

A regular meeting of the Keene City Council was held on Thursday, May 5, 2022. The Honorable Mayor George S. Hansel called the meeting to order at 7:00 PM. Roll called: Bryan J. Lake, Michael J. Remy, Gladys Johnsen, Michael Giacomo, Randy L. Filiault, Robert C. Williams, Philip M. Jones, Andrew M. Madison, Kris E. Roberts, Bettina A. Chadbourne, Mitchell H. Greenwald, and Thomas F. Powers were present. Kate M. Bosley, Catherine I. Workman, and Raleigh C. Ormerod were absent. Councilor Williams led the Pledge of Allegiance.

ANNOUNCEMENTS

Mayor Hansel announced that this meeting was the start of the annual operating budget review. Councilors received the proposed operating budget on their desks this evening. Special meetings of the Finance, Organization, and Personnel Committee would occur over the next two weeks. The FOP Committee would be meeting on Tuesday, May 10 starting at 5:30 PM. The Committee's regular meeting that Thursday will also start at 5:30 PM. The following week, the Committee starts again with a meeting on Monday, May 16. If necessary, Wednesday, May 18 is also identified as a tentative FOP budget review date. All of these budget meetings will start at 5:30 PM. All Councilors are encouraged to attend the meetings.

Next, the Mayor announced that the Keene Veterans Council extended its annual welcome to participate in the Memorial Day ceremony and parade on Monday, May 30. The parade will start at 10:00 AM and will form on Gilbo Avenue and proceed up to the Veterans Monument at the Keene Parks & Recreation Center.

Finally, the Mayor provided advance notice for each Councilor's personal vacation schedules. The Council's summer vacation schedule will start with the cancelation of the July 27 and 28 MSFI and FOP meetings, followed by the August 4 Council meeting, as well as the August 10 and August 11 PLD and FOP Committee meetings. The Council will return to its normal meeting schedule for the August 18 meeting.

MINUTES OF THE PRECEDING MEETING

A motion by Councilor Powers to adopt the minutes of the April 21, 2022 regular meeting was duly seconded by Councilor Greenwald. The motion carried unanimously with 12 Councilors present and voting in favor.

PROCLAMATION

Mayor Hansel welcomed the Director of Public Works/Emergency Management, Kürt Blomquist, for a proclamation declaring May 15–May 21, 2022 as National Public Works Week in Keene. Director Blomquist appreciated the recognition of the Public Works professionals who are responsible for all the infrastructure and operation maintenance, which are the bedrock of the community. Right now, with the American Recovery Act and Infrastructure Investment Jobs Act, it is a unique time for Public Works, with an opportunity to be executing significant funding levels that have not be available since the interstate was developed. He said there would be challenges with upcoming construction, like that to Winchester Street. He encouraged the public to visit Public Works for tours to understand what they do.

PROCLAMATION

Mayor Hansel welcomed the City Clerk, Patty Little, to receive a proclamation declaring May 1– May 7 as Municipal Clerk’s Week. The Mayor extended his appreciation to the City Clerk and all municipal clerks for the vital services they perform and their exemplary dedication to their communities.

PRESENTATION OF RETIREMENT RESOLUTION – FORMER FIRE CHIEF, MARK HOWARD

Mayor Hansel welcomed the former Fire Chief, Mark Howard, to be presented with a Resolution commemorating his retirement. Mr. Howard said how humbling it was to work for the City these last 29 years. It was not until he retired that he realized how much stress he was under and what a heavy burden his retirement lifted from his shoulders. He said that these first responder jobs come with burnout and the City and community need to support those Staff, including resolving the workforce issue. Mr. Howard was grateful for his time with the City.

PUBLIC HEARING – ZONING MAP CHANGE – WHITCOMB’S MILL ROAD – ORDINANCE O-2022-02

Mayor Hansel called the public hearing to order at 7:18 PM and the City Clerk read the hearing notice. Mayor Hansel welcomed Senior Planner, Mari Brunner, to introduce the Ordinance and the Joint PB/PLD Committee’s review. Ms. Brunner said this Ordinance proposes to amend the Zoning map of the City of Keene by changing the zoning of one particular parcel at 19 Whitcomb’s Mill Road from the Rural and Agricultural Districts to the Low Density District. The total land area that would be impacted is 12.29 acres and the parcel is owned by the Sandra R. Henry Trust. The applicant is James Phippard on behalf of that Trust.

