

07/18/2024

A regular meeting of the Keene City Council was held on Thursday, July 18, 2024. The Honorable Mayor Jay V. Kahn called the meeting to order at 7:00 PM. Roll called: Kate M. Bosley, Laura E. Tobin, Michael J. Remy, Randy L. Filiault, Robert C. Williams, Edward J. Haas, Philip M. Jones, Andrew M. Madison, Kris E. Roberts, Jacob R. Favolise, Bryan J. Lake, Catherine I. Workman, Bettina A. Chadbourne, Thomas F. Powers, & Mitchell H. Greenwald were present. Councilor Greenwald led the Pledge of Allegiance.

MINUTES OF THE PRECEDING MEETING

A motion by Councilor Greenwald to adopt the June 20, 2024, minutes as presented was duly seconded by Councilor Bosley. The motion carried unanimously with 15 Councilors present and voting in favor.

ANNOUNCEMENTS

Mayor Kahn and the Council wished a Happy Birthday to Councilors Remy and Haas.

Mayor Kahn reminded the Council that its summer vacation would start with the cancellation of the August 15 Council meeting and would include the September 5 meeting. The Council Standing Committee meetings of August 7–8 and August 21–22 are also canceled. The Committees will start meeting again on September 11–12. The Council will start meeting again on September 19.

COMMUNITY RECOGNITION – ALAN RUMRILL, HISTORICAL SOCIETY OF CHESHIRE COUNTY

Mayor Kahn welcomed Alan Rumrill, Executive Director of the Historical Society of Cheshire County. The Mayor shared the following in recognition of Mr. Rumrill's retirement (effective 11/01/2024) after 41 years with the Historical Society. For many in Cheshire County, Mr. Rumrill had been the scholar-in-residence and voice for history in the Monadnock Region. He had written and recorded over 1,500 "Monadnock Moments" for radio spots on WKBK Radio since 1995. He had also written Keene Sentinel columns called "Moments in History" each weekend, in addition to submitting weekly photos to the Monadnock Shopper News. Mr. Rumrill had taught hundreds of classes on local history and Museum management topics, having worked with hundreds of student interns and volunteers. He had responded to over 1,000 invitations from organizations to present public programs on local topics. Mr. Rumrill had developed and installed more than 50 featured exhibits on themes ranging from industrial history to immigration history, to art, archaeology, agriculture, advertising, baseball, the Civil War, Civil Rights, conservation, and many more. He is the author of many articles and 10 books on histories of various towns in the Monadnock Region. Mr. Rumrill's family has lived in Cheshire County since the 1770s. He attended Keene State College, majoring in History. He became the first paid employee at the previously all-volunteer Historical Society of Cheshire County in 1983. Under his stewardship, the Historical Society had grown to 6 staff members, 130 volunteers, 3 buildings, 150+ programs annually, an annual budget of over \$500,000, and an endowment of over \$4 million.

Mayor Kahn continued, noting that Mr. Rumrill's valuable efforts were recognized on the recently released a BIPOC (Black, Indigenous, and People of Color) Monadnock website: www.BIPOCMonadnock.org. Jenna Carroll, the project's co-director and Mr. Rumrill's successor, recently announced access to these historical records gathered through the Historical Society in Keene and the Monadnock Center for History and Culture in Peterborough, NH. BIPOC Monadnock explores a diverse history of NH's Monadnock Region between the 1730s and 1930s. Having reviewed many of the hundreds of biographical records, Mayor Kahn said he was fascinated by the stories. Though the story of Rubin Giddim written by Mr. Rumrill, one learns of how a person enslaved by a MA man likely earned his freedom by serving for his slaveowner in the MA Militia before settling in Richmond, NH, until his death in 1820. These various aspects of local history were compiled by Mr. Rumrill. He will continue this effort after stepping down as Executive Director.

Mayor Kahn noted that Mr. Rumrill had been honored with several career awards: the NH Preservation Alliance's 2023 Preservation Achievement Award for outstanding leadership in research, public outreach, and stewardship; the American Association for State and Local History's 2023 Leadership in History Award; and a Rotary Paul Harris Fellow Award. Mayor Kahn said that Mr. Rumrill deserved to be recognized many times more for his contributions to documenting the history of NH and its communities. Before his retirement, Mayor Kahn formally recognized and thanked Mr. Rumrill for the irreplaceable value he had contributed to Keene and the Monadnock Region, and presented him with a pin of the key to the City of Keene.

Mr. Rumrill thanked the Mayor for this recognition and honor of the work he loved doing. He said it had been a privilege to preserve and share history of this region through thousands of stories over 41 years. He thanked his fellow staff members at the Historical Society.

RETIREMENT PROCLAMATION – MEDARD KOPCZYNSKI

Mayor Kahn read into the record a Proclamation honoring Med Kopczynski's 25 years of service to the City of Keene in various roles, including serving as the past City Manager. The City Manager, Elizabeth Dragon, added that over the years, Mr. Kopczynski had taken on any duty/task asked of him, succeeding at everything he did. She thanked him for working with her during her transition to City Manager and said Mr. Kopczynski's assistance had been truly impactful since. He had consistently demonstrated a deep commitment to public service. The City Manager called Mr. Kopczynski a true servant-leader and thanked him.

Mr. Kopczynski said he could not have done anything he did alone, and he recognized the public he served and worked with. He recognized his fellow City staff, whom he called a good example of impartial and congenial City government; the staff are unparalleled in New England and the nation. He was comfortable turning the City over the City Manager Dragon at the time, and he thanked her. He also thanked past City Councils and Mayors. Lastly, he recognized City Attorney, Tom Mullins, for helping to keep him grounded, and City Clerk, Patty Little, whom he called a polished jewel that would be missed when she retires. The Council applauded Mr. Kopczynski.

PROCLAMATION – PARKS AND RECREATION MONTH

Mayor Kahn read into the record a Proclamation declaring July 2024 as Parks and Recreation Month in Keene, with the theme “Where You Belong,” and encouraged all citizens to recognize Parks and Recreation staff, relish in the wonders of nature around them, and participate in the diverse recreation opportunities available in the City of Keene.

Mayor Kahn presented the Proclamation to the new Parks and Recreation Director, Carrah Fisk-Hennessey. Ms. Fisk-Hennessey said we are all fortunate to live, work, and play in such a wonderful community with so many resources and offerings. She looked forward to this year’s theme of “Where You Belong,” with a multigeneration impact on Keene’s Parks and Recreation programming. She recognized the great Parks and Recreation team and encouraged the community to recognize that team when visiting parks, trails, cemeteries, or any community events.

CONFIRMATIONS – HERITAGE COMMISSION AND HISTORIC DISTRICT COMMISSION

Mayor Kahn nominated Rose Carey and Louise Zerba to serve as regular members of the Heritage Commission, with terms to expire December 31, 2026. The Mayor also nominated Louise Zerba to serve as a regular member of the Historic District Commission, as the Heritage Commission’s representative, with a term to expire December 31, 2026.

A motion by Councilor Greenwald to confirm the nominations was duly seconded by Councilor Bosley. The motion carried unanimously on a roll call vote with 15 Councilors present and voting in favor.

COMMUNICATION – JON LOVELAND, PE – DOWNTOWN INFRASTRUCTURE PROJECT

A communication was received from Jon Loveland, PE, sharing some information and expressing his critical opinion of the downtown project budget. Mayor Kahn accepted the communication as informational.

JIM COPPO/JIMMY TEMPESTA – REQUEST TO DISCHARGE FIREWORKS – FIRST RESPONDER APPRECIATION COMMUNITY DAY – AUGUST 18, 2024

A communication was received from Jim Coppo and Jimmy Tempesta, requesting a license to discharge fireworks at Alumni Field as a part of the First Responder Appreciation Community Day held on August 18, 2024. Mayor Kahn referred the communication to the Planning, Licenses, and Development Committee.

MSFI REPORT – THE ELM CITY ROTARY, THE KEENE ROTARY, AND THE MONADNOCK INTERFAITH PROJECT – REQUESTING PERMISSION TO ERECT A PEACE POLE IN CENTRAL SQUARE

A Municipal Services, Facilities, and Infrastructure Committee report read, unanimously recommending that the City Council direct the City Manager to work with the petitioners to incorporate elements of the proposed peace pole into a new fountain design for the common. A motion by Councilor Greenwald to carry out the intent of the Committee report was duly seconded by Councilor Filiault. Councilor Greenwald encouraged the public to contribute personal donations for this effort, as he would be. The motion carried unanimously with 15 Councilors present and voting in favor.

MSFI REPORT – NEIGHBORHOOD PARKING PROJECT – WALKER CONSULTANTS

A Municipal Services, Facilities, and Infrastructure Committee report read, unanimously recommending accepting the Neighborhood Parking Project presentation as informational. Mayor Kahn filed the report as informational.

MSFI REPORT – ELECTRIC VEHICLE INFRASTRUCTURE PLAN

A Municipal Services, Facilities, and Infrastructure Committee report read, unanimously recommending accepting the report as informational, and that the City Manager be authorized to do all things necessary to identify and apply for grants to help the City implement the report's recommendations. 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 15 Councilors present and voting in favor.

MSFI REPORT – PROJECT UPDATE – ROADWAY SAFETY ACTION PLAN

A Municipal Services, Facilities, and Infrastructure Committee report read, unanimously recommending accepting the presentation on the Roadway Safety Action Plan project as informational. Mayor Kahn filed the report as informational.

MSFI REPORT – CUSTOMER SERVICE OPPORTUNITIES FOR COMMUNITY DEVELOPMENT AND FIRE PREVENTION

A Municipal Services, Facilities, and Infrastructure Committee report read, unanimously recommending accepting the presentation on Customer Service Opportunities for Community Development and Fire as informational. Mayor Kahn filed the report as informational.

Mayor Kahn noted that this matter would appear before MSFI again in the future as aspects are implemented.

MSFI REPORT – DOWNTOWN INFRASTRUCTURE PROJECT

A Municipal Services, Facilities, and Infrastructure Committee report read, unanimously recommending that the City Council approve the Preliminary Design for the Downtown Infrastructure Project as depicted on a drawing entitled "City of Keene, Downtown Infrastructure Project, Preliminary Design Plan" dated June 26, 2024, by Stantec Consulting Services, Inc. A

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

Councilor Greenwald shared opening comments on the past several years of work on this project. He was very happy that the MSFI Committee reached its goal to arrive with a unanimous recommendation at this meeting. Councilor Greenwald and Councilor Filiault worked hard with the consultants and Committee to reach this compromise that was based on input from the consultants, City staff, Councilors, and the public. As a compromise, this recommendation included aspects that some would not like; likely no one would be 100% content with the entirety. Still, he was pleased that it was an open discussion, with nothing forced by the consultants or City staff. He mentioned that some safety concerns were addressed with terrific traffic plans for Roxbury Street, West Street, and the shape of Central Square; while it will look different, it will still be the Central Square that so many fought to save. This recommendation included bike lanes, and while this left some with safety concerns, the City had a specific Committee studying Keene's roadway safety, so he thought that it would work with strict enforcement and cooperation. The Committee had managed to accommodate pedestrians, bikers, diners, and more. Still, cooperation by all will be needed for these 3 years of difficult construction. Councilor Greenwald was committed to work with all downtown merchants to get through the project as smoothly as possible. Unfortunately, the utility work below ground downtown was well overdue. He cited past Councils that only did surface work downtown instead of addressing the belowground dangers from outdated pipes, meaning it was harder work for this Council and would be more expensive for the City. Still, Councilor Greenwald said the City Manager had determined ways to pay for the project without the Federal RAISE grant, and he awaited more information on that.

Councilor Filiault echoed Councilor Greenwald's comments, noting that this was a unanimous vote by the MSFI Committee. He called it a poster project for compromise. He said the public and project had been largely quiet until approximately 48 hours before this meeting, when someone brought forward the issue of bike lanes again. He complimented Councilor Greenwald for leading the MSFI Committee in reaching this compromise. Councilor Filiault complimented Mayor Kahn for slowing this process and making it more transparent for greater trust between the community and Council. He also complimented City staff. Mayor Kahn noted that any process improvements were also led by the City Manager and her staff, who listened to the public and Council to help reach this decision.

Councilor Jones agreed with previous speakers and thanked the MSFI Committee for its leadership and a transparent process. He also commended City staff. The Councilor was pleased with the adjustments to Central Square. He agreed that this had become a more transparent process. Councilor Jones asked about the planned public bathrooms, which did not appear to be a part of this approved design. The City Manager replied that this project plan includes preparing the underground infrastructure for the public restroom, but its construction was not planned until Fiscal Year 2026 with separate allocations. Councilor Jones recalled that challenges led the City to close the prior public restroom, so he said a plan would be needed before opening the restroom, and he wanted to ensure the public knew it would not be an immediate part of this project. Councilor Jones also stated that he tried to compromise on bike lanes, but due to safety and history, he would vote no on this project because of the bike lanes.

Councilor Workman addressed misconceptions that were spreading in the community based on the City unfortunately not receiving the Federal RAISE grant. She stated that she had faith in the City Manager and her great staff to pivot to Plan B. While the City knew that raised bike lanes would elevate its chance of receiving the RAISE grant, the Council always knew that was not a guarantee. The City Manager stated that, fortunately, she did not have to pivot because she had been planning for this project for years and the funds were already programmed in the City's Capital Improvement Program (CIP). She agreed with Councilor Workman that it was always known that the RAISE grant was not guaranteed, so it was not included in her CIP planning and calculations. The City Manager added that only three communities in NH received the RAISE grant, but only for planning purposes (~ \$1 million each) vs. other states in New England that received capital RAISE grants (~ \$25 million each).

Councilor Williams congratulated his colleagues for the good progress on this project. He thanked all members of the public who made their voices heard in this process, even when not in agreement. He was grateful that the need for bike lanes was better understood as it would create a more modern urban fabric of downtown Keene with ways to get around in all forms. Councilor Williams was excited about this compromise.

Councilor Haas complimented the MSFI Committee, City staff, and all others involved with reaching this compromise. He said the efforts on this phase of the project could not have been more open and transparent, stating that the MSFI Committee managed to distill public opinion and synthesize it into something that really works for Keene's needs. He thought the design would be beautiful and praised in the future. He thought the broader sidewalks would be welcome, including the bike lanes. No matter the type of sidewalk, curbing, speed tables, etc., he said it would be up to the Council to make it wonderful, which was already happening with Keene's many successful festivals, for example. While regulations for bike lanes and more would be needed, he had great faith that all the wonderful groups in the City would work together to make this successful.

Councilor Bosley was proud of this Council and the previous Council for getting through this painful process, which proved that a hybrid of full Council workshops and Standing Committee meetings can work well. She thought this road to compromise was successful because all Councilors worked together; it was not always pretty, but the Council managed. She was proud of this compromise because all voices and passions were heard. With the recent death of a young man on an electrical bike who was struck by a vehicle in Jaffrey, Councilor Bosley was proud that Keene's downtown would have these protected bike lanes, which will need sound plans and policies to protect the public. She looked forward to planning for the future.

Councilor Tobin was excited about this compromise, noting that she had participated in this process as a member of the public when it began in 2018, long before being elected to the City Council. At that time, the street near her home was under construction, which she had to walk through daily. She attended an early downtown project workshop and the following was asked: We have to dig up Main Street to replace all the pipes, so what do we do with the downtown after? Should it stay the same or change? There was inspiring brainstorming at that time, and she appreciated the energy in the room around this project now. After all of this effort, Councilor

Tobin thought the community had a better understanding of the project and how to make it through the challenging construction.

Councilor Williams added his thanks to the project consultants from Stantec.

Mayor Kahn thanked Councilor Greenwald for his additional work and meetings to help lead this project to fruition. He also thanked the rest of the MSFI Committee.

On a vote of 14–1, the motion to carry out the intent of the Committee report carried. Councilor Jones voted in opposition.

Mayor Kahn stated that government is a process of collaboration, which was exemplified in this process. He was grateful for the level of cooperation amongst this Council.

FOP REPORT – INVEST NH – DEMOLITION OF FORMER ROOSEVELT SCHOOL

A Finance, Organization, and Personnel Committee report read, unanimously recommending that the City Manager be authorized to do all things necessary to negotiate, accept, execute the necessary documents, and expend an Invest NH Capital Grant not to exceed \$412,000 with Keene Housing and the State of New Hampshire Department of Business Affairs (BEA) for the demolition of 438 Washington Street (the former Roosevelt School). Mayor Kahn filed the report. The City Attorney recommended the following revised motion that specified the contracted parties involved.

A motion by Councilor Powers was duly seconded by Councilor Remy to recommend that the City Manager be authorized to do all things necessary to apply for, accept and expend an Invest NH Capital Grant not to exceed \$412,000, and to negotiate and execute all necessary agreements with the Monadnock Affordable Housing Corporation related to the Capital Grant and intended for the demolition of 438 Washington Street (the former Roosevelt School). The motion carried unanimously with 15 Councilors present and voting in favor.

FOP REPORT – ACCEPTANCE OF A DONATION TO THE HEBERTON FUND

A Finance, Organization, and Personnel Committee report read, unanimously recommending that the City Manager be authorized to do all things necessary to accept and expend a donation of \$1,169 to the Heberton Fund from the Trustees of the Keene Public Library. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy. The motion carried unanimously with 15 Councilors present and voting in favor.

FOP REPORT – ACCEPTANCE OF DONATION TO FUND MAKERSPACE INTERNS

A Finance, Organization, and Personnel Committee report read, unanimously recommending that the City Manager be authorized to do all things necessary to accept and expend a donation of \$15,000 from the Friends of the Keene Public Library to fund Makerspace Interns. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by

Councilor Remy. The motion carried unanimously with 15 Councilors present and voting in favor.

The Makerspace Interns are at the Library to engage with young students on Tuesdays, Wednesdays, Thursdays, Fridays, and sometimes on Saturdays.

FOP REPORT – REQUEST TO ADDRESS ISSUES OF TRANSPARENCY, THE IMPACT OF HOMELESSNESS, AND ISSUES RELATING TO FREEDOM OF SPEECH, AND POLITICAL SIGNAGE

A Finance, Organization, and Personnel Committee report read, unanimously recommending that the communications from Charles Smith be accepted as informational. Mayor Kahn filed the report as informational and referred the Council to a follow-up letter of thanks from Mr. Smith.

CITY MANAGER COMMENTS

First, the City Manager reported on the severe storm event on Tuesday, July 16 (~ 7:00 PM), with torrential downpours and high wind gusts up to 50 mph. There was damage around the City, but a significant amount of damage was focused in the northwest part of the City in the Maple Avenue/Court Street area. The event resulted in trees and limbs falling onto power/communication wires, into the roadways, and onto private structures. The Fire Department started receiving calls around 7:18 PM, with over 35 calls within a 15-minute period relating to wires, trees, and limbs down on roads, vehicles, and buildings. There was a challenge for the Fire Department because Southwest Mutual Aid had an equipment failure resulting in them being unable to provide dispatch support to the City for a period of time. As a result, the Fire Department initiated a 5-engine task force with mutual aid support from the towns of Marlboro, Spofford, Hinsdale, Swanzey, and Chesterfield. The City Manager thanked these towns for their support and emphasized the importance of mutual aid; no town or city can possibly maintain 24/7 staffing levels to support a response of this magnitude, which is why mutual aid is so important. The Public Works Department responded to downed trees in various locations, with Maple Avenue and several other streets closed or restricted as debris was cleared. It was initially estimated that approximately 33 private structures were damaged by falling trees and limbs, primarily within the Tanglewood Mobile Home Park and one on Glen Road. The Black Brook, Drummer Hill Water Booster Stations, the Blackbrook Wastewater Lift Station and the Court Street Wellfield lost power and were operating on emergency generators.

The City Manager continued, reporting on the storm recovery efforts. The Fire Marshall and Building Division performed a review of 44 buildings in the community:

- Tanglewood MHP: 31 buildings with minor damage and 6 buildings with major damage that were placarded as unsafe.
 - The most significant damage from the storm was to private properties within the MHP.
 - The American Red Cross had been called to assist residences. They were scheduled to set up a reception center at Tanglewood MHP at 10 Sparrow Street between 1:00 PM–7:00 PM on July 19.
- Court Street Condos: 1 building with major damage and 1 building with minor damage.

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- Glenn Road: 1 building with major damage placarded as unsafe.
- Woodbury Street: 1 building with minor damage.
- Sesame Street: 3 buildings with minor damage.
- Portland Street: 1 building with minor damage.

The City Manager continued reporting on the storm. As of the time of this report, the Public Works Department had reported that all streets and roads within the City were open. They still had several days of work to clean up trees, limbs, and debris from the public right-of-way. Power had been restored to all water and wastewater facilities. The Parks and Recreation Department reported damage in Monadnock View Cemetery and the pickleball courts, with significant damage (several were currently closed) at the Fuller School Baseball Field and Sesame Street Playground. Parks and Recreation staff were reviewing trail networks, including Goose Pond, for damage. City Departments would continue their assessment and clean-up efforts. The City Manager said it was a great effort from the City team to respond to and now recover from this storm event. The City has a lot of new staff members, and they came together to work through the challenges of this late-day and fast-moving storm. The City Manager also thanked the returning Emergency Management Director, Kürt Blomquist, who came forward to help manage the event.

The City Manager continued her report, discussing downtown bike lane rules. The City Manager and Mayor appointed a committee to bring forward stakeholders to discuss proposed bike lane rules for the downtown. The group met for several months and completed their work in June. Now that the preliminary design decision had been made by the Council, the City Manager would bring forward the group's recommendations to the MSFI Committee.

Next, the City Manager reported that the City had started its data verification project. While City staff visit numerous properties annually for a number of reasons, this is a systematic approach to start viewing all properties in the City. The City Manager clarified that this would not be a revaluation in the sense of bringing properties up to market value, but rather looking to ensure the City's data is accurate, and accounts for any unknown changes to properties that may have occurred. This work is in advance of a City-wide revaluation of all properties in 2026. Letters are being sent out to property owners in batches as City staff make their way through neighborhoods; the letters offer an opportunity to arrange for a specific appointment prior to staff visiting the property. Assessing employees will have photo IDs and will be driving City-marked vehicles.

Lastly, the City Manager shared great news that the City had worked with the property owner to clean the area behind the Hannaford plaza. Over 27,000 lbs of trash were removed over 2 days. The property owner hired a contractor to collect the trash and the City provided a one-time opportunity to have it disposed of at no charge to the owner. The City Manager thanked the property owner and the City team for making this happen.

Mayor Kahn shared his sympathies for all those impacted by the recent storm. He encouraged impacted residents to continue reaching out to City staff and the Red Cross.

NOTICE OF RETIREMENT – CITY CLERK

The City Clerk, Patty Little, shared her notice of retirement after 40-plus years, effective April 30, 2025. She noted that it had been her honor to serve the City and City Council during this time. She would be working to ensure the smooth transition so the Department will remain as strong as it is today. Mayor Kahn and the Council thanked the City Clerk for her service and attention to succession planning, and the Mayor thanked her on behalf of all she served over these 41 years. He said the City of Keene had benefitted from the Clerk's dedication, professionalism, steadiness, commitment to service excellence, and hearty laugh; Councilors echoed this sentiment.

Councilor Greenwald moved to accept the City Clerk's notice of retirement, effective April 30, 2025, with gratitude for the years of service, dedication, friendship, and support. The motion was duly seconded by Councilor Bosley. The motion carried unanimously on a roll call vote with 15 Councilors present and voting in favor.

PLANNING BOARD NOMINATION OF MICHAEL CONWAY TO SOUTHWEST REGION PLANNING COMMISSION

A memorandum read from Senior Planner, Mari Brunner, recommending that the Council approve the Planning Board's nomination of Michael Conway to serve on the Southwest Regional Planning Commission. A motion by Councilor Greenwald to confirm the nomination was duly seconded by Councilor Bosley. The motion carried unanimously on a roll call vote with 15 Councilors present and voting in favor.

REQUEST TO ACQUIRE PROPERTY LOCATED AT 0 WASHINGTON ST. EXTENSION FOR CONSERVATION PURPOSES

A memorandum was read from Senior Planner, Mari Brunner, providing the Conservation Commission's unanimous recommendation that the City Council authorize the City Manager to negotiate a price and purchase and sale agreement with the owner of the property in question: TMP #229-006-000. Mayor Kahn tabled the recommendation until the August 1, 2024, Council meeting.

RESIGNATION OF DAWN THOMAS SMITH FROM THE PARTNER CITY COMMITTEE

A memorandum read from Executive Secretary, Helen Mattson, recommending that the City Council accept the resignation of Dawn Thomas Smith from the Partner City Committee. She had served since before it was a formal City committee. A motion by Councilor Greenwald to accept the resignation with regret and appreciation of service was duly seconded by Councilor Bosley. The motion carried unanimously on a roll call vote with 15 Councilors present and voting in favor.

PB-PLD REPORT – RELATING TO CHARITABLE GAMING FACILITIES – ORDINANCE O-2023-16-B

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A report read from the Joint Planning Board-Planning, Licenses, and Development Committee. The Planning, Licenses, and Development Committee unanimously recommended that the Mayor set a public hearing on Ordinance O-2023-16-B, and the Planning Board unanimously found that Ordinance O-2023-16-B is consistent with the Comprehensive Master Plan. Mayor Kahn referred Ordinance O-2023-16-B to the Planning, Licenses, and Development Committee and set a public hearing for Thursday, August 1, 2024 at 7:00 PM.

ORDINANCE FOR FIRST READING – RELATING TO CLASS ALLOCATION AND SALARY SCHEDULE – ORDINANCE O-2024-12

A memorandum was received from HR Director, Elizabeth Fox, recommending that Ordinance O-2024-12 be referred to the Finance, Organization, and Personnel Committee. Mayor Kahn referred Ordinance O-2024-12 to the to the Finance, Organization, and Personnel Committee.

ORDINANCE FOR FIRST READING – RELATING TO THE CITY ATTORNEY FUNCTIONS AND POWERS – ORDINANCE O-2024-13

A memorandum was received from the City Attorney, Thomas Mullins, recommending that Ordinance O-2024-13 be referred to the Finance, Organization, and Personnel Committee. Mayor Kahn referred Ordinance O-2024-13 to the Finance, Organization, and Personnel Committee.

Mayor Kahn reported that Ordinance O-2024-13 is related to the process that will be followed for obtaining applications for the City Attorney’s position, which would be discussed in more detail at the Finance, Organization, and Personnel Committee meeting on July 25. The Chairs of the three Council Standing Committees and the Mayor will comprise the working group to complete the administrative tasks related to advertising the position and collecting applications. All applications will be presented to the City Council for review and decisions. It is anticipated that the advertisement will occur in mid-August, with an application closure date in mid-September.

ORDINANCE FOR SECOND READING – RELATING TO THE INSTALLATION OF STOP SIGNS ON WATER STREET – ORDINANCE O-2024-11

A Municipal Services, Facilities, and Infrastructure Committee report read on a vote of 4–1, recommending the adoption of Ordinance O-2024-11. Mayor Kahn filed the report. A motion by Councilor Greenwald to adopt Ordinance O-2024-11 was duly seconded by Councilor Filiault.

Councilor Greenwald noted that since the MSFI meeting, he had changed his mind, and would vote against this Ordinance for additional stop signs at Water Street and Grove Street/Community Way. He noted there were already stop signs at Water Street on Grove Street and on Community Way, so this change would create a 4-way stop. Councilor Greenwald stated he was now aligned with Councilor Favolise, who was the opposing vote at the MSFI meeting. Councilor Greenwald commented on a recent experience when he stop his vehicle on Water Street where this proposed stop sign would be; drivers in each direction stopped as a result, unsure of who had the right-of-way. He did not think that a 4-way stop would inherently create a

safer intersection. If the Council felt that 4-way stops would create safer intersections, then Councilor Greenwald said they should also consider amending the following intersections: Roxbury Street at Lincoln Street, Court Street at High Street, Washington Street at High Street, Court Street at Bradford Road, anywhere on West Street, Maple Avenue, and more. He said that this approach would violate thoroughfare principles that call for through traffic on major streets and stop signs on side streets. Further, he said drivers need to take responsibility for paying better attention. Councilor Greenwald did not think that stop signs would solve these problems. He also reported on a conversation in which the Public Works Director, Don Lussier, indicated that because of certain Code provisions, the pedestrian flashing beacons and/or crosswalks would need to be moved, creating other traffic challenges. Thus, Councilor Greenwald encouraged his fellow Councilors to vote against this.

Councilor Favolise was the opposing vote at the MSFI meeting, primarily because the MSFI Committee heard testimony from a resident of Water Street in opposition. He had not changed his mind since. When volunteering at the 4 on the 4th Road Race, Councilors Favolise and Greenwald heard from a constituent who was also adamantly against this 4-way stop. Councilor Favolise found that the constituents who supported this change were really concerned about speed and not the need for a stop at this location. This intersection is in Councilor Favolise's Ward and the Councilor said that the Public Works Director did not report to the MSFI Committee on anything inherently dangerous about this intersection that would warrant a 4-way stop; there are good sight lines and curvature. Councilor Favolise was still in opposition because he believes this is a driver behavior problem that would be better solved by increased awareness and enforcement.

Councilor Roberts asked how to increase driver awareness. He cited traffic calming efforts on North Lincoln Street after a jogger was hit by a vehicle; he said there were no comments on driver awareness then and the response focused on calming devices to slow traffic. Councilor Roberts has lived on Grove Street for 25 years and he called it a speedway from all directions. The neighborhood no longer has as many college students living there and it has more families, with kids that walk to Wheelock School, with a sidewalk on only one side of Grove Street. He cited problems with Grove Street, which is supposed to be a 2-lane road, but becomes a 3-lane road at the corners of Water Street at the intersection. Eventually, Councilor Roberts thinks a person, and particularly a child, will be hurt on Grove Street; if that happens to someone crossing Water Street, he questioned how the Council will look at itself for decided that a 4-way stop was too inconvenient. Additionally, Councilor Roberts said that presumptively, everyone driving has passed their drivers test and would know who has the right of way at a 4-way stop. Lastly, Councilor Roberts commented on how poorly the crosswalks are marked in this area, with only one side having the flashing beacon option and another portion leaving pedestrians to walk in the roadway with no sidewalk. He said Water Street is a high-speed thoroughfare and he described the possibility of a driver on Water Street taking a high-speed turn onto Grove Street because they have the right-of-way. There are many near accidents at this intersection. Councilor Roberts would vote in support.

Councilor Haas agreed that this grew from community concern about speeding on Water Street. He said the Public Works Director conducted a great study, which showed that average speeds at this location were within reason. There will always be the handful of drivers who will always

break the rules, but Councilor Haas said that is an enforcement issue. He said the Public Works Director had also considered accident data at this intersection, where there is a high frequency of accidents, warranting the 4-way stop by traffic engineering standards. The Councilor said that 4-way stops do nothing about speeding; drivers will speed up to the stop and speed away from it if that is their habit. Rather, the 4-way stop proposed here was based on the accident data, while he thought the community was more concerned about the speeding. As such, Councilor Haas recommended other options for speed control that had worked in the City, like lighted beacons in both directions, improved sidewalks, traffic calming, and pedestrian control. He would vote in opposition.

Councilor Filiault disagreed with Councilor Greenwald. Councilor Filiault said that this proposal was based on the accident data at this intersection, not just public opinion. While the City could review all of the other intersections Councilor Greenwald listed, Councilor Filiault said the City already had accident data for this heavily used intersection in an area with many new developments (e.g., Pat Russell Park will increase traffic in the area). This 4-way stop would be the least expensive way to manage traffic at this intersection, and if it does not work, it could be removed. While driver education is essential, with child pedestrians throughout this corridor, Councilor Filiault thought the 4-way stop would be the safest approach.

Councilor Tobin agreed with Councilor Filiault. In reviewing the minutes from this MSFI hearing, Councilor Tobin found that the Manual of Uniform Traffic Control has specific criteria that were used to assess this intersection as for other intersections. The rate of accidents at this intersection is high, with 7 accidents in 42 months, some of which were severe. Councilor Tobin walks in that area each weekend, so she stood and observed traffic for a while; she was unsure if the vehicles coming down Water Street would be able to stop in time if a pedestrian began crossing. Additionally, there was pedestrian traffic in the area associated with a new shelter and she had seen senior pedestrians from American House.

Councilor Williams thought this location was a good one for a stop sign. He would also like to see a 4-way stop at Roxbury and North/South Lincoln Streets but was told it did not meet the criteria. He felt that this Water Street intersection was even more dangerous, so he felt the 4-way stop was warranted. Councilor Williams cited Burlington, VT, where there are many 4-way stops, which calm traffic and make more room for pedestrians and cyclists. He supported calming traffic at this Water Street location and said drivers would get used to it.

Councilor Madison agreed with this 4-way stop, citing instances of almost being hit at this intersection. He understood that stop signs are not a cure-all, but said that drivers are worse these days—as if they have not taken drivers tests—so he thought this was a cheap solution that could be removed later if warranted.

Councilor Jones agreed with Councilor Madison that this is a band-aid on a bigger problem, but it would start to calm the traffic at this location. Councilor Jones urged the City to place a greater focus on traffic calming devices. He said that 4-way stops do not always work, citing the intersection of Summit Road/Hastings Avenue/Maple Avenue, where drivers do not actually stop in all directions during certain times of day. Councilor Jones would vote in support and urged the City to focus on traffic calming long-term.

Councilor Bosley reminded her fellow Councilors that approximately 4 years ago, the Council approved reducing the speed limit from 30 mph to 25 mph on a street when neighbors were upset about speeds. At that time, the Council talked a lot about neighborhood speed reduction. She asked City staff about the solar powered speed devices that flash speeds at vehicles. For her, she said they are a reminder to slow down on roads she travels frequently and might lose sight of her speed, like a force of habit; she thought they might help drivers like her, whose intent is not to break the law. If Police Officers cannot be posted at some of these more dangerous intersections, she thought these devices could help increase driver awareness.

The City Manager commented on points that had been raised. She recalled a report at MSFI some time ago about the Roadway Safety Plan Committee, which is looking at intersections and crosswalks throughout the City, and taking input from the public on where there should be safety improvements. There was a recent interim report to MSFI that was accepted as informational earlier in this meeting, and the final report would be forthcoming, including a lot of advice about traffic calming. This effort will also help the City to apply for grants. Staff were considering the problem areas that need focus. Regarding the flashing speed signs, the City owns a few, and they had been deployed in this neighborhood in the past as an attempt at traffic calming, which is how the City knew it was less of a speeding issue at this intersection. The signs can be posted without flashing the speeds too, only collecting data, but the City had not always seen a substantial difference in data based on the signs flashing or not. The City Manager said she would speak with the Public Works Director to determine if they should be deployed more.

Councilor Haas said the City Manager and Councilor Bosley were referring to the silent speed flashing signs that have no repercussions. Councilor Haas was more interested in the “silent policemen” that are more serious enforcement tools than the traffic recording devices that were mentioned.

Councilor Favolise agreed with Councilor Bosley about the speed signs being a helpful reminder when traveling through areas where drivers are more comfortable. Councilor Favolise also commented on “common ground,” which was mentioned during the downtown project deliberation, stating that nobody in the room thought the intersection under discussion was perfect, as well as no Councilors who wanted to allow for breaking the law or hurting pedestrians. He thought this was a conversation about the best solution for this location; he thought it was possible for multiple Councilors to recognize the same problem but arrive at different solutions. Councilor Favolise clarified that he would not be voting against this because a stop sign would be inconvenient or because he does not care about pedestrian safety, but because he did not think it was the right solution at this specific location, where he thought awareness and enforcement were needed more.

On a roll call vote of 9–6, the motion to adopt O-2024-11 carried. Councilors Remy, Haas, Favolise, Chadbourne, Powers, and Greenwald voted in the minority.

IN APPRECIATION OF TODD M. TARDIFF UPON HIS RETIREMENT – RESOLUTION R-2024-26

07/18/2024

A memorandum was received from the HR Director, Elizabeth Fox, recommending that the Council adopt Resolution R-2024-26, in honor of Todd Tardiff's retirement after 18 years of service. A motion by Councilor Powers to adopt Resolution R-2024-26, with appreciation for Mr. Tardiff's service, was duly seconded by Councilor Bosley. The motion carried unanimously with 15 Councilors present and voting in favor.

IN APPRECIATION OF HELEN K. MATTSON UPON HER RETIREMENT – RESOLUTION R-2024-27

A memorandum was received from the HR Director, Elizabeth Fox, recommending that the Council adopt Resolution R-2024-27, in honor of Helen Mattson's retirement after 21 years of service. A motion by Councilor Powers to adopt Resolution R-2024-27, with appreciation for Ms. Mattson's service, was duly seconded by Councilor Bosley. The motion carried unanimously with 15 Councilors present and voting in favor. Mayor Kahn reiterated what a steadfast servant to the City Ms. Mattson had been.

IN APPRECIATION OF JUSTIN H. PUTZEL UPON HIS RETIREMENT – RESOLUTION R-2024-28

A memorandum read from the HR Director, Elizabeth Fox, recommending that the Council adopt Resolution R-2024-28, in honor of Justin Putzel's retirement after 17 ½ years of service. A motion by Councilor Powers to adopt Resolution R-2024-26, with appreciation for Mr. Putzel's service, was duly seconded by Councilor Bosley. The motion carried unanimously with 15 Councilors present and voting in favor.

NON-PUBLIC SESSION


A motion by Councilor Greenwald to go into non-public session for the consideration of legal advice under RSA 91-A:3, II (L) and consideration of the acquisition, sale, or lease of real property under RSA 91-A:3 II (d) was duly seconded by Councilor Bosley. The motion carried unanimously on a roll call vote with 15 Councilors present and voting in favor. The non-public session began at 8:55 PM.

The regular meeting reconvened at 9:15 PM.

A motion by Councilor Greenwald to keep the non-public minutes non-public because disclosure would render the proposed action ineffective was duly seconded by Councilor Bosley. The motion carried unanimously on a roll call vote with 15 Councilors present and voting in favor.

ADJOURNMENT

There being no further business, Mayor Kahn adjourned the meeting at 9:16 PM.

A true record, attest: 
City Clerk