there is a changing dynamic happening with the ambulance service in our region. She recalled the Council presentation about the County

acquiring the Dilizio Ambulance Service, which will impact the region and needs to be included in this overall staffing evaluation.

The City Manager has also been meeting with the FD shifts over the last few weeks and would continue. She said that one this we cannot quantify in dollars and cents is the toll of working 80 hours and more in a week, week after week; we cannot quantify the toll it takes on a person and a person's family. In the City Manager's opinion, this is the most important driver of this conversation; the healthy and wellbeing of our team is her priority to allow them to do their jobs well and provide the level of service that our community has come to expect. She said this must be our focus. However, she is convinced that there is more than one way to accomplish this. The City Manager is asking the Staffing Committee to help her do this through a thorough analysis over the next several months, which should culminate with recommendations to help us get where we need to be.

Additionally, the City Manager said she would be remiss to not comment on the recent Cobblestone fire downtown. She said there was a lot to be proud of the FD team for in their response. The City Manager publicly acknowledged the FD and the heroic save of a resident on the second floor and the assistance provided to our firefighter who became disoriented and low on air. She said everyone should be proud to have such a capable group of people working for us. Additionally, she acknowledged the Police Department for their assistance helping to set-up hose lines and ladders before the mutual aid assistance arrived. She said it is not feasible for any community to have enough on duty fire Staff to respond to a fire of this magnitude. She said we rely on our mutual aid partners and help from other communities, but before they arrive, we rely on our City team, including the PD and sometimes the on-duty Highway crew. She said it is impressive to see the Departments come together and support each other, which she does not think we acknowledge enough. She thanked everyone involved that night for being crucial to the success.

The City Manager went on to note that this evening began the process for review of the fiscal year (FY) 2023–2029 Capital Improvement Plan (CIP). Councilors received a complete proposed CIP document, with the usual table of contents and appendix for easy reference. The upcoming meeting schedule was included on the final page of the City Manager's message. The first meeting at the Blastos Room would be a different format than usual, with Councilors in four groups, rotating for 30-minute presentations and discussions with each Department (ending at 11:30 AM). Most comments will be on the first two years of the plan, with mention of projects in later years.

The City Manager continued talking about what is new in the CIP document this year. In an attempt to reduce debt and lessen the impact of necessary infrastructure projects, the proposed CIP plan includes three important new elements:

1. It incorporates the \$2.5 million of ARPA local fiscal recovery grant funds as debt reduction in the first three years of the plan and \$850,000 per year to reduce debt issuance for the roadway preservation and rehabilitation program. We bond our road preservation projects every year to the tune of about \$1.3–\$1.4 million.

2. It deposits surplus funds in the amount of \$875,000 annually in a new capital account to fund wholly or in part projects in future years of the CIP. These funds are used to reduce debt issuance on current revenues for projects. These first two things will save the City approximately \$1.5 million in interest over the 10-year life of a bond.
3. In this plan, we move closer to level funding the use of what we refer to as current revenues and capital reserve appropriations each year of the plan. This is the number that directly impacts the budget. It is the net annual debt issuance, capital reserves, grants, etc. being used to fund a project. It is the net amount required as part of the operating budget, each year.

The City Manager said the CIP is a financial plan for the City's largest expenditures, which is reviewed and amended over time; it is a living document that is changing constantly. The budget adopted in June/July is the document that actually allocates the dollars associated with these capital expenditures for that budget year. The closer we get to creating a plan that provides for stable capital investment, year after year, the more predictable the impact of our infrastructure investments will be on our budget. The review of new projects requires two things happen: a decision related to the need of the project and then a decision as to where in the project should be placed or can be placed. Sometimes that means adjusting other projects to accommodate a project that has a bigger priority. The capital projects in the first year of the plan as adopted by the Council will be included in the Operating Budget. Next year, because we do the full review every other year, the capital projects including the second year will be reviewed as part of the operating budget process and adjustments will be made as necessary at that time, as guided by the Council Fiscal Policies, Council Goals, and the City's Master Plan. The City Manager said this CIP process provides a framework to consider projects over time within the context of the community's vision, values, and goals, along with the impact on property taxes and utility/other rates.

The next step in the process is a series of FOP meetings that will provide the opportunity for review of all projects in all years of the plan. The first FOP meeting is scheduled for January 27 at 5:30 PM, with a public hearing on March 3 and a vote of the Council on March 17. Immediately thereafter, we begin the internal review and preparation for the Operating Budget, which is then submitted to the Council on May 1, when this FOP process starts all over again.

ACCEPTANCE OF DONATIONS – FINANCE DIRECTOR

A memorandum was received from the Finance Director recommending that the City Council move to accept the list of donations presented.

A motion by Councilor Powers to suspend the Rules of Order to allow the acceptance of these donations on first reading was duly seconded by Councilor Chadbourne and the motion passed on a unanimous roll call vote with 12 Councilors present and voting in favor. Councilors Remy, Giacomo and Workman were absent.

A motion by Councilor Powers to accept the following donations and that the City Manager be authorized to use each donation in the manner specified by the donor was duly seconded by

Councilor Chadbourne and the motion passed unanimously with 12 Councilors present and voting in favor.

The City Manager and Mayor Hansel extended the City Council's recognition and appreciation to the following very generous donors:

The Keene Fire Department received donations in memory of retired call firefighter Charles "Charlie" Harris from the following donors: Deborah Mess (\$50), Rebecca Barrett and members of the Bretwood Golf Course Ladies' League (\$25), Kenneth and Sandra Johnson (\$20), Jean and Brian Barden (\$50), and Margaret and Louis Roberge (\$100). The Fire Department received an additional donation from Michael Christiansen (\$100) in thanks for our members' service and professionalism demonstrated recently during an incident. These donations total \$345.

The Keene Parks and Recreation Department received a donation of a bench from Faith Sargent, in honor of her father Bruce Filiault, who was an avid horseshoe player at the courts in Wheelock Park. The family purchased a bench to donate to the City through the Adopt-A-Bench Program and asked that the bench be located to overlook the courts. The Adopt-A-Bench Program provides the installation of the bench and a plaque for \$1,350.

Councilor Filiault said this bench was purchased by his niece in honor of his brother who died of cancer a few weeks prior. There would be a celebration of his brother's life in April or May that the Council would be invited to attend.