This parcel of land is located on the west side of Whitcomb’s Mill Road between Arch Street and NH RT-9 and is currently undeveloped. It is a mix of forested land with some gravel areas. The vast majority of the parcel—11.84 acres— is in the Rural District and the remaining 0.45 acre at the southwest corner of the property is in the Agricultural District. Uses adjacent to the property include Langdon Place to the east, single family homes to the north, the Cheshire Rail Trail to the south, and agricultural land to the west. This property does have access to City sewer on Arch Street and if this Zoning Map amendment were approved, the applicant would be required to connect any development to City sewer at their own expense.

Ms. Brunner said that this application for a Zoning Map amendment was submitted on January 11 and was presented to the City Council for their first reading on January 20, when it was referred to the Joint Planning Board/Planning, Licenses, and Development Committee, which held a public workshop on this Ordinance on March 14. The Joint Committee noted that the parcel would need to connect to City sewer in addition to the water if it is deemed available by the Director of Public Works. In addition, the Joint Committee discussed potential traffic impacts, including the likelihood of increase left turned from RT-9 onto Whitcomb’s Mill Road, in addition to the condition of the bridge that goes over White Brook. There was also discussion of whether this change would be considered “spot zoning.” The Joint Committee concluded that

the intent of the proposed Zoning change does meet the intent of the Low Density District. There were no public comments during the workshop phase. The Planning Board voted unanimously that the proposed Zoning change is consistent with the Comprehensive Master Plan because it is creating the opportunity for more housing development. The Planning, Licenses, and Development Committee voted to ask the Mayor to set this public hearing. Following the public workshop, the Director of Public Works did determine that the applicant would not be required to connect to City water.

Mr. Phippard of Brickstone Land Consultants was present to request the rezoning on behalf of the landowner. He said this property is on the outskirts of the City's utility systems as they expand westward and ended essentially with the senior housing and nursing home, which is directly across the street from the parcel and which was constructed in 1980 when the City sewer line was extended from Arch Street under White Brook. As a part of that project, the City was granted a 50' easement on the nursing home site to allow for a public utility extension to continue sewer services to Whitcomb's Mill Road. At the time, the property owners did not know there would be a desire or need to extend that sewer line.

Mr. Phippard shared that the parcel in question for the Zoning change was an old gravel pit that was operated by the Arthur Whitcomb Company in the 1950s–1960s and was abandoned in the early 1970s. There are no buildings on the property today, but there is still a gravel road that comes from Whitcomb's Mill Road onto the site, which is gated. The former gravel pit is forested today as is the rest of the parcel around the Cheshire Rail Trail that is adjacent to the site. White Brook is on the north side of the parcel. The petitioner proposes to utilize the existing easement to construct a sewer line extension to avoid the need for septic systems in this area and to allow higher density. He noted the need for new homes in Keene and he regularly receives interest in this parcel and thus the petitioner is anxious to proceed with this request.

Mr. Phippard continued that the parcel also has City water available from Arch Street, but extending the water is different than extending the sewer; they cannot build that long of a water line and to control the pressure and capacity of that water system, all of which is cost prohibitive to install and maintain; building the water line's 2,000 linear feet would cost \$600,000 and would involve building under the stream. Mr. Phippard continued that this parcel is Zoned Rural today except for the small Agricultural portion. As Zoned today, they petitioner could build two homes on the 12 acres and with conservation residential development, they could do three homes. Mr. Phippard said that summarized the realities and difficulties of developing the site today and the infeasibility of extending the water system. He addressed concerns of the Joint Committee on rezoning, such as that some developers might want to build the maximum 26 units, but he said that 26 units would not fit on the property because of an existing wetland area. Mr. Phippard's company plans to primarily build on the parcel perimeter, consistent with conservation residential development, conserving more than 50% of the parcel. Homes would be grouped along a new road built onto the site. The petitioner would also be preparing a subdivision application and going to the Planning Board for that approval. They would propose to construct a sewer line at their own cost up to Whitcomb's Mill Road and into the site, which could eventually become a City street. There would be an easement for the City to extend the

