



KEENE CITY COUNCIL
Council Chambers, Keene City Hall
January 16, 2025
7:00 PM

ROLL CALL

PLEDGE OF ALLEGIANCE

MINUTES FROM PRECEDING MEETING

- 01/02/2025 Minutes

A. HEARINGS / PRESENTATIONS / PROCLAMATIONS

1. Public Hearing - Minimum Lot Sizes - Ordinance O-2024-17-A
2. Public Hearing - Residential Parking Requirements - Ordinance O-2024-20-A

B. ELECTIONS / NOMINATIONS / APPOINTMENTS / CONFIRMATIONS

1. Nomination - Ashuelot River Park Advisory Board

C. COMMUNICATIONS

1. Greater Monadnock Collaborative - Request for Date Change - *Jumanji* 30th Anniversary Celebration
2. Councilor Williams - Request for Letter of Support - HB250 Enabling Local Governing Bodies to Regulate the Muzzling of Dogs

D. REPORTS - COUNCIL COMMITTEES

1. Keene Downtown Group - Request to Use City Property - Ice and Snow Festival - February 1, 2025
2. Rules of Order - Section 15. - Voting and Conflict of Interest
3. Proposing that the City Council Consider a Delay in the Downtown Infrastructure Project

4. Bulletproof Vest Partnership Grant Program - 2024
5. 2025 Keene PD Highway Safety Grant
6. Annual Reports of Boards and Commissions
7. Call Volume and Staffing Needs - Fire Department

E. CITY MANAGER COMMENTS

F. REPORTS - CITY OFFICERS AND DEPARTMENTS

G. REPORTS - BOARDS AND COMMISSIONS

H. REPORTS - MORE TIME

1. Sign Code Modifications Requested by Mayor Kahn

I. ORDINANCES FOR FIRST READING

J. ORDINANCES FOR SECOND READING

1. Relating to Building Height in the Commerce District
Ordinance O-2024-19-A
2. Relating to Class Allocation and Salary Schedule
Ordinance O-2025-01
3. Relating to Boards and Commissions
Ordinance O-2025-02

K. RESOLUTIONS

1. Relating to Appropriations for Tree Removal Work
Resolution R-2025-01

L. TABLED ITEMS

1. Rules of Order Amendment - Section 26. "Review of Items of Business"

NON PUBLIC SESSION

ADJOURNMENT

A regular meeting of the Keene City Council was held on Thursday, January 2, 2025. 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, Catherine I. Workman, Mitchell H. Greenwald, and Thomas F. Powers were present. Bryan J. Lake & Bettina A. Chadbourne were absent. Councilor Madison led the Pledge of Allegiance.

MINUTES FROM PRECEDING MEETING

A motion by Councilor Greenwald to adopt the minutes of the December 19, 2024, meeting as presented was duly seconded by Councilor Bosley. The motion carried unanimously with 13 Councilors present and voting in favor.

ANNOUNCEMENTS

Mayor Kahn reminded the Council of a Workshop on the Rules of Order on Tuesday, January 28, 2025, at 6:00 PM. The Mayor said this is intended to be an educational opportunity and asked Councilors to let him know of any specific topics of interest on the Rules of Order that they would like to focus on at the Workshop.

PRESENTATION OF RETIREMENT RESOLUTION – HARRY MCKELVEY

Mayor Kahn presented a Retirement Resolution to Harry McKelvey, honoring his 37 years of service to the City. Mr. McKelvey said he appreciated the opportunity to work for the City of Keene, calling it awesome and saying that if he had the opportunity to do it all over again, he would.

PUBLIC HEARING – AMENDMENTS TO LAND DEVELOPMENT CODE – BUILDING HEIGHTS IN THE COMMERCE DISTRICT – ORDINANCE O-2024-19-A

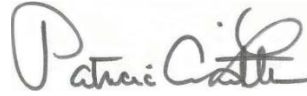
Mayor Kahn opened the Public Hearing at 7:10 PM and asked the City Clerk to read the notice of hearing. Mayor Kahn welcomed City Planner, Evan Clements, for an introduction.