MEMORANDUM – PROPOSED AMENDMENTS TO THE CITY COUNCIL RULES OF ORDER – CITY CLERK

A memorandum was received from the City Clerk recommending that the proposed amendments regarding the City Council's Rules of Order be referred to the Planning, Licenses and Development Committee.

The City Clerk said that these were the sections that were originally identified. She said this project began in 2019 with the input from former Mayor Kendall Lane and Mayor Hansel. Although many of the changes were housekeeping, some of them are fairly substantive. She requested referral to PLD to start the discussion and added that these amendments do not talk about remote access or conflict of interest. She asked that those conversations be held separately so the other substantive changes are not overshadowed.

Mayor Hansel referred the Rules of Order to the Planning, Licenses and Development Committee.

MEMORANDUM – RESIGNATION OF SUZANNE BUTCHER FROM THE ENERGY AND CLIMATE COMMITTEE – SENIOR PLANNER

A memorandum was received from Senior Planner, Mari Brunner, recommending that the City Council accept the resignation of Suzanne Butcher from the Energy & Climate Committee.

A motion by Councilor Powers to accept the resignation with regret and appreciation of service was duly seconded by Councilor Bosley and the motion passed unanimously with 12 Councilors present and voting in favor.

MORE TIME – KEENE YOUNG PROFESSIONALS NETWORK – KEENE FOOD FESTIVAL – REQUEST TO USE CITY PROPERTY

Planning, Licenses and Development Committee report read recommending that the request for the Keene Young Professionals Network to use City property be placed on more time to allow protocol meetings to occur. Mayor Hansel granted more time.

ORDINANCE FOR FIRST READING – ZONE CHANGE – 19 WHITCOMB’S MILL ROAD – RURAL TO LOW DENSITY-1 – ORDINANCE O-2022-02

A petition for zoning map change was submitted by Jim Phippard on behalf of the Sandra Henry Trust, seeking a zone change from Rural to Low Density on a 12.2-acre parcel of land on the west side of Whitcomb’s Mill Road. With this request was Ordinance O-2022-02, relating to amending the zoning map to change the zoning designation at 19 Whitcomb’s Mill Road to Low Density 1.

Mayor Hansel referred Ordinance O-2022-02 to the Joint Planning Board/Planning, Licenses and Development Committee.

ORDINANCE FOR SECOND READING – RELATING TO CLASS ALLOCATION AND SALARY SCHEDULE – ORDINANCE O-2022-01

Finance, Organization and Personnel Committee report read recommending the adoption of Ordinance O-2022-01. Mayor Hansel filed the report. Ordinance O-2022-01 Relating to Class Allocation and Salary Schedule was read for the second time. A motion by Councilor Powers to adopt Ordinance O-2022-01 was duly seconded by Councilor Chadbourne and the motion passed on a unanimous roll call vote with 12 Councilors present and voting in favor. Councilors Remy, Giacomo and Workman were absent.

RESOLUTION R-2021-46-A – IN SUPPORT OF A MEDICARE FOR ALL PLAN

Planning, Licenses and Development Committee report read recommending the adoption of Resolution R-2021-46-A as amended. The Mayor noted that this vote will require a 2/3 of the elected Councilors or ten votes to pass. Mayor Hansel filed the report.

A motion by Councilor Bosley to adopt Resolution R-2021-46-A was duly seconded by Councilor Ormerod.

Councilor Jones said he was not opposed to the concept but the process within the City.

Councilor Roberts said he was opposed because it was a “feel good” thing. He said that Medicare Part A would run out of money in 2026. Right now, Medicare Part B is having revenues a little more than \$400 billion annually; while they have expenses of almost \$1 trillion annually, revenues are going down because less people are working. In going through the various plans, he found that the cheapest plan meant that it would cost \$30 trillion over the next 10 years,

which could go up to \$47–50 trillion if people who have plan are forced off their plans right now. Councilor Roberts said a lot of Americans like the plans they are on. He said a lot of research shows that putting everyone on a plan does not mean there is access or supplier capacity. It is projected that if everyone were on the plan, there would be 50% unmet demand. If they cannot solve the current problem in the next four years, he said that adding something nationwide onto a system that is failing now does not make logical sense to him.

Councilor Madison spoke in support of Medicare for All, stating that he thinks it will help the City's bottom line and help the population. He went five years without health insurance, and yet he is growing more concerned with national issues being brought before the City Council for comment. He said those same national issues are not being brought to other communities, counties, or federal representatives; it seems some groups are only bringing them to the City Council expecting them to take those on. He is concerned that the City Council is doing more and more advocacy for the area, and for groups and individuals who are unwilling to bring these issues to their own town councils, counties, and the federal delegation. He thinks it is time to develop guidelines for when the Council votes and comments on national issues. That said, he would vote yes on this motion.

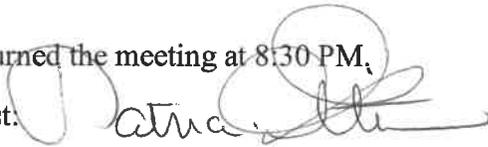
Councilor Williams shared one reason voting yes would be important for the City. He said that frequently when taxes go up it is due to School Board spending and not the City's. He continued that the recent School Board budget would raise taxes "a bit," but the biggest reason for that is the increase in healthcare costs. With a few very sick employees in the last year, the cost of healthcare for the schoolboard increased by \$1 million, which he said everyone would be paying for. He said that although it is the School Board, Councilors would hear from their constituents about it. He thinks this is an important issue and urged everyone to vote yes.

On a vote of 10–2, the motion to adopt Resolution R-2021-46-A passed. Councilors Jones and Roberts voted in opposition.

ADJOURNMENT

Hearing no further business, Mayor Hansel adjourned the meeting at 8:30 PM,

A true record, attest:


City Clerk



CITY OF KEENE NEW HAMPSHIRE

ITEM #B.1.

Meeting Date: February 3, 2022
To: Mayor and Keene City Council
From: Mayor George S. Hansel
Through: Patricia Little, City Clerk
Subject: **Confirmations**

- **Partner City Committee**
- **Human Rights Committee**

Council Action:
In City Council February 3, 2022
Voted unanimously to confirm the nominations.