public sewer line onto the private land. Due to rules on where they could develop on this site, Mr. Phippard reiterated that they would restore the site and only develop where allowed. The petitioner is working with City Staff on extending the sewer line and the City's consultant who manages the computer model for the City's existing sewer system. The planned development is all single-family homes and duplexes, which would be using only 10% capacity in the sewage system, as confirmed by a study that showed more than 90% capacity available in the sewage system there. Thus, adding homes would not add a burden to the City's system.

Regarding traffic, Mr. Phippard said that the rule of thumb for single-family homes is 10 vehicle trips per day per home, so there would be roughly 120 trips for this development per 24 hours. There is no anticipated dramatic change in impact to RT-9; the Planning Board said that if more than 100 vehicles per day, they might require a traffic report. The NH Department of Transportation is comfortable with anything less than 100 vehicles per hour at the Whitcomb's Mill/RT-9 intersection, so no significant impact. A one-lane bridge does cross White Brook along Whitcomb's Mill Road; the City has worked on the bridge over the years, but he thought it was on the red list for future upgrades. He believed that slowing for the bridge would help regulate traffic on Whitcomb's Mill Road. He has talked with companies interested in coming here and this increased housing would help contribute to economic development.

Councilor Filiault wondered whether the wetlands would be impacted. Mr. Phippard said that those wetlands would be left intact and they propose to build a fire pond on the property with Fire Department access.

Mayor Hansel opened the floor to public comments. Hearing none, he closed the public hearing at 7:41 PM. Written public comments would be accepted until 1:00 PM on Tuesday, May 10. Written comments must be signed and submitted to the City Clerk by that date and time to be included in the record. The Planning, Licenses, and Development Committee will be making a recommendation to the full Council at their next regular meeting.

A true record, attest:



City Clerk

NOMINATION

Mayor Hansel nominated Kenneth Kost to serve as an alternate to the Planning Board, with a term to expire December 31, 2024. They Mayor tabled the nomination until the next regular meeting.

COMMUNICATION – PABLO FLEISCHMANN – KEENE MUSIC FESTIVAL – REQUEST FOR USE OF CITY PROPERTY – SEPTEMBER 3, 2022

A communication was received from Pablo Fleischmann of the Keene Music Festival, requesting use of City property for the annual music festival on Saturday, September 3, 2022. Mayor Hansel referred the communication to the Planning, Licenses, and Development Committee.

COMMUNICATION – ADAM TOEPFER – KEENE PRIDE – REQUEST THAT THE CITY ABSORB THE COST FOR POLICE, PUBLIC WORKS AND FIRE PERSONNEL FOR A BLOCK PARK – SEPTEMBER 18, 2022

A communication was received from Adam Toepfer of Keene Pride, requesting that the City absorb the cost for City services associated with the Keene Pride block party on September 18. They have submitted the application for Community Event Funding and are requesting an exception to the Council Policy by waiving the requirement that the event shall have been previously produced at least twice prior to the request for community event status. Mayor Hansel referred the communication to the Finance, Organization, and Personnel Committee.

MSFI REPORT – CONSERVATION COMMISSION – RECOMMENDATION ON EVERSOURCE ENERGY – TREE TRIMMING ON SCENIC ROADS

A Municipal Services, Facilities, and Infrastructure Committee report read accepting the report from the Conservation Commission as informational. Mayor Hansel filed the report as informational.

MSFI REPORT – TREE TRIMMING ON SCENIC ROADS

A Municipal Services, Facilities, and Infrastructure Committee report read recommending that the City Council authorize Eversource Energy to perform all tree trimming services on requested scenic roads: Concord Road, Concord Hill Drive, Moore Farm Road, and Nims Road, in accordance with the recommendations of the Conservation Commission to leave the snags (dead vertical trees) in place, if possible. A motion by Councilor Greenwald to carry out the intent of the Committee report was duly seconded by Councilor Filiault. The motion carried unanimously with 12 Councilors present and voting in favor.