Mr. Clements explained that the City was the petitioner in this LDC amendment that would increase the opportunity for both commercial activity and residences within the Commerce Zone by increasing the allowed building height “by right” from two stories to three stories. Additionally, the Ordinance acknowledges that many parts of the City were already a part of the urban compact, and the Ordinance would carve out special exceptions for more large-scale multifamily dwellings while still requiring a tenantable commercial space on the ground floor, and allowing residential to exist on that ground floor behind the tenantable commercial space, increasing opportunities for those of differing mobilities. The Ordinance would also increase the flexibility for these types of projects are to be approved and constructed.

Mayor Kahn opened the floor to public comments. Hearing no comments from the public, Mayor Kahn closed the public hearing at 7:13 PM, except that written comments would be accepted up until 1:00 PM on Tuesday, January 7, 2025.

01/02/2025

A true record, attest:



City Clerk

**CONFIRMATIONS – ASHUELOT RIVER PARK ADVISORY BOARD,
CONSERVATION COMMISSION, ENERGY AND CLIMATE COMMITTEE, HERITAGE
COMMISSION, AND TRUSTEES OF TRUST FUNDS/CEMETERY TRUSTEES**

Mayor Kahn nominated the following individuals to City boards and committees. To the Ashuelot River Park Advisory Board: Leslie Casey, as a regular member, with a term to expire Dec. 31, 2027. To the Conservation Commission: Deborah LeBlanc, re-nominated to change from an alternate to a regular member, with a term to expire Dec. 31, 2027; Sparky Von Plinsky, re-nominated to change from a regular to an alternate member, with a term to expire Dec. 31, 2025. To the Energy & Climate Committee, Lisa Maxfield, re-nominated as a regular member, with a term to expire Dec. 31, 2027; Timothy Murphy, as a regular member, with a term to expire Dec. 31, 2027; Steve Larmon, as a regular member, with a term to expire Dec. 31, 2027. To the Heritage Commission: Cauley Powell, re-nominated to change from a regular to an alternate member, with a term to expire Dec. 31, 2027. To the Trustees of Trust Funds and Cemetery Trustees, Malcolm Katz, as a regular member, with a term to expire Dec. 31, 2027.

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 13 Councilors present and voting in favor. Councilors Lake and Chadbourne were absent.

**COMMUNICATION – KENNETH AND DIANE HITCHCOCK – REQUEST FOR NO
TRACTOR-TRAILER TRAFFIC SIGN – INTERSECTION OF WATER STREET AND
WOODLAND AVENUE**

A communication was received from Kenneth & Diane Hitchcock, requesting a sign to be put up at the corner of Water Street and Woodland Avenue prohibiting tractor-trailers following recent property damage done to property at 100 Woodland Avenue on March 20, July 2, and December 16, 2024. Mayor Kahn referred the communication to the Municipal Services, Facilities & Infrastructure Committee.

**COMMUNICATION – KEENE DOWNTOWN GROUP – REQUEST TO USE CITY
PROPERTY – ICE AND SNOW FESTIVAL – FEBRUARY 1, 2025**

A communication was received from Mark Rebillard & the Keene Downtown Group, submitting the annual request for a license to conduct the 2024 Ice and Snow Festival on City property on February 1, 2025. Mayor Kahn referred the communication to the Planning, Licenses & Development Committee.

COMMUNICATIONS – JON LOVELAND – CONTINUED CONCERNS OVER THE DOWNTOWN INFRASTRUCTURE PROJECT – CONSTRUCTION MANAGEMENT – DURATION, PHASING AND SEQUENCING

Communications were received from Jon Loveland, continuing to raise concerns with the downtown infrastructure project. In the first letter, Mr. Loveland critiqued a communication that the Council received from the Bicycle & Pedestrian Path Advisory Committee. In the second letter, he commented about the schedule for the downtown infrastructure project and the fact that the buried infrastructure replacement project was anticipated to occur in three phases over three years/seasons and suggested that the project could be built in one season. Mayor Kahn accepted both communications as informational.

MSFI REPORT – RECOMMENDATIONS REGARDING INVASIVE SPECIES EDUCATION AND MANAGEMENT – CONSERVATION COMMISSION

A Municipal Services, Facilities & Infrastructure Committee report read, unanimously recommending accepting the recommendations regarding invasive species and education management as informational. Mayor Kahn filed the report as informational.

