

07/06/2023

A regular meeting of the Keene City Council was held on Thursday, July 6, 2023. The Honorable Mayor George S. Hansel called the meeting to order at 7:00 PM. Roll called: Bryan J. Lake, Michael J. Remy, Michael Giacomo, Randy L. Filiault, Robert C. Williams, Philip M. Jones, Andrew M. Madison, Kris E. Roberts, Raleigh C. Ormerod, Bettina A. Chadbourne, Catherine I. Workman, Kate M. Bosley, Mitchell H. Greenwald, and Thomas F. Powers were present. Having declared a quorum was physically present, Mayor Hansel recognized Gladys Johnsen's request to participate remotely due to travel. Hearing no objections, Mayor Hansel granted the remote participation. Councilor Johnsen was alone at her location. Councilor Filiault led the Pledge of Allegiance.

ANNOUNCEMENTS

Mayor Hansel announced that there would be a Council Workshop immediately following this meeting relating to the Downtown Improvement and Infrastructure Project. The Mayor also reminded that the Council's summer vacation schedule would start with the cancellation of the July 26 and 27 MSFI and FOP meetings as well as the August 3 Council meeting. In addition, the August 9 and August 10 PLD and FOP Committee meetings were also canceled. The Council would return to its normal meeting schedule for the August 17 meeting.

MINUTES FROM THE PRECEDING MEETING

A motion by Councilor Powers to adopt the minutes of the June 15, 2023, meeting as printed was duly seconded by Councilor Bosley. The motion carried unanimously on a roll call vote with 15 Councilors present and voting in favor.

PROCLAMATION – PARKS AND RECREATION MONTH

Mayor Hansel welcomed Director of Parks, Recreation, and Facilities—Andy Bohannon—to receive a proclamation declaring July 2023 as Parks and Recreation Month in the City of Keene. This year's theme is "Where Community Grows." The Mayor encouraged all citizens to relish the wonders of nature around them and participate in the diverse recreational activities available to them. Mr. Bohannon shared a flyer with the Council that listed all of the July events. On July 18, there would be a public meeting for the Robin Hood Park concept plan that should be a fun event for families and children to participate in the process. Mr. Bohannon also announced that the Pat Russell Park bathroom would be installed on July 13. The Robin Hood pool would open on July 13 as well. People can learn more at www.keeneparks.com.

COMMUNICATION – PETER ESPIEFS – PLACEMENT OF CELL TOWER IN RESIDENTIAL NEIGHBORHOOD – NUISANCE AND SAFETY HAZARD CONCERNS

A communication was received from Peter Espiefs, registering concerns about the placement of a cell tower in his neighborhood, indicating the narrow road width and proximity to residential homes constitutes a "Nuisance in Fact and in Law" directly affecting the safety and security of

residents. He requests it be removed to an appropriate location. Mayor Hansel referred the communication to the Planning, Licenses, and Development Committee.

COMMUNICATIONS: JENNIFER RISLEY – URGING SUPPORT FOR BIKE LANES AS PART OF THE DOWNTOWN INFRASTRUCTURE IMPROVEMENT AND RECONSTRUCTION PROJECT; KEN KOST – RELEVANCE OF THE 2028 COMMUNITY VISION AND THE DOWNTOWN INFRASTRUCTURE IMPROVEMENT AND RECONSTRUCTION PROJECT; JANELLE SARTORIO, IN SUPPORT OF CONNECTING THE EXISTING TRAILS AND BIKE LANES TO THE DOWNTOWN; AND DORRIE MASTEN – RECOMMENDING THAT THE PUBLIC BE ALLOWED TO DISCUSS ANY NEW DESIGN OPTIONS – DOWNTOWN INFRASTRUCTURE IMPROVEMENT AND RECONSTRUCTION PROJECT