MSFI REPORT – REQUEST THAT RAILROAD SQUARE BE DESIGNATED A SMOKE FREE ZONE

A Municipal Services, Facilities, and Infrastructure Committee report read recommending that the portion of the request for park attributes be referred to staff, and recommends that the smoke free zone portion of the request be placed on more time. A motion by Councilor Greenwald to carry out the intent of the Committee report was duly seconded by Councilor Filiault. The motion carried unanimously with 12 Councilors present and voting in favor.

MSFI REPORT – PRESENTATION – DOWNTOWN TO TRAILS, PARKS, RECREATION & FACILITIES DIRECTOR

A Municipal Services, Facilities, and Infrastructure Committee report read, recommending the acceptance of the presentation on downtown trails as informational. A motion by Councilor Greenwald to carry out the intent of the Committee report was duly seconded by Councilor Filiault. The motion carried unanimously with 12 Councilors present and voting in favor.

FOP REPORT – WWTP AERATION PIPE REPLACEMENT CHANGE ORDER 1 – WWTP OPERATIONS MANAGER

A Finance, Organization, and Personnel Committee report read, recommending that the City Manager be authorized to do all things necessary to execute Change Order 1 with Kingsbury Construction for the WWTP Aeration Pipe Replacement Project for an amount not to exceed \$11,168 for Contract #01-22-07. A motion by Councilor Remy to carry out the intent of the Committee report was duly seconded by Councilor Chadbourne. The motion carried unanimously with 12 Councilors present and voting in favor.

CITY MANAGER COMMENTS

The City Manager reported that the City has been recognized as a Tree City by the Arbor Day Foundation. This is the City's 43rd year as a Tree City. This year marks the 150th anniversary of Arbor Day. On a side note, she said the City's Arbor Day Ceremony was held on April 29 near the closed Harrison Street Bridge and involved participants from Cedarcrest.

Next, the City Manager thanked everyone for a very successful Green up Keene event. We estimate more than 250 people volunteered and cleaned up approximately 3,300 lbs of trash as part of this effort. She called this an amazing level of volunteerism in our community.

The City Manager reported the Revenue Office will be closing on July 1 for our financial software conversion. Our fiscal year ends June 30 and the new fiscal year begins July 1. We will be doing the transfer on July 1 so that we can begin operations in the new fiscal year in our new software. We will put a notice in the Sentinel and on social media, etc. Anyone with a June birthday may come in before the end of June to get your car registered or take advantage of our on-line renewal option.

Lastly on the Airport, the City Manager said there was a fun opportunity coming. Have you ever been interested to learn how to fly? On Saturday May 14 at the Airport, the Experimental Aircraft Association is hosting a "Flying Start" informational program that would introduce you to the steps and requirements involved in learning to fly, tips on how to make it economical, and the opportunities that result in earning a pilot's certificate. The event will also introduce you to the local flight schools. The program will be held from 1:00–3:00 PM on Saturday, May 14, in the Terminal building at the Airport. Anyone with an interest in learning to fly is invited to attend. Space is limited so if you are interested, register for the event at FlyingStart.Org and check it out on the Airport's Facebook.

MEMORANDUM – 2019 STATE HOMELAND SECURITY PROGRAM CRITICAL INFRASTRUCTURE – WATER RELATED CATASTROPHE GRANT – DEPUTY FIRE CHIEF

A memorandum was received from the Deputy Fire Chief, recommending that the City Council suspend its Rules of Order to allow action on the request to authorize the City Manager to do all things necessary to accept and expend \$9,937.00 awarded under the State Homeland Security

Program (SHSP) portion of the 2019 Homeland Security Grant Program (HSGP) to purchase critical infrastructure/water-related catastrophe equipment.

A motion by Councilor Powers to suspend Section 26 of the Rules of Order to act on this time sensitive grant was duly seconded by Councilor Greenwald. The motion carried unanimously on a roll call vote with 12 Councilors present and voting in favor. Kate M. Bosley, Catherine I. Workman, and Raleigh C. Ormerod were absent.