MSFI REPORT – TIM PIPP/BEEZE TEES SCREEN PRINTING – PROPOSAL TO ADD THE NECESSARY INFRASTRUCTURE TO ACCOMMODATE BANNERS ACROSS MAIN STREET

A Municipal Services, Facilities & Infrastructure Committee report read, unanimously recommending that the communication regarding banners across Main St. be accepted as informational and to have City staff report back to the MSFI Committee on their findings. Mayor Kahn filed the report as informational.

MSFI REPORT – REQUEST FOR A MARKED CROSSWALK AT THE INTERSECTION OF WEST STREET AND PEARL STREET

A Municipal Services, Facilities & Infrastructure Committee report read, recommending that the City Manager be authorized to install a marked crosswalk and pedestrian beacons on West Street, at the intersection of Pearl Street. A motion by Councilor Greenwald to carry out the intent of the Committee report was duly seconded by Councilor Filiault.

Councilor Powers felt it was incumbent upon him to speak against this. He understood that the evaluation had been done and it met the criteria of the MUTCD standards, but that did not mean it should be done or had to be done every single time. Based on his training and experience—in this case—Councilor Powers thought this crosswalk would cause more pedestrian accidents than it would prevent, and that it would cause more automobile accidents because he said that clearly that piece of “highway” was a problem when traveling at, above, or below the speed limit because there are four lanes of traffic going in different directions. He continued that the motorists might not act promptly with encountering a traffic light/beacon that means “stop,” at this location and it would be difficult to see people walking across West Street despite the light because of the nature of the roadway. Councilor Powers

said that unfortunately, nobody pays attention to what traffic rules mean. He did not hear a discussion by the MSFI Committee of how many pedestrian accidents there had been at this intersection. He thought that there would be more with this change because it would be harder to see people even with the flashing lights. He also thought the traffic light/beacon could cause more traffic accidents between two cars because drivers would not be looking where they should be when they suddenly need to stop. The Councilor said he observed this traffic on West Street daily, calling it chaos, and while he imagined that the larger project toward the end of the decade would improve it, he did not think this would. Mayor Kahn asked if the Councilor wanted to refer this matter back to Committee and Councilor Powers said no.

Councilor Remy said he had not thought about that, so he appreciated Councilor Powers' comments. Councilor Remy recalled difficulties trying to turn from Pearl Street onto West Street and having to find a gap in the traffic and pay attention to determine when to pull out when there are not cars coming from the light by Starbucks. He said that with this proposed change, there would be added complexity of watching whether there is a person at this crosswalk, which he could see going poorly. He commented about how there could be additional challenges with back-ups on West Street, for example. These concerns made him nervous. He said he understood that pedestrians need a way to cross West Street at Pearl Street—at this time people would just run—but short of a stop light, he was unsure it was the right decision to incentivize adding pedestrian traffic there.

Councilor Filiault said that these questions were asked by the MSFI Committee, which he said was very concerned about this issue. He compared it to the four lanes of traffic in front of the Library, where he said that the flashing yellow light wakes a driver up to the potential for a pedestrian to enter the traffic. The MSFI Committee discussed that heavy pedestrian activity would continue in the Pearl Street area with the nearby apartments and hotel. Councilor Filiault said he asked the Public Works Department about the flashing beacon, which would flash longer at this location than at the Library. He commented on how once a pedestrian is done crossing; most drivers will not wait for the light to stop blinking to start driving again. Councilor Filiault thought this change would increase pedestrian safety; he said it would not change how many people cross there but it would make drivers more alert. He said the flashing lights are a safety feature that cause drivers to slow down, which would be helpful because people drive quickly on West Street. While this would not be perfect, Councilor Filiault thought this was the best the City could do until the reconstruction of West Street, so he hoped his colleagues would vote in favor.

Councilor Bosley hoped that in the future, West Street would have a center median for pedestrians to rest when crossings—like on Main Street—noting that it took an accident for one to be installed on Main Street. She recalled that to get flashing beacons installed, she and Councilor Workman had to ask to have them included in the Winchester Street/Key Road roundabout project. In Councilor Bosley's personal experience, she felt the flashing lights had helped her to avoid accidents when driving because it is difficult to see people dressed in all dark clothing at night. So, she supported this beacons crosswalk but hoped to see the center median in the future. She felt that there were many crosswalks across four lanes of traffic in

Keene, so she thought it could work, and people were already crossing there, so she thought it needed to be as safe as possible.