Recommendation:

Attachments:

1. Schwieger, Heidi_redacted

Background:

I hereby nominate the following individuals to serve on the designated Board or Commission:

Partner City Committee

Michael Giacomo, Councilor, slot 2
re-nomination

Term to expire Dec. 31, 2023

Human Rights Committee

Heidi Schwieger, alternate, slot 11

Term to expire Dec. 31, 2024

Patty Little

From: helpdesk@ci.keene.nh.us on behalf of City of Keene <helpdesk@ci.keene.nh.us>
Sent: Thursday, December 30, 2021 2:47 PM
To: Helen Mattson
Cc: Patty Little; Terri Hood
Subject: Interested in serving on a City Board or Commission

<p>Submitted on Thu, 12/30/2021 - 14:46</p>

<p>Submitted values are:</p>

First Name:

Heidi

Last Name:

Schwieger

Address

Jonathan Daniels Center for Social Responsibility
246 Main St
Keene NH 03431

Email:

jdcenter@hscn.org

Cell Phone:

[REDACTED]

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

Human Rights Committee

Employer:

Jonathan Daniels Center for Social Responsibility

Occupation:

Executive Director

Education:

BA Allegheny College, Fulbright Scholar

Have you ever served on a public body before?

No

Other Information/Relevant Experience:

Experienced non-profit professional, advocate and educator. Life-long champion of inclusivity. Currently attend HRC meetings as a guest. Would gladly serve as alternate or welcome consideration for future nomination as appropriate.

Please provide some references:

Carl Jacobs

References #2:
Jen Swartout
jswartout@antioch.edu



CITY OF KEENE NEW HAMPSHIRE

ITEM #B.2.

Meeting Date: February 3, 2022
To: Mayor and Keene City Council
From: Mayor George S Hansel
Through: Patricia Little, City Clerk
Subject: **Nominations**

- **Historic District Commission**
- **Energy & Climate Committee**
- **Congregate Living and Social Services Licensing Board**

Council Action:

In City Council February 3, 2022
Tabled the nominations until the next regular meeting.

Recommendation:

Attachments:

1. Background_Cunha_Vasconcelos redacted
2. Background_Campbell_redacted
3. Background_Savastano_redacted

Background:

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

Historic District Commission	
Sophia Cunha-Vasconcelos, slot 9	Term to expire Dec. 31, 2023
21 Summer Street	

Energy & Climate Committee	
Beth Campbell, slot 11	Term to expire Dec. 31, 2024
32 Upper Knight Street	

Congregate Living and Social Services Licensing Board	
Thomas Salvastano, slot 4	Term to expire Dec. 31, 2023

75 Winter Street

Patty Little

From: helpdesk@ci.keene.nh.us on behalf of City of Keene <helpdesk@ci.keene.nh.us>
Sent: Thursday, January 20, 2022 9:09 PM
To: Helen Mattson
Cc: Patty Little; Terri Hood
Subject: Interested in serving on a City Board or Commission

<p>Submitted on Thu, 01/20/2022 - 21:08</p>

<p>Submitted values are:</p>

First Name:

Sofia

Last Name:

Cunha-Vasconcelos

Address

21 Summer St
Keene, NH 03431

Email:

[REDACTED]

Cell Phone:

[REDACTED]

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

Historic District Commission

Employer:

Office of Theodore H. Parent, Attorney at Law, PC

Occupation:

Attorney

Education:

BA, Physics. JD

Have you ever served on a public body before?

Yes

If you answered yes above, please provide what public body you served on and where.

I currently serve on the Human Rights Committee here in Keene

Please provide some references:

Jan Manwaring

[REDACTED]

References #2:

Beth Campbell

Project Manager Committed to Equity and the Energy Efficiency

EXPERIENCE

Unity Homes, Walpole, NH

Special Projects Manager October 2020 - present

Delivered R&D construction and software projects valuing \$3 mm in collaboration with developers, corporate investors, and local subcontractors. Managed international patent and contract implementation. Facilitated business development for start-up software company.

Green Hammer Design Build, Portland, OR

Construction Project Manager March 2018-January 2021

High performance, Net Zero Energy, and Passive House residential and commercial construction. Partnered with nonprofits, municipal jurisdictions, and financial institutions to deliver projects with budgets up to \$7 mm. Founded company-wide inclusion and diversity committee and led staff equity training, resulting in a broader and more diverse subcontractor base.

Birdsmouth Construction, Portland, OR

Estimator and Project Manager June 2015 - March 2018

Estimated costs and managed energy-efficient construction projects. Operated project budgets up to \$500,000 and met or exceeded third-party certification requirements.

H&H Natural Building, Madison, WI

Business Owner September 2006 - June 2015

Developed a profitable, small-scale construction business focused on ecologically-sound practices. Executed residential projects, taught construction classes, and handled all finances/administration.

ADDITIONAL INDUSTRY EXPERIENCE

Passive House Northwest 501(c)6— *Vice President, Board Member*
High-Performance Construction Standards Body, 2016 - 2020

Blue Heron Natural Builders Guild, Madison WI — *Co-Founder*
Regional Green Builders Guild, 2005-2009

32 Upper Knight St.
Keene, NH 03431

SKILLS

Excellent communication and conflict mitigation

Team collaboration

Strong organizational abilities

Attention to detail

Emphasis on leadership and unifying team goals

Thoroughness and project follow-through

CERTIFICATIONS/COURSES

PHIUS Passive House Builder
Golden, CO, September 2015

Earth Advantage Sustainable Homes Professional

Portland, OR, April 2016

Building and Designing a Design Build Business - Adam Cohen
Portland, OR, February 2018

Diversity and Inclusion 3-day training- Center for Diversity and the Environment
Portland, OR, March 2019

AFFILIATIONS

Passive House Institute US
Builder Training Instructor
December 2021- present

NE Sustainable Energy Assoc.
Conference Selection Committee
December 2021-present

EDUCATION

University of Michigan, BFA, BA

LANGUAGES

English (native), French (fluent)

Patty Little

From: helpdesk@ci.keene.nh.us on behalf of City of Keene <helpdesk@ci.keene.nh.us>
Sent: Tuesday, February 1, 2022 11:22 PM
To: Helen Mattson
Cc: Patty Little; Terri Hood
Subject: Interested in serving on a City Board or Commission

<p>Submitted on Tue, 02/01/2022 - 23:22</p>

<p>Submitted values are:</p>

First Name:

Thomas

Last Name:

Savastano

Address

75 Winter Street, Keene

How long have you resided in Keene?