A communication was received from Jennifer Risley, urging support for the inclusion of bike lanes in the preferred option for the Downtown Infrastructure Improvement and Reconstruction Project. A communication was also received from Ken Kost, referring to the Community Vision for 2028 as outlined in the Comprehensive Plan. That vision stated, “Our built environment consists of ... clean and efficient public transportation that connects us to our community, the region, and beyond; pedestrian and bicycle infrastructure that is present throughout our community and that places import on people rather than automobiles; and a well-developed trail system that provides connections between neighborhoods, open spaces, and other communities while simultaneously supporting a healthy lifestyle.” Mr. Kost goes on to urge the inclusion of bike infrastructure in the preferred design for the Downtown Infrastructure Improvement and Reconstruction Project. A communication was also received from Janelle Sartorio, expressing her belief that bike lanes are an inexpensive way to enhance the City and the quality of life of its residents. A final communication was received from Dorrie Masten, requesting that any new options for the downtown project be sent to the Municipal Services, Facilities, and Infrastructure Committee for public discussion. Mayor Hansel accepted the four communications as informational.

COMMUNICATION – PAMELA RUSSELL SLACK – REQUESTING AN AMENDMENT TO THE CITY COUNCIL’S RULES OF ORDER – WORKSHOPS

A communication was received from Pamela Russell Slack, requesting that the City Council consider an amendment to its Rules of Order to include language about Council workshops. Mayor Hansel referred the communication to the Finance, Organization, and Personnel Committee.

COMMUNICATION – DWIGHT BOWIE – ENCOURAGING EFFECTIVE COMMUNICATIONS WITH THE PUBLIC AND GREATER ACCESSIBILITY TO ANY MATERIALS THAT ARE DISSEMINATED REGARDING THE DOWNTOWN INFRASTRUCTURE IMPROVEMENT AND RECONSTRUCTION PROJECT

A communication was received from Dwight Bowie, recommending that the Council prioritize the citizens of Keene as their primary stakeholders and ensure that all disseminated materials are presented in a more accessible format. He offers a guideline that would be useful for consultants to follow. Mayor Hansel accepted the communication as informational.

COMMUNICATION – COUNCILOR FILIAULT – REIMBURSEMENT FOR SPEAKING FEE – JEFF SPECK VISIT

A communication was received from Councilor Randy Filiault, requesting that the City be refunded for the fees paid to host a visit from Urban Planner Jeff Speck, citing the visit as a “for profit” book sale and signing event that should not be funded with taxpayer money. Mayor Hansel referred the communication to the Finance, Organization, and Personnel Committee.

MSFI REPORT – 2023 WARRANT FOR UNLICENSED DOGS – CITY CLERK

A Municipal Services, Facilities, and Infrastructure Committee report read, recommending that the City Council issue a warrant for unlicensed dogs pursuant to NHRSA 466:14, and that the City Clerk and the Keene Police Department be authorized to issue a civil forfeiture for each unlicensed dog to those dog owners who have failed to license their dog by April 30, 2023. A motion by Councilor Greenwald to carry out the intent of the Committee report was duly seconded by Councilor Filiault. The motion carried unanimously on a roll call vote with 15 Councilors present and voting in favor.

FOP REPORT – SOLAR GENERATION FACILITIES – REVISION ENERGY LETTER OF INTENT

A Finance, Organization, and Personnel Committee report read, recommending that the City Manager be authorized to do all things necessary to negotiate and execute a Letter of Intent with Revision Energy for solar energy generation facilities on City-owned property at the Monadnock View Cemetery, Rose Lane, and Dillant-Hopkins Airport along with assessing the potential provision of electric vehicle and aircraft charging infrastructure at the Dillant-Hopkins Airport. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy. The motion carried unanimously on a roll call vote with 15 Councilors present and voting in favor.

FOP REPORT – COUNCILOR FILIAULT – PROPOSING REFERENDUM QUESTION ON MUNICIPAL BALLOT – PREFERRED DESIGN ALTERNATIVE – DOWNTOWN INFRASTRUCTURE IMPROVEMENT AND RECONSTRUCTION PROJECT

A Finance, Organization, and Personnel Committee report read, recommending accepting this item as informational.

Councilor Filiault said he had no issue with this being accepted as informational after speaking with the City Attorney. The Councilor realized this option could be brought up again in the future. He recalled a Councilor stating that the constituents would not understand this if it was on a ballot. Councilor Filiault disagreed with that assertion, calling it an insult to Keene's citizens, and stating that the 15 Councilors were not the only ones who could figure this out. He did agree with the assertion that if this were on a ballot, it should be more specific because there had been so many plans circulating.

Mayor Hansel filed the report as informational.

FOP REPORT – COUNCILORS WILLIAMS AND CHADBOURNE – REQUEST FOR PUBLIC FORUM – EFFECTIVE USE OF OPIOID SETTLEMENT FUNDS

A Finance, Organization, and Personnel Committee report read, recommending that the communication be accepted as informational and that the City Manager request a nonprofit substance abuse provider lead a community discussion which the City participates in with other partners and the community around gaps in service to encourage grant applications to the State's opioid abatement trust fund. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy.

Councilor Williams thought this was an important initiative to have a discussion about. He suggested figuring out the best way to use this money that was coming into the community so it can benefit the people who really need it. He hoped his fellow Councilors would make the effort to be a part of that discussion.

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

CITY MANAGER COMMENTS

First, the City Manager reported that unfortunately, Fire Deputy Chief McCarthy gave his resignation and is moving back to Colorado to be with his family for personal reasons. The Fire Chief is working with HR to create a temp contract to help fulfill some of these duties while recruiting for a replacement. The Fire Inspection Division had been extremely busy and therefore, the goal was to bring someone in with fire inspection experience to help oversee this division.

The City Manager also announced that Community Power successfully launched on June 1. For those participating in the program, this change goes into place on the first meter read after the June 1 start date. The launch was very successful. Out of 10,477 accounts, 9,465 enrolled in Community Power. There were only 633 "opt-outs" and 243 "opt-ins." The vast majority of people stayed with the default option (which adds 10% more renewable energy), 216 opted up to 100%, 38 opted up to 50%, and 207 chose the basic option without any additional renewable

energy. Through this program, businesses and residents are saving money on their electric bill and for the majority of people enrolled, buying at least 10% additional renewable energy.

The City Manager shared that the City received its body-worn camera equipment during the month of May. Installation and training were still on track for the week of July 10, with a go-live date shortly after.

Lastly, the City Manager reported on the lower Main Street crosswalks. The City partnered with Keene State College (KSC) to make improvements to the crosswalks on Lower Main Street. In the last 6 years, 2 students were hit while crossing the crosswalk. In both accidents, the driver in one lane stopped for the pedestrian but the driver in the second lane going the same direction did not see the pedestrian and struck them. KSC agreed to pay directly for the \$25,700 cost to purchase (3) RRFB solar-powered pedestrian notification systems. While this would not eliminate the pedestrian safety issue entirely, it would provide some visible warning when used. On June 30, Public Works Staff installed the bases for these pedestrian beacons. Next, Hamblet Electric would install the beacons. The City Manager thanked KSC for partnering with the City on this safety improvement. Most Councilors would remember a few years ago, when a similar financial partnership for improvements further down on lower Main Street was accomplished following the first of the 2 pedestrian accidents mentioned.

REPORT – DOWNTOWN INFRASTRUCTURE IMPROVEMENT AND RECONSTRUCTION PROJECT – KEENE HERITAGE COMMISSION

A Heritage Commission report read, offering to engage in a discussion of the historical implications of the downtown infrastructure project in an effort to protect the features that speak to Keene's historic character. Mayor Hansel accepted the report as informational.

REPORT - DOWNTOWN INFRASTRUCTURE IMPROVEMENT AND RECONSTRUCTION PROJECT – BICYCLE/PEDESTRIAN PATH ADVISORY COMMITTEE

A Bicycle/Pedestrian Path Advisory Committee report read, continuing to advocate for protected bike lanes at sidewalk grade on both sides of Main Street. Lanes should be placed between parking spaces and the sidewalk. Lanes should be 6 feet wide, with a 2-foot buffer on each side of the lane. Mayor Hansel accepted the report as informational.

REPORT – DOWNTOWN INFRASTRUCTURE IMPROVEMENT AND RECONSTRUCTION PROJECT – ENERGY AND CLIMATE COMMITTEE

An Energy and Climate Committee report read, providing comments on the Downtown Infrastructure Improvement and Reconstruction Project. The goals of the project intersect with the Energy and Climate Committee's goals and objectives related to Keene's Energy Plan and Climate Adaptation Action Plan. Mayor Hansel accepted the report as informational.

MORE TIME – JOHN SOSNOWSKI – REQUEST FOR WATER ABATEMENT AND FEE WAIVER – 251 PARK AVENUE

A Municipal Services, Facilities, and Infrastructure Committee report read, recommending placing Mr. Sosnowski’s request on more time. Mayor Hansel granted more time.

RESOLUTIONS – ACCEPTANCE OF DEEDS AND RETURN OF LAYOUT – MAGNOLIA WAY RESOLUTION R-2023-22, RESOLUTION R-2023-23, & RESOLUTION R-2023-24-A

A Municipal Services, Facilities, and Infrastructure Committee report read on a vote of 5–0, recommending the adoption of Resolutions R-2023-22, R-2023-23, and R-2023-24-A.

A motion by Councilor Greenwald to adopt Resolution R-2023-22 was duly seconded by Councilor Filiault. The motion carried unanimously on a roll call vote with 15 Councilors present and voting in favor.

A motion by Councilor Greenwald to adopt Resolution R-2023-23 was duly seconded by Councilor Filiault. The motion carried unanimously on a roll call vote with 15 Councilors present and voting in favor.

A motion by Councilor Greenwald to adopt Resolution R-2023-24-A was duly seconded by Councilor Filiault. The motion carried unanimously on a roll call vote with 15 Councilors present and voting in favor.

Councilor Greenwald briefly mentioned that this would not solve the housing crisis, but every new house opened the door for someone else to move in.

RESOLUTIONS – ACCEPTANCE OF DEED AND RETURN OF LAYOUT – MATTHEWS ROAD AND WINCHESTER STREET INTERSECTION – RESOLUTION R-2023-25 & RESOLUTION R-2023-26

A Municipal Services, Facilities, and Infrastructure Committee report read on a vote of 5–0, recommending the adoption of Resolution R-2023-25 and Resolution R-2023-26. A motion by Councilor Greenwald to adopt Resolutions R-2023-25 was duly seconded by Councilor Filiault. The motion carried unanimously on a roll call vote with 15 Councilors present and voting in favor. A motion by Councilor Greenwald to adopt Resolutions R-2023-26 was duly seconded by Councilor Filiault. The motion carried unanimously on a roll call vote with 15 Councilors present and voting in favor.

A Municipal Services, Facilities, and Infrastructure Committee report read on a vote of 5–0, recommending that the City Council grant a waiver to Section 22-3-3 of the Land Development Code with respect to minimum right-of-way widths for Matthews Rd. A motion by Councilor

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

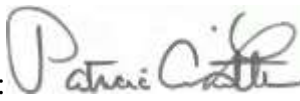
RESOLUTIONS – RELATING TO THE ACCEPTANCE OF DEED AND RETURN OF LAYOUT – BROOKFIELD LANE PETITIONER – WHITCOMB’S MILL ESTATES – RESOLUTION R-2023-28 & RESOLUTION R-2023-29

Attorney Stephen Bragdon on behalf of Whitcomb’s Mill Estates is submitting a petition for the acceptance of deed and layout of a public way to be known as Brookfield Estates. Mayor Hansel referred Resolutions R-2023-28 and R-2023-29 to the Municipal Services, Facilities, and Infrastructure Committee and Planning Board. The Mayor scheduled a site visit for August 17 at 5:45 PM and a public hearing the same evening at 7:00 PM.

ADJOURNMENT

The City Manager provided a final announcement. At the Council’s May 4, 2023 meeting, the Council approved Resolution R-2023-21, a Community Development Block Grant application for up to \$500,000 to the Community Development Finance Authority. The funding will allow Keene Housing—on behalf of its affiliate, Monadnock Affordable Housing Corporation—to renovate and construct new, affordable housing within the former Roosevelt School property at 438 Washington Street. It was since determined that the project qualifies for up to \$750,000, which is the amount to be requested. No further Council action was needed.

There being no further business, Mayor Hansel adjourned the meeting at 6:30 PM.

A true record, attest: 
City Clerk