Councilor Haas said he could not disagree with Councilor Powers, and Councilor Haas liked calling that end of West Street a “highway” because of how fast people drive, which is much faster than by the Library. Councilor Haas was in favor of any sort of traffic calming at this location, which he thought this proposed solution would be. He said this would lead to backups and often make that traffic subject to what he likes to call “the tyranny of the pedestrian” – that is repeatedly pushing the “cross” button even though there are timers, so it introduces more interruptions. He did not think the MSFI Committee discussed the idea of a full stop light at this location, so he asked to hear about that.

Councilor Favolise was inclined to support the Committee recommendation to introduce the crosswalk. He thought the concept of a stop light was discussed but recalled there being a concern from the State of NH about the State having the right to review and approve projects in that area because of its proximity to the highway, but he welcomed the Public Works Director correcting him. So, Councilor Favolise said this recommendation was really the feasible option in response to the complaints and concerns from constituents. For him, the fact remained that this was already a de facto crossing area. He said the City would not be putting a crosswalk in where nobody was crossing and all of the sudden, everybody would be crossing there. He added that he believed the pedestrian beacon aspect of the project would still have to go to the FOP Committee for funding approval. Councilor Favolise thought this crosswalk and beacons would make this intersection safe because pedestrians were already crossing in the area, so he supported the motion.

Councilor Madison agreed with Councilor Favolise that people were already crossing West Street at this location and would continue, with or without this solution, so Councilor Madison agreed that the crosswalk and beacon would make it safer. Councilor Madison wanted to see even more flashing pedestrian beacons installed throughout the City, especially on Washington and Court Streets, noting that he had been hit at low speed on the former and almost hit on the latter. He added his colleagues should anticipate a request from him to address both of those streets in the near future.

Councilor Greenwald agreed with Councilor Favolise that the MSFI Committee was told that this part of West Street involves the State of NH, so a stop light would have to be in the 10-year plan. Councilor Greenwald said that people would still cross the street anywhere they want to and that could potentially be an incremental safety issue. He recalled that many years ago, the Capital Improvement Program included a project for a center median on West Street and limiting left turns but it was mired in the process, which he called unfortunate. So, he called this crosswalk a small step. Councilor Greenwald thought Councilor Powers was right that it could give pedestrians a false sense of security that drivers are looking when they are not. While Councilor Greenwald had worries, he still thought something would be better than nothing.

Councilor Tobin said she does not always have a lot of confidence when she pushes a “cross” button that drivers will stop, but said that on West Street, she pushes them every time because that is the only way she can cross the street. She agreed that this would not be the perfect solution for this intersection, but she did think that until this section of West Street could be redesigned, this solution would help people to get where they need to go as many in that area do not have vehicles and need to get across the street. She intended to support this.

The motion to carry out the intent of the Committee report carried on a vote of 10–3. Councilors Remy, Jones, and Powers voted in the minority.

CITY MANAGER COMMENTS

First, the City Manager reported that the Community Development Department recently received “preliminary” digital Flood Insurance Rate Maps from the Federal Emergency Management Agency. This process began in early 2017, when FEMA held meetings with Connecticut River watershed communities and started collecting data from the City. She said the City did not necessarily agree with all of the changes. The City Engineer, Bryan Ruoff, and GIS Coordinator, Will Schoefmann—had started reviewing the information. This was important because these changes would impact whether or not a property is in the floodway, which would restrict development, and it could impact whether or not a property owner or business owner is required to have flood insurance. The City Manager said it was important for the City to provide its input in this process, and it would be important to engage the public as well, so Community Development was working on a list of potentially impacted properties to share in the near future.

Next, the City Manager shared that there would be additional follow-up related to the Conservation Commission’s presentation on invasive species even though the item was accepted as informational. Staff from Public Works and Parks & Recreation would appear before the MSFI Committee again to discuss what the Conservation Commission raised, who to contact, where to find more information, and additional information to share with the public.