A motion by Councilor Powers to accept the 2019 State Homeland Security Program Critical Infrastructure–Water Related Catastrophe Grant was duly seconded by Councilor Greenwald. The motion carried unanimously with 12 Councilors present and voting in favor. Kate M. Bosley, Catherine I. Workman, and Raleigh C. Ormerod were absent.

MORE TIME – RENAMING THE KEENE RECREATION CENTER TO THE BRIAN A. MATTSON KEENE RECREATION CENTER

A Municipal Services, Facilities, and Infrastructure Committee report read recommending that the request to rename the Keene Recreation Center to the Brian A. Mattson Keene Recreation Center be placed on more time. Mayor Hansel granted more time.

RESOLUTION – RELATING TO THE FY 2022–2023 FISCAL YEAR BUDGET – RESOLUTION R-2022-09

A memorandum was received from the Finance Director, Merri Howe, recommending that Resolution R-2022-09 relating to the FY 2022–2023 budget be referred to the Finance, Organization & Personnel Committee for their review and recommendation, and that a public hearing be scheduled for Thursday, June 2, 2022.

Mayor Hansel welcomed introductory comments on the budget from the City Manager, Elizabeth Dragon. The City Manager said the Council received their budget books. On May 6, the budget would be available electronically on our website for the public. She wanted to reference a few items in her budget letter for the benefit of the Council and the public as we kick off the budget review process.

The City Manager said the municipal team has worked diligently to structure a proposed City budget with little increase on the City portion of the tax rate, raising it slightly by 0.49% or to \$12.37. The City property tax revenue is within the increase limit set by your fiscal policy. It is within these parameters that City staff had developed operating and capital budget proposals supported by the vision of the City’s Comprehensive Master Plan, City Council Goals, and Fiscal Policy to continue to move the City to a sustainable future.

The City Manager continued that the recommended budget considers the first year of the Capital Improvement Program: 2023–2029. It has been updated and modified in the proposed budget to reflect the changes that have occurred since the adoption of the Plan in March 2022. In order for the proposed FY 2023 operating budget to comply with the fiscal policy, changes were made to the Capital Improvement Program (CIP), which net out to \$0 in FY 2023 and FY 2024, though funding sources were changed. The total seven-year proposed CIP increases by \$100,000

reflected in FY 2025 and FY 2026 are due to additional IT infrastructure capital reserve funding of \$50,000/year. Councilors would see this update in next year's budget proposal. In addition, anticipated project start dates have been shifted for several projects in later years.

Next, the City Manager said that debt schedules have been updated to reflect the recent changes for the Winchester Street construction project. The City Council authorized increased bonding for the Winchester Street by-pass project in the amount of \$584,000, which increases interest expense by \$9,490 in FY 2023. The City Council also approved use of unallocated fund balance for the Thompson Road design in the amount of \$210,000. Once the road design is complete, construction numbers will need to be added to FY 2024 and/or FY2025 capital budgets.

The City Manager stated that the market for goods and services is changing, while City departments have been extremely successful accessing the various grant funding sources. The widespread access to Federal funding sources has created an increasing demand for both contractors and supplies. This demand has begun driving the cost of projects up. Recent projects are being bid substantially above estimates and some projects are generating little interest from bidders. In addition, supply chain issues are impacting access to operating supplies and supplies needed for various projects. As funds from the Federal infrastructure bill become more available this trend is likely to continue and will need to be monitored. It may become necessary to make further adjustments to our capital plan, the scope of projects, and/or to adjust funding sources.

The City Manager noted that the COVID-19 pandemic would have a long-lasting impact on our community, the State, and the world. However, our community and our businesses have proven themselves to be resilient. Activity in the community continues to grow and City divisions like Parking and Recreation, which saw downturns during the height of Covid, are back to pre-pandemic conditions.

The City Manager said this budget includes City revenues associated with State municipal aid as we know them right now. In addition, the tax rate estimates are based on a projection of no increase to the tax base. This is a good conservative estimate. At this point, in the City's overall tax rate process, both the School & County have approved budgets, setting the education and county portions of the overall rate. Considering tax rate projections provided during adoption, and the recommended City budget, the total property tax rate is estimated to increase by 3.25% combined. The largest increase is estimated in the school's portion of the budget. The local and State education portion of the tax rate combined is increasing by \$0.91.

The City Manager added that this year the City successful sought congressionally dedicated funds for projects like the body worn camera program, Heritage Rail Trail project phase one, and a sewer main project. We were not successful in our efforts to get an ARPA tourism grant through EDA for the remainder of the Heritage Trail project; however, we anticipate that additional transportation funding will become available.

Next, the City Manager said we have once again submitted projects in our capital plan for consideration for the next round of congressionally directed funded projects (continued work on the Heritage Trail, our downtown project, Fire Station 2, Recreation Center rehabilitation, and a

parking garage project). She said we will continue to seek ways to leverage outside funding opportunities. If successful, it will allow us to reduce project cost impacts in future budget years.

The City Manager said she needed to recognize the work of our departments to put forward a budget that balances need with affordability. In addition, she recognized the efforts of our Finance Department, specifically our Finance Director, Merri Howe, and Senior Accountant, Karen Grey, who have spent many late nights and weekend hours putting together this budget in the midst of the monumental effort it takes to convert our financial software system.

The City Manager concluded noting that the new tax program goes live next week and on July 1 we will go live with the general ledger, accounts payable, and accounts receivable programs. We anticipate converting the payroll system by January and our utility billing systems by July 2023. There is substantial work going on behind the scenes to make this all happen.

The budget review begins Tuesday May 10 at 5:30 PM at a special FOP meeting.

Mayor Hansel said that while he had only glanced at the budget, he was already impressed and thought the Council could see their goals reflected as important in this budget—specifically the reduction in bonding and many other things. He said the fact that the City Manager could present a budget with less than 1% increase during a time with 6% inflation, and with significantly less federal funding than the county and schools had was impressive. Still, the City was performing better and putting forward a conservative, fiscally responsible budget. He said it was essential to celebrate in the community what the City is doing well.

Mayor Hansel filed the memorandum and referred the Resolution to the Finance, Organization, and Personnel Committee and set a public hearing for June 2, 2022 at 7:00 PM.

RESOLUTION – RELATING TO THE ABSOLUTE DISCONTINUANCE OF A PORTION OF THE COMMERCIAL STREET PARKING AREA – RESOLUTION R-2022-13

A Municipal Services, Facilities, and Infrastructure Committee report read recommending the adoption of Resolution R-2022-13. Mayor Hansel filed the report.

Councilors Giacomo, Johnsen, Roberts, and Chadbourne did not attend the site visit and would abstain in the vote.

A motion by Councilor Greenwald to adopt Resolution R-2022-13 was duly seconded by Councilor Filiault. The motion carried unanimously with 9 Councilors present and voting in favor. Councilors Chadbourne, Giacomo, and Roberts abstained.

RESOLUTIONS – RELATING TO THE APPROPRIATION OF FUNDS FOR THE PATRICIA T. RUSSELL PARK PROJECT AND THE CARPENTER STREET FLOOD MANAGEMENT PROJECT – RESOLUTION R-2022-16 & RESOLUTION R-2022-19

A memorandum read from the City Engineer, recommending that Resolutions R-2022-16 and R-2022-19 be referred to the Finance, Organization, and Personnel Committee for their consideration and recommendation. Mayor Hansel referred Resolutions R-2022-16 and R-2022-19 to the Finance, Organization, and Personnel Committee.

05/05/2022

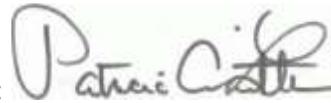
RESOLUTION – RELATING TO THE APPROPRIATION OF FUNDS FOR GEORGE STREET BRIDGE REPLACEMENT PROJECT – RESOLUTION R-2022-17

A memorandum read from the City Engineer, recommending that Resolution R-2022-17 be referred to the Finance, Organization, and Personnel Committee for their consideration and recommendation. Mayor Hansel referred Resolution R-2022-17 to the Finance, Organization, and Personnel Committee.

ADJOURNMENT

There being no further business, Mayor Hansel adjourned the meeting at 8:10 PM.

A true record, attest:

A handwritten signature in black ink, appearing to read "Patricia Castle", is written over a light green rectangular background.

City Clerk