6.5 years

Email:

[REDACTED]

Cell Phone:

[REDACTED]

Employer:

Self-employed

Occupation:

Ordained minister, running a nonprofit ministry

Retired

No

Please list any organizations, groups, or other committees you are involved in

President, FirstLoveWorks (a nonprofit Christian organization that sponsors meetings, conferences and arts events in New England)

Church member and volunteer: The Salvation Army of Keene

Board member, New Hampshire Alliance (group of churches and ministries throughout NH)

Past board member of other nonprofit organizations

Have you ever served on a public body before?

No

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

Congregate living and social services licensing board

Please share what your interests are and your background or any skill sets that may apply.

My background includes both social services and property management, along with ongoing Christian ministry. Recently, I was running an LLC that redeveloped bank-owned properties. It was gratifying restoring old homes: providing new homeowners a solid value and benefitting neighboring property owners in the process. Beforehand, I was the Massachusetts statewide director of a Salvation Army diversion program for first-time youth offenders (“Bridging the Gap”), having risen to that position after running local programs in Lawrence and Haverhill, MA. In these positions, I interfaced with youth, families, assistant district attorneys, probation officers, grant writers, and other professionals. My social service experience also includes general case management in the Salvation Army, and prior work assisting intellectually disabled adults get meaningful employment.

Why are you interested in serving on this committee

I want to do something that could benefit the City of Keene and its residents in the long run. With the background I have in social services, the interest I have in seeing neighborhoods thrive, and having participated in the zoning process these past two years, I feel I can bring a balanced perspective to the table regarding congregant living and social service licensing.

Please provide 2 personal references:

Lt. David LaBossiere

david.labossiere@use.salvationarmy.org

[REDACTED] 603-352-0607 (office)

References #2:

Paul Jehle

[REDACTED]



CITY OF KEENE NEW HAMPSHIRE

ITEM #C.1.

Meeting Date: February 3, 2022
To: Mayor and Keene City Council
From: Loretta Simonds
Through: Patricia Little, City Clerk
Subject: **Loretta Simonds - Damage to a Sewer Line and House Foundation at 79 Woodburn Street and a Request to Remove a Nearby City Tree**

Council Action:

In City Council February 3, 2022

Referred to Municipal Services, Facilities and Infrastructure Committee.

Recommendation:

Attachments:

1. Communication_Simonds_Sewer Line_Redacted
2. Sewer Line - 79 Woodburn
3. Root Damage

Background:

Loretta Simonds who lives at 79 Woodburn Street believes that her house foundation and a sewer line are being damaged from the roots of a nearby City tree. Ms. Simonds provided an inspection report from a NH Septic System Licensed Evaluator who is suggesting that because of the location of the mature trees in relation to the sewer line, as well as tree roots that were observed in the cellar, the roots have intruded into the sewer line.

Patty Little

From: Loret Simonds [REDACTED]
Sent: Monday, January 10, 2022 1:25 PM
To: Patty Little
Subject: 79 Woodburn St _ tree removal
Attachments: Sewer Line - 79 Woodburn.pdf

Dear City Councilors,

Out front of my house is a tree (non-native maple species) which has been problematic since I moved into this house in 2016. Two times I have had to call Public Works to come trim it off the house's siding, roof and the power lines coming into the house. Now I have roots growing into the sewer line and the house's foundation.

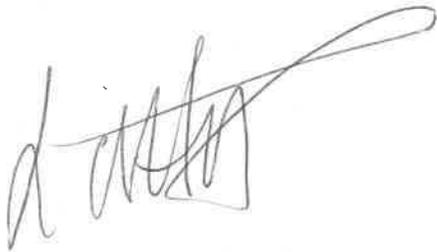
In the past, I have asked numerous times for Public Works to remove this tree because I was concerned of these kind of problems and wanted to mitigate them BEFORE we got to this point. Now that we have arrived, Public works is still are telling me it is a healthy tree and they will not cut it down. I was told by Harry McKelvey the decision to take this tree down rests with you, the Council.

I'm asking the City Copuncil to have Public Works remove this tree as soon as possible. This should be an easy decision because when a tree is causing property damage it is unequivocally time to take it down.

Enclosed is the inspection report, from an unbiased professional, which confirms the tree roots are coming through the foundation (see paragraph below pictures). Plus, 2 pictures below of large roots growing in the cellar.

Thank you, Loretta Simonds

3 inch root growing from under the foundation to the cement pad the oil tank sits on and is undermining the foundation and the cement pad. There is a quarter on top of the root to give a reference of the size of this root.





Eric J. Eichner
(603) 313-8600
Eric@inspectionsbyeric.com

Sewer Line Evaluation Report for:

Kira Thomas

Evaluation Performed on December 10, 2021



79 Woodburn Street
Keene NH

The sewer cleanout was located at the side of the basement and the pipe exited the home through the floor. The cleanout has a replacement cap. The sewer camera was run out the sewer line from the house towards junction with the municipal sewer approximately 57 ft from the access port. The sewer line has signs of previous “back-ups”, the camera could not make it to the municipal junction. Given the location of mature trees in relation to the sewer line, roots observed in the basement and the replacement cap I suspect roots have intruded previously and are the likely cause of the camera stopping. Having a qualified contractor cut the roots and verify the integrity of the pipe to the municipal junction (with a sewer camera) is recommended. Cutting the roots as part of a maintenance plan to reduce the chance of future blockages should be considered.

This evaluation is useful in determining the general condition of the sewer pipe system at the time of the evaluation and is not an estimate of system longevity. This report is based on the evaluation methods used, and information available at the time of this evaluation and is to be considered ‘an opinion’ with no guarantee expressed, implied or presumed under any circumstances.



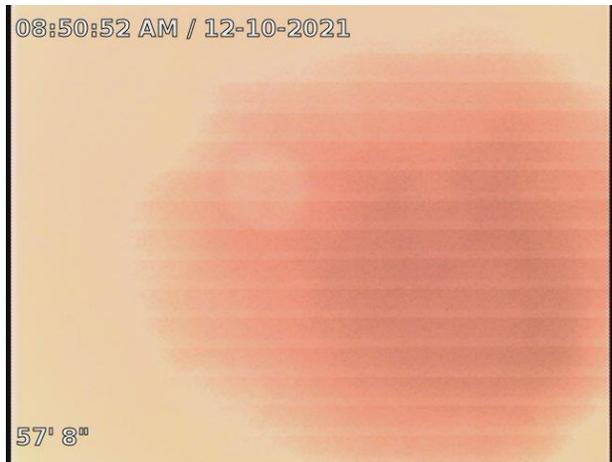
Area Where Camera Stopped



Interior of Pipe



Interior of Pipe



Area of Blockage

Eric Eichner



Inspections by Eric LLC
 Granite State Septic System Certified Evaluator # 151
 NH Septic System Licensed Evaluator #36



This evaluation is useful in determining the general condition of the sewer pipe system at the time of the evaluation and is not an estimate of system longevity. This report is based on the evaluation methods used, and information available at the time of this evaluation and is to be considered 'an opinion' with no guarantee expressed, implied or presumed under any circumstances.





CITY OF KEENE NEW HAMPSHIRE

ITEM #C.2.

Meeting Date: February 3, 2022
To: Mayor and Keene City Council
From: Adam Toepfer
Through: Patricia Little, City Clerk
Subject: Adam Toepfer/Keene Pride - Request to Use City Property - September 11-18, 2022

Council Action:

In City Council February 3, 2022

Referred to the Planning, Licenses and Development Committee.

Recommendation:

Attachments:

1. Communication_Toepfer_Keene Pride Event

Background:

Adam Toepfer, representing Keene Pride, is requesting permission to decorate Central Square, the trees lining Main Street and the exterior of City Hall as part of the 1st annual Keene Pride celebration, which is a week-long celebration running from September 11, 2022 through September 18, 2022. In addition, Mr. Toepfer is requesting to block off Central Square and Main Street to Eagle Court/Emerald Street to accommodate a block party on Sunday, September 18. Finally, Mr. Toepfer is requesting that the City absorb the cost of City services.

Keene Pride
411 Winchester St.
Suite 1
Keene, NH
keenepride@gmail.com



The Honorable Mayor and City Council
Keene City Hall
3 Washington St.
Keene, NH 03431

January 27, 2022

Re: 2022 Keene Pride

The LGBTQIA+ Community has long been an underserved and under-recognized part of the greater Keene community. We would like to establish the first annual Keene Pride celebration to support this community, creating a week-long celebration from September 11, 2022 through September 18, 2022.

Starting Sunday September 11, 2022, we are asking the City Council for permission to decorate the following City areas with Pride related decorations and lighting: City Square, the trees lining Main Street, and the exterior of City Hall. We will also be coordinating with local businesses along Main Street in providing options and support in decorating exteriors and providing Pride themed services or products, if they so choose.

The week-long pride event will culminate on Sunday September 18, 2022 with a "block party" from 10am – 8pm which will include entertainment, food, and local vendors. For this day, we request from the City:

- Close the streets surrounding Central Square from Main Street to Eagle Court/Emerald street.
- Close Railroad Street from Main street to parking garage
- Request proper barriers from Public Works Department to provide adequate safety
- Request use of City Power/Electricity
- Request the support of Police and Fire
- Request City water in the event that vendors require it

In a manner consistent with community event protocols, we ask that the City please give due consideration to absorbing any additional cost of Police Offices, Public Works, and Fire Department Personnel for the day. We are requesting that Police and Fire Department personnel be detailed to the event from the hours of 9am – 9pm.

We believe this will be a highly desirable attraction that will bring tourism to local businesses. We plan on marketing this event to the Monadnock Community and beyond. We also plan to leverage the beauty of the fall foliage season in conjunction with the event to draw more people.

As required, we will provide a \$1 Million certificate of insurance to the City, and work closely with City staff to ensure this event is safe and enjoyable for all.

We are proceeding with the understanding that should conditions in our overall community dictate a stricter than usual protocol, such as COVID-19 flare ups, we may need to cancel the event.

We would like to stress that this is intended to be a family friendly event. Our intention is to reach out to local schools to be involved with helping to decorate and plan. The primary purpose of Pride is to celebrate diversity, bring awareness, and support our LGBTQIA+ community; however, ALL are welcome and encouraged to attend.

A handwritten signature in black ink, appearing to read "Adam Toepfer".

Adam Toepfer
President
Keene Pride



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.1.

Meeting Date: February 3, 2022
To: Mayor and Keene City Council
From: Municipal Facilities, Services and Infrastructure Committee, Standing Committee
Through:
Subject: Kevin Leary – Access to Property Through the Old Gilsum Road – Public Works Director/ACM

Council Action:

In City Council February 3, 2022

Voted unanimously to carry out the intent of the report.

Recommendation:

On a vote of 5–0, the Municipal Services, Facilities, and Infrastructure Committee accepted the communication from Kevin Leary as informational.

On a vote of 5–0, the Municipal Services, Facilities, and Infrastructure Committee recommends per Section 94-238 of the City Code of Ordinances, that Kevin Leary, of 27 Meetinghouse Road, Keene, NH, be permitted to use motorized vehicles on the Class VI portion of the Old Gilsum Road for the purpose of accessing and transporting in and out equipment up to four (4) times per year until 2023 to the Fontaine Albert R Revocable Trust Property (218-09-00-000-000). This motorized access to be coordinated with City staff with Mr. Leary abiding by all conditions set by Staff.

Attachments:

None

Background:

Chair Greenwald heard the first two agenda items together. The Chairman welcomed the petitioner, Kevin Leary, of 27 Meetinghouse Road.

Mr. Leary was present to request additional entry and exit from the Fontaine property, which he is leasing legally. Mr. Leary lives near the property in the Drummer Hill Association. He discussed this topic with the Committee last year, when his access was approved. His work on the property continues and therefore, he was present requesting additional access to manage the property. Some of the work he is unable to do alone and requires the help of small equipment. Mr. Leary mentioned that he had been working with a forester and had hired a consultant to develop an extensive plan of management practices to better diversify the property for the ecosystem's health and the property's value.

Chair Greenwald asked the type of equipment Mr. Leary would be bringing to the property. Mr. Leary

confirmed that this entry and exit was not for ATV access, but that it would be “pretty much the same equipment” from last year. He called it a small compact residential grade excavator and tractor that he is using to improve the property and habitats; he is not removing anything from the property. He is managing species like beech to diversify the ecosystem.

Chair Greenwald requested Staff comments from Kurt Blomquist, Director of Public Works/Assistant City Manager. The Director of Public Works recalled that Mr. Leary was before the Committee last year. A map of the parcel in question was included in the meeting packet. He also recalled that the Old Gilsum Road is a Class VI road, meaning that is a public way, but no longer maintained by the City. Today, there are approximately 11–12 privately owned properties along the Old Gilsum Road in addition to some City-owned properties, and the Road is the only means of access to all. The Road is used by the public for recreation. The City has acquired adjacent properties over the years to incorporate into the Greater Goose Pond Forest and other lands the City owns for conservation. The City Council has added restrictions to the Old Gilsum Road, including restriction of the use of motorized vehicles without authorization. However, property owners there are allowed to access their properties via motorized vehicles with Council permission. The Director of Public Works reiterated that Mr. Leary has a formal agreement with the property owners, so he is in effect an agent of the owner, with the same status to gain access to the site. The Director of Public Works was unaware of any complaints since Mr. Leary was granted this access last year. He recalled that the City has adjacent water tank land with an easement but access via that road was not granted to Mr. Leary because the road is meant for maintenance and construction. There is also an adjacent City-owned conservation easement that was inappropriate for access. Therefore, the Old Gilsum Road was the best option for Mr. Leary’s access. The City Council granted Mr. Leary this access last year and Staff recommended granting his requested access (three or four times) again this year, subject to conditions.

The City Attorney recalled that the Committee reviewed this matter in detail last year and this is just an expansion of the opportunity granted previously. He asked Mr. Leary to confirm whether he would be using the same access points as last year and Mr. Leary replied in the affirmative.

Councilor Williams mentioned that a primary issue in discussions last year was that this right is restricted to property owners along the Old Gilsum Road and in this case, Mr. Leary has a lease from the owner. Therefore, the Committee determined that Mr. Leary should have the same access as the owner.

Chair Greenwald noted that this was a conditional granting and if there were complaints or problems, it could be revoked.

There were no public comments.

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

On a vote of 5–0, the Municipal Services, Facilities, and Infrastructure Committee accepted the communication from Kevin Leary as informational.

Councilor Williams made the following motion, which was duly seconded by Councilor Filiault.

On a vote of 5–0, the Municipal Services, Facilities, and Infrastructure Committee recommends per Section 94-238 of the City Code of Ordinances, that Kevin Leary, of 27 Meetinghouse Road, Keene, NH, be permitted to use motorized vehicles on the Class VI portion of the Old Gilsum Road for the purpose of accessing and transporting in and out equipment up to four (4) times per year until 2023

to the Fontaine Albert R Revocable Trust Property (218-09-00-000-000). This motorized access to be coordinated with City staff with Mr. Leary abiding by all conditions set by Staff.



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.2.

Meeting Date: February 3, 2022
To: Mayor and Keene City Council
From: Municipal Facilities, Services and Infrastructure Committee, Standing Committee
Through:
Subject: Relocation of Woodard Pond Road – City Attorney

Council Action:

In City Council February 3, 2022

Voted unanimously to carry out the intent of the report.

Recommendation:

On a vote of 5–0, the Municipal Services, Facilities, and Infrastructure Committee recommends that the City Manager be authorized to do all things necessary to negotiate and execute an Easement Deed with the Town of Roxbury for the relocation of Woodward Pond Road across City-owned property in Roxbury, New Hampshire.

Attachments:

None

Background:

Chair Greenwald welcomed comments from the City Attorney.

The City Attorney said this was a matter to be cleaned-up. He said many Councilors would recall the City repairs to Woodard Dam that the City owns, which was conducted in response to a request from the State of NH. The City completed all work at the dam. As a part of this project, the City had to work with the Town of Roxbury to relocate a Class VI road to allow the dam work. The Town of Roxbury did discontinue the portion of a Class VI road and in return, the City of Keene granted an easement for highway purposes over the top of the dam. The City Attorney said it took time to complete all the paperwork associated with this project. Staff prepared an easement deed granted from the City of Keene to the Town of Roxbury over a portion of the road that is defined both in the easement deed and in accordance with the plan prepared to provide the alternative access. Staff requested that the Committee authorize the City Manager to negotiate and execute the easement, which would then be recorded with the Registry of Deeds. There were no questions or comments from the Committee or public.

Councilor Workman made the following motion, which Councilor Filiault duly seconded.

On a vote of 5–0, the Municipal Services, Facilities, and Infrastructure Committee recommends that the City Manager be authorized to do all things necessary to negotiate and execute an Easement

Deed with the Town of Roxbury for the relocation of Woodward Pond Road across City-owned property in Roxbury, New Hampshire.



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.3.

Meeting Date: February 3, 2022
To: Mayor and Keene City Council
From: Municipal Facilities, Services and Infrastructure Committee, Standing Committee
Through:
Subject: **Maintenance of the Wilson Pond Dam - City Manager**

Council Action:
In City Council February 3, 2022.
Report filed as informational.

Recommendation:
On a vote of 5–0, the Municipal Services, Facilities, and Infrastructure Committee recommends the issue of the maintenance of the Wilson Pond Dam be reported out as informational.

Attachments:
None

Background:
Chair Greenwald recalled that this item was on more time. He welcomed City Manager comments.

The City Manager said the City had been talking with the school about the Wilson Pond Dam for approximately 1.5 years. The Chair asked Staff to follow-up with the school for a status report related to the dam. A letter from the school district was included in the agenda packet, indicating that the district is working with Dubois and King to repair the dam; they are close to finalizing their plans and moving forward. The City Manager confirmed that the Superintendent was comfortable reporting this out of Committee at this time.

The Chairman asked if the City Manager said the dam would be “repaired” and the City Manager replied in the affirmative, which the Chairman said was important to him.

There were no questions or comments from the Committee or public.

Councilor Filiault made the following motion, which Councilor Workman seconded.

On a vote of 5–0, the Municipal Services, Facilities, and Infrastructure Committee recommends the issue of the maintenance of the Wilson Pond Dam be reported out as informational.



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.4.

Meeting Date: February 3, 2022
To: Mayor and Keene City Council
From: Municipal Facilities, Services and Infrastructure Committee, Standing Committee
Through:
Subject: **Monica Marshall – Request that Main Street be Designated as a Smoke-Free Zone**

Council Action:

**In City Council February 3, 2022.
Report filed as informational.**

Recommendation:

On a vote of 5–0, the Municipal Services, Facilities, and Infrastructure Committee recommends the communication from Monica Marshall seeking to have Main Street designated as a Smoke Free Zone be reported out as informational.

Attachments:

None

Background:

Chair Greenwald recalled that this item was also on more time. He welcomed City Manager comments.

The City Manager reported that Staff had been in communication with Ms. Marshall, who indicated that she was working with a group to bring back a modified proposal for a more defined project. At this time, Staff recommended that this item be reported out, which Ms. Marshall was comfortable with.

There were no questions or comments from the Committee or public.

Councilor Roberts made the following motion, which Councilor Filiault seconded.

On a vote of 5–0, the Municipal Services, Facilities, and Infrastructure Committee recommends the communication from Monica Marshall seeking to have Main Street designated as a Smoke Free Zone be reported out as informational.



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.5.

Meeting Date: February 3, 2022
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: American Rescue Plan: Humanities Grants for Libraries - Library Director

Council Action:

In City Council February 3, 2022.

Voted unanimously to carry out the intent of the report.

Recommendation:

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept and expend a grant of \$10,000 from the American Rescue Plan: Humanities Grants for Libraries award in support of library programs.

Attachments:

None

Background:

Library Director Marti Fiske addressed the Committee first and stated the Library was notified on Monday as to a grant for \$10,000 received through American Recovery Plan Humanities grant. The library was given only seven days to comply but the Library asked for an extension so the grant could be put through the normal process.

Ms. Fiske explained this is a grant that is being distributed through the National Endowment for the Humanities, part of \$2 million through the American Rescue Plan organized by the American Library Association. Ms. Fiske went on to say the Keene Public Library receives program funds through donations and the hard work of the Friends of the Library. During the pandemic. Many of the funds that normally would have gone towards programs were diverted instead to software and equipment which allowed the Library to do virtual programming.

This grant will replenish those funds and the Library will be restarting the Chautauqua program which was last run in 2018 and has not been running for a while mostly because of the pandemic. The Chautauqua is a historical adult education program that started around 1900s. The program will focus on the history of race relations during the Jim Crow era. There will be live impersonators, book discussions, discussion groups, lectures workshops and exhibits. This is also being done in partnership with the Historical Society of Cheshire County. 40% of the funds will go towards

improving audio visual equipment at the library, in particular to expand options for being able to do virtual on online live streaming programs. Ms. Fiske stated even after the pandemic has ended people are still expressing interest with online programming, so they don't have to worry about babysitters or for those adults who have problems with navigating in the winter or after dark.

The funds will be distributed at the end of February and have to be expended by August 31.

Councilor Chadbourne commended the program and felt the more the City uses on-line meeting opportunities the higher the participation would be

Councilor Lake made the following motion, which was seconded by Councilor Chadbourne.

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept and expend a grant of \$10,000 from the American Rescue Plan: Humanities Grants for Libraries award in support of library programs.



CITY OF KEENE NEW HAMPSHIRE

ITEM #F.1.

Meeting Date: February 3, 2022
To: Mayor and Keene City Council
From: Patricia Little, City Clerk
Through:
Subject: Ordinance O-2021-16-B: Relating to the Wearing of Face Coverings

Council Action:

In City Council February 3, 2022.

Mayor brought Ordinance O-2021-16-B forward as provided in the language of the Ordinance. A motion to rescind the Ordinance failed with 10 Councilors voting in opposition and 5 voting in favor.

A motion that the City Manager work within her authority to extend the educational outreach phase passed with 14 Councilors voting in favor and one voting in opposition.

Recommendation:

Attachments:

1. O-2021-16-B Relating to the Wearing of Face Coverings

Background:

Ordinance O-2021-16-B was adopted by the Keene City Council at its regular meeting on December 16, 2021. The Ordinance provided for its review every 60 days or at the discretion of the City Council. Mayor Hansel has requested that the Ordinance be placed on the Council agenda for February 3, 2022.



CITY OF KEENE

Ordinance O-2021-16-B

Twenty-one

In the Year of Our Lord Two Thousand and

Relating to the Wearing of Face Coverings

AN ORDINANCE

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

That the City Code of the City of Keene, New Hampshire, as amended, is hereby further amended by deleting the stricken text and adding the bolded text to Article VIII, "Wearing of Face Coverings," to Chapter 66, entitled "PUBLIC CONDUCT" as follows:

Section 66-170. Statement and Intent.

- a) COVID-19 has been determined to be a virulent infectious disease threatening the public health and welfare of the country, and including residents in the City of Keene; and
- b) Infectious diseases such as COVID-19 are caused by germs, such as viruses, bacteria, and parasites; and
- c) Some diseases, including COVID-19, are transmitted from person to person very easily through respiratory droplets produced by sneezing and talking; and
- d) Public Health Officials have determined that it is possible for an infected individual to transmit certain diseases without exhibiting any symptoms; and
- e) The best means of slowing the spread of a virus is through minimizing close personal contact with individuals in a public environment, social distancing, covering the mouth and nose by wearing a proper face covering in a proper manner, and proper hand washing; and
- f) For optimal protection, the safe use of face coverings also requires the wearer to maintain proper hand hygiene by frequently handwashing with soap and water or hand sanitizer for at least twenty (20) seconds; and
- g) The wearer of the face covering can prevent the spread of disease by not touching the face, nose, or eyes with unwashed hands, not touching the outside of the face covering, and by keeping a distance of at least six (6) feet from others; and
- h) The City Council for the City of Keene desires to minimize the threat to public health posed by the spread of communicable disease such as COVID-19 within the community.

PASSED

Section 66-171. Requirements.

- a) Employees of businesses, while performing their duties within the interior business premises, are required to wear a face covering completely covering their mouth and nose at all times when interacting with the public, unless a barrier provides sufficient separation.
- b) Members of the public entering any enclosed indoor business for any purpose, are required to wear a face covering completely covering their nose and mouth while conducting their business; provided however, that members of the public shall not be required to wear a face covering while actually seated in a food service establishment.
- c) Residents, visitors, and members of the public entering or present within a residential apartment complex containing three or more residential units are required to wear a face covering over their nose and mouth while in the interior common areas, including but not limited to foyers, stairwells and elevators (“Common Areas”) unless social distancing of six (6) feet can be maintained. This requirement shall also apply to any business having such Common Areas, notwithstanding the number of business units within the business complex.
- d) As used herein, “business” is defined as any interior place, premises, or location within a premises (“Premises”), operated either for profit or not for profit, which is generally open to, or accessible to the general public without charge, and into which the public is invited for the purpose of conducting any business customarily provided to the public by the business, including but not limited to retail stores, restaurants, banks, non-membership fitness centers and personal care facilities, food banks, grocery stores, thrift stores, theaters, City of Keene public facilities, and public conveyances licensed by the City of Keene; provided, however, that “business” shall not include houses of worship, or any home occupation or business located ancillary to, or entirely within a private residence.
- e) As used herein “face covering” means a covering in compliance with the recommendations by the Centers for Disease Control and Prevention that covers the nose, mouth, and surrounding areas of the lower face. The face covering shall be worn in a manner to completely and continuously cover the mouth and the nose of the wearer when required to be worn. Provided, however, that this provision shall not supersede any Personal Protective Requirements that may otherwise apply to employees in any employment context, including, but not limited to health care workers emergency service personnel, public works employees, construction employees, and hazard mitigation employees.
- f) Children under ten (10) years of age are not required to wear a face covering, although parents should make their own judgment on such use.
- g) A face covering is not required for any person with a medical or developmental condition to whom the wearing of a face covering would pose a threat to their health

or safety. The individual shall not be required to produce documentation or other evidence to verify the condition.

- h) Businesses shall implement adequate measures to notify their employees and the public of the requirements stated by this Ordinance, and any recommendations or requirements to the public. Such measures may include, but are not limited to the implementation of internal policies and procedures applicable to employees, and the prominent posting of signage both interior and exterior to any Premises subject to this Ordinance that the wearing of a face covering within the Premises is required. Businesses shall deny entry and/or services to any person who declines to wear a face covering after being requested to do so.
- i) Notwithstanding any provision of the City Code to the contrary, the penalty under this Ordinance for any member of the public who declines to wear a face covering as required by this Ordinance, after being requested to do so, shall be denied entry to, and/or services provided by the business. In addition, any member of the public who declines to wear a face covering as required by this Ordinance shall be given a verbal warning for a first offense; a written warning for a second offense; a fine of \$100 for any third offense; and a fine of \$250 for any fourth or subsequent offense.
- j) Except as otherwise required herein, this Ordinance shall not be interpreted to supersede, alter, revise or amend any requirement, business operation guidance, or recommendations with respect to the public, applicable to any specific business under any Executive Order or guidance that may be issued by the Governor of the State of New Hampshire, or required by any other federal, state, or local government authority having jurisdiction over the business.
- k) This Ordinance shall not preclude any business from having requirements to entry, or for the provision of services, related to the COVID-19 Pandemic that are more restrictive than as stated herein.
- l) This Ordinance shall be reviewed for termination every 60 days by the City Council, or sooner at the discretion of the City Council.
- m) Businesses in the City of Keene are also encouraged to take the #KeeneSafe business pledge to follow the New Hampshire and Federal CDC guidelines to prevent and slow the spread of COVID-19. Information about the Keene Safe Pledge may be obtained at www.keenesafe.com.


George S. Hansel, Mayor

PASSED December 16, 2021
Effective December 20, 2021

A true copy;


Attest:

City Clerk



CITY OF KEENE NEW HAMPSHIRE

ITEM #G.1.

Meeting Date: February 3, 2022
To: Mayor and Keene City Council
From: Mari Brunner, Planner
Through: Patricia Little, City Clerk
Subject: **Resignation of Andrew Dey from the Energy and Climate Committee**

Recommendation:

To accept the resignation of Andrew Dey from the Energy and Climate Committee.

Attachments:

1. Andrew Dey Resignation from Energy and Climate Committee

Background:

Andrew Dey has served as a regular member of the Energy and Climate committee since October 2019. He respectfully submits his resignation, effective February 3, 2022 (see attachment).

From: [Andrew Dey](#)
To: [Mari Brunner](#); [Peter Hansel](#)
Subject: resigning from the ECC
Date: Thursday, January 27, 2022 8:47:08 PM

Mari and Peter,

It's with mixed feelings that I'm submitting this email to formalize my resignation from the Keene Energy and Climate Committee. I've enjoyed working with both of you and the rest of the committee members, and it's been a great learning experience.

Recently I've become more engaged with energy and sustainability work in my hometown of Walpole, and that's made it more difficult for me to give the ECC the attention it deserves. I'm confident that Beth Campbell, my replacement on the ECC, will be a wonderful addition. As a coworker at Unity Homes, Beth continues to impress me with her clear communication, insightful commentary, diligent effort, and fun demeanor.

My last ECC meeting will be this coming Wednesday, February 2. I'm planning to attend in person, and if appropriate, will say a few words of farewell at the conclusion of the meeting.

With appreciation and best wishes to you and the rest of the committee,

Andrew



CITY OF KEENE NEW HAMPSHIRE

ITEM #G.2.

Meeting Date: February 3, 2022

To: Mayor and Keene City Council

From: Mari Brunner, Planner

Through: Patricia Little, City Clerk
John Rogers, Building/Health Official

Subject: **Resignation of Abigail Abrash Walton from the Congregate Living and Social Services Licensing Board**

Recommendation:

To accept the resignation of Abigail Abrash Walton from the Congregate Living and Social Services Licensing Board

Attachments:

1. Communication_Abrash_Walton

Background:

Abigail Abrash Walton has submitted her resignation from the Congregate Living and Social Services Licensing Board, effective immediately (see attachment).

From: [Abigail Abrash Walton](#)
To: [Corinne Marcou](#)
Cc: [Patty Little](#)
Subject: Re: Legal Discussion Meeting
Date: Tuesday, January 18, 2022 11:38:24 AM

Corinne,

I am not able to serve on this board. I wish you all well with this process, as you move forward.

Abigail