The City Manager added that in 2024, the Conservation Commission requested to purchase 0 Washington Street Extension, and she confirmed that the purchase was finalized in September 2024 on behalf of the Conservation Commission.

Next, the City Manager reported that at the January 2025 FOP Committee meetings, the Fire Department would be presenting on call volumes and staffing needs, which would lead up to a request to submit a SAFER grant to bring on additional personnel. She encouraged everyone to attend and/or watch the recordings and provide comments/questions.

The City Manager also acknowledged the Finance Director/Treasurer, Merri Howe, who received recognition for the Fiscal Year-2023 reports, again gaining the Government Finance Officers Certificate for Achievement of Excellence and Financial Reporting. The City Manager congratulated the Finance Department. The City Manager also announced Ms.

Howe's retirement and invited the Council for pastries and well wishes on January 3 at 11:00 AM.

Lastly, the City Manager shared good news that the contractor for the demolition of the Findings building at 160 Water Street had mobilized and demolition would begin Monday, January 6.

STATEMENT OF INTEREST FILINGS – CITY CLERK

A memorandum was received from the City Clerk, Patty Little, informing the Council of the timing to submit its annual Statement of Interest paperwork. Mayor Kahn filed the memorandum as informational. Copies of the paperwork had been placed on the Councilors desks for their convenience.

ORDINANCE FOR FIRST READING – RELATING TO CLASS ALLOCATION AND SALARY SCHEDULE – ORDINANCE O-2025-01

A memorandum was received from the HR Director/ACM, Elizabeth Fox, recommending that the City Council refer Ordinance O-2025-01 to the Finance, Organization & Personnel Committee. Mayor Kahn referred Ordinance O-2025-01 to the Finance, Organization & Personnel Committee.

ORDINANCE FOR FIRST READING – RELATING TO BOARDS AND COMMISSIONS –ORDINANCE O-2025-02

A memorandum was received from the City Clerk, Patty Little, recommending that the City Council refer Ordinance O-2025-02 to the Finance, Organization & Personnel Committee. Mayor Kahn referred Ordinance O-2025-02 to the Finance, Organization & Personnel Committee.

ORDINANCE FOR FIRST READING – RELATING TO MASTER BOXES – ORDINANCE O-2025-03

A memorandum was received from Richard Wood, Fire Marshal/Building Official, recommending that the City Council refer Ordinance O-2025-03 to the Municipal Service, Facilities & Infrastructure Committee. Mayor Kahn referred Ordinance O-2025-03 to the Municipal Service, Facilities & Infrastructure Committee.

ORDINANCE FOR FIRST READING – RELATING TO INSTALLATION OF A STOP SIGN ON JENNISON STREET ORDINANCE O-2025-04

A Municipal Services, Facilities & Infrastructure Committee report read, recommending that the City Manager be directed to draft an Ordinance adding a stop sign at the northernmost end of Jennison Street at its intersection with Foster Street. Mayor Kahn referred Ordinance O-2025-04 to the Municipal Service, Facilities & Infrastructure Committee.

RESOLUTION – RELATING TO APPROPRIATIONS FOR TREE REMOVAL WORK – RESOLUTION R-2025-01

A memorandum was received from the Public Works Director, Don Lussier, recommending that Resolution R-2025-01 be referred to the Finance, Organization & Personnel Committee. Mayor Kahn referred Resolution R-2025-01 to the Finance, Organization & Personnel Committee.

RESOLUTION – IN APPRECIATION OF MERRI E. B. HOWE UPON HER RETIREMENT – RESOLUTION R-2025-02

A memorandum was received from Elizabeth Fox, HR Director/ACM, recommending the adoption of Resolution R-2025-02. Mayor Kahn filed the memorandum. A motion by Councilor Powers to adopt Resolution R-2025-02 in appreciation of Ms. Howe’s 12 years of service was duly seconded by Councilor Bosley. The motion carried unanimously with 13 Councilors present and voting in favor. Councilors absent.

RESOLUTION – RELATING TO KEENE ROADWAY SAFETY ACTION PLAN OF 2025 –RESOLUTION R-2024-44

A Municipal Services, Facilities & Infrastructure Committee report read, unanimously recommending the adoption of Resolution R-2024-44. A motion by Councilor Greenwald to adopt Resolution R-2024-44 was duly seconded by Councilor Filiault. The motion carried unanimously with 13 Councilors present and voting in favor.

MSFI REPORT – HERITAGE COMMISSION – DESIGN DETAILS IN THE DOWNTOWN INFRASTRUCTURE PROJECT

A Municipal Services, Facilities & Infrastructure Committee report read, unanimously recommending that the Heritage Commission communication regarding Design Details in the Downtown Infrastructure Project be accepted as informational. Mayor Kahn filed the report as informational.

DOWNTOWN BIKE RACK INVENTORY – BICYCLE PEDESTRIAN PATH ADVISORY COMMITTEE

A memorandum read from GIS Coordinator, Will Schoefmann, recommending that the City Council accept the Bicycle & Pedestrian Path Advisory Committee’s Downtown Bike Rack Inventory suggestions as informational. Mayor Kahn accepted the memorandum as informational.

MSFI REPORT – APPROVAL OF FINAL DESIGN DETAILS FOR DOWNTOWN INFRASTRUCTURE PROJECT (EXCLUDES APPROVED ROADWAY, SIDEWALK, AND BIKE LANE PHYSICAL LAYOUTS)

A Municipal Services, Facilities & Infrastructure Committee report read, unanimously recommending that the City Council approve the final design for the Downtown Infrastructure Project, and that the City Manager be authorized to do all things necessary to implement the project with the street furnishing, materials, and design preferences discussed. A motion by

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

Councilor Greenwald summarized the Committee report. To begin, he said that he wanted to refocus the discussion away from the important design features, noting that this downtown rebuild was not a matter of if, but when. He recalled the conversation getting a little heated at different times. Councilor Greenwald said this project would be for the betterment of all Keene residents, visitors, merchants, restaurants, and property owners. He said it was not being promoted by City staff or the City Manager or for the betterment of the City Council. He said everyone was in this together. Councilor Greenwald recalled that many meetings brought the Council to this point, and he stated that they had all been open for public comment. He said the Council would be approving design details of the final design of a first-class, but not overly expensive project. He said the MSFI Committee did not choose the cheapest design, but it made the best choices and consistently, he thought the Committee considered the issues as if it was spending its own money. The Councilor reviewed some of the key recommended design features:

- Sidewalks: standard stamped concrete (not pavers), with bike lanes. He called the bike lanes a green (more muted than shown in the meeting packet) stamped brick that would blend with downtown and be functional as a sidewalk.
- Raised crosswalks: stamped concrete (not pavers).
- Bike Racks: the Bicycle & Pedestrian Path Advisory Committee-recommended U-shaped bike racks that could have the City logo on the side depending on the cost.
- Trash cans: to include recycling compactors wherever possible.
- Fire hydrants: basic with reusable standard parts.
- Planters
- Tree wells: to match the existing cast-iron tree grates.
- Traffic signals: with a fluted Washington base light post.
- Railroad Square: simulated rails where the train actually did go, either with brick or metal strips. Public Works thinks those materials could be sourced out-of-state and that some real rails could be sourced to simulate as well. Gateway arches were also recommended. Standard concrete was also recommended for the Central Square in addition to some featured areas with pavers at the center and basic metal benches with wooden slats.
- Central Square: backless benches. The fountain would remain at the center of the Common, but the MSFI Committee did not consider the actual design of the fountain.

Councilor Greenwald said the Committee received a presentation about the project phasing and how the ombudsman would work between the contractor, City, and downtown community. Lastly, the Councilor asked his colleagues—if they had any concerns about any of the recommended design features—to send the project back to the Committee for further consideration instead of getting into a Committee of the Whole.

The City Manager, Elizabeth Dragon, wanted to clarify a few of Councilor Greenwald's comments. The City Manager said that the decision was to have regular trash cans only, *not* recycling compactors due to the high cost of the latter, even though there was a case for emptying them a lot less and better recycling. The City Manager also recalled the Committee discussing that the bike lanes would not be the color green shown in the photos, but more of a muted green actually dyed *into* the concrete and not painted. Councilor Greenwald agreed that it would be dyed concrete. The Councilor and City Manager debated what shade of green the color of the bike lanes was supposed to be, with the Councilor noting his color blindness and the City Manager noting that bike lanes are typically green, which was why it was recommended, but she said it could be a darker green if preferred. The Public Works Director, Don Lussier, said his recollection of the Committee discussion about the bike lane color aligned with the City Manager's. Mr. Lussier reiterated that there is a standard green bike lane color that was suggested. Mr. Lussier suggested an opportunity to pour a few slabs to demonstrate the options for the Council; he felt confident that they would see it is much more muted than the photos showed. Councilor Greenwald said these were the sorts of design debates he did not want to get into on the Council floor. He said no one was giving the City money and dictating the color, so the City could decide. He said he would review the sample bike lane colors.

Councilor Filiault agreed that he did not want to get into every detail on the Council floor. He also did not recall recommending a green paver for bike lanes but said that could have happened at the end of the long meeting and regardless, he thought it seemed like this would be going back to the Committee. He suggested holding off on recommending a color for the bike lanes until the Council could review the physical samples.

Mayor Kahn thought that material recommendations were important. He thought that color was just a footnote in bid specifications, but the materials would be what a contractor would bid on and design around. So, he thought there was room for these sort of color decisions. The Mayor added that this would be a large project, but that the pedestrians' daily experiences would be in these details, so he felt that these were important considerations in this process. He thought the Council should identify any elements of the recommended design that Councilors were questioning for more discussion. The City Manager agreed that for the bike lanes, for example, the decision could still be concrete with integral color to be decided later.

Councilor Workman noted that the MSFI Committee did vote to recommend the integral concrete color for the bike lanes, and she recalled discussing the green, but she was happy to talk about it later.

Councilor Favolise said the MSFI meeting was not just a long one, it was productive, and the Committee got into a lot of issues and asked a lot of questions. He thought they really centered and discussed pedestrian safety. He thought the Committee discussed—as Councilor Filiault said—getting the project done along with cost efficiency and not wasting money, which Councilor Favolise said was top of mind for the Committee. He encouraged his fellow Councilors to support the Committee recommendation as presented or with the change to the

bike lane colors because a lot of thought went into it on the part of the consultants, City staff, and MSFI Committee. He was open to hearing any questions the Committee might not have thought of during the late meeting, but Councilor Favolise hoped to finally put a cap of the heavy lifting Council piece of this project by approving this.

Councilor Bosley thanked the MSFI Committee for their work. She found some of the decisions interesting, like those on the fire hydrants and trash cans, and she was willing to support those Committee recommendations. Regarding the gateway arches, she said it was not clear to her about the decision on the pedestals and style of the posts as well as the writing for the arches, which she wanted to ensure would be clear during different times of the day and night, so she wondered about lighting considerations to ensure that is a prominent feature of the archways. Mayor Kahn thought the minutes of the meeting might not have reflected that the lettering is indented to be solid metal and not punched out.

Councilor Remy wanted to talk more about the recycling because he thought that the larger big belly recycling compactors would make more sense despite costing more upfront because they would save more money long term, especially if waste removal becomes more of a problem in the future. There could be greater return on investment. He thought the larger compactors would be better for recycling sortation, which would become more challenging. Additionally, Councilor Remy recalled the Council being told that physical bollards for events would be a part of the final design, but he did not see that in the plans. Also, for events, he said businesses were told they would not be impacted during the project but now a drastically altered event plan had been introduced, so he wanted to understand why Central Square could not be used. Mayor Kahn thought that safety bollards were a continuing item; Councilor Filiault raised the point, and Councilor Greenwald had asked for the design team to bring something back to the Committee. Councilor Greenwald asked how to handle that. The City Manager said it would be in the recommendation background notes to have that conversation again.

Councilor Williams recalled three options for hanging lights and asked which one was chosen. Councilor Greenwald replied that the Committee chose the bare bulbs with the add alternate for the fixtures. Councilor Williams asked if the Committee chose the option without the cage around the bulbs. Mayor Kahn said that for Railroad Square and Gilbo Avenue, the Committee recommended catenary lighting with bare bulbs with a cage feature as a bid alternate. Councilor Williams was happy with it as a bid alternate.

Councilor Powers referred to the existing Central Square bollards with the chain and asked if that would be maintained or replaced. Mr. Lussier replied that the intent was to retain the granite posts and chains; some would be relocated, and some would be added due to the expanded footprint of Central Square. He said there are three types of bollards: the lighting bollards, the removable security bollards for events, and the granite bollard system around Central Square that would remain. Councilor Powers noted that the flags that are put out on Central Square a few times per year are a part of the bollard system, which he said needed growth, and add that there would need to be more discussion about it because the veterans ask

about it regularly. Mayor Kahn thought that the bollards were in the specifications clearly as recommended but what needed to be further scoped was how the flags would be affixed to those bollards in the future.

Mayor Kahn spoke about three items. First, on the lighting bollards that were selected, he referred to his experience with them at Keene State College, noting that they do not shed much light and suggesting that they be a bid alternate to consider the price vs. effectiveness. Second, the Mayor noted that the City Manager advised him on his concern about the tree wells and the recommendation to use the kind of grates the City had already been using. The Mayor did not suggest using something other than a grate, but he felt that the City could easily consult with horticulturalists to determine the appropriate size of the grates for larger trees that need less root coverage. Third, Mayor Kahn thought that the bench selections were appropriate, but he thought that to avoid overnight sleeping on City benches (whether with a back or backless) that they should have appropriate divisions for seating, which was not shown in the drawings, so they serve the purpose intended.

The Council proceeded discussing whether any amendments to the Committee's recommendation were desired.

Councilor Filiault recalled the MSFI Committee discussion of the three options for the covered structure for Railroad Square and on a 3–2 vote the Committee chose the third option. He noted that he and Councilor Greenwald were in favor of no covered structure because they thought it was an unnecessary expense for the taxpayers. Councilor Filiault recalled that another group wanted to raise funds to build it, which he thought would be fine. He thought some arguments for the structure were to keep snow off bicycles, which Councilor Filiault called an oxymoron. He and Councilor Greenwald did not think it was a wise expense that they could take to their constituents.

A motion by Councilor Filiault to amend the Committee report to remove the covered structure from Railroad Square was duly seconded by Councilor Greenwald.

Councilor Remy wondered if Councilor Filiault was amenable to making the structure a bid alternate instead of removing it from the project. Councilor Remy was unsure about the downside of getting the price for having it if the Bicycle & Pedestrian Path Advisory Committee (BPPAC) or another entity would want to donate it. The City Manager said she did not see the downside of a bid alternate. The concern the City Manager raised at the MSFI meeting was more so related to activity that happens under shaded structures in many of the City's parks that had resulted in the City having to remove the covers so that they did not become permanent gathering locations, so the City Manager had proposed that it at least be semi-open.

Councilor Williams liked the idea of the shade structure because people had asked for one on Railroad Square. He said it is important for people to have shelter during inclement weather so he thought it would be a valuable asset, and he intended to support it.

Councilor Bosley asked for clarification. She saw some renderings with semi-open structures over pedestrians but others with covered structures over bike racks. She did not think bike racks would need to be covered but she did think it would be valuable to cover pedestrians as Councilor Williams suggested. Councilor Bosley shared the example of shelter for pedestrians during a concert on a hot summer day, which she could listen to an argument for, but not for one over bike racks. So, she wanted to be very sure about what was being proposed. The Mayor thought what was being proposed was cover for bike racks, in which case Councilor Bosley stated that she was not in favor.

Councilor Favolise recalled this conversation from the MSFI Committee meeting, when he shared his opinion that it depended on whether this would be—at the very least—a shared usage for pedestrians and bike racks. Really, he said the primary usage should be as a refuge spot for pedestrians. After hearing this discussion, he was unclear on the ultimate outcome of the MSFI conversation because the online Council agenda packet showed option three with a covered structure followed by parentheses that listed “a mix of gathering space and bicycle parking.” The Councilor said that he was opposed to the amendment on the floor but was open to a conversation about a bid alternate. He recalled this structure being a constituent request for shaded spaces downtown, whether for events, for the elderly to take breaks when walking, for shade during hot weather, or for shelter in a storm as Councilor Williams mentioned. So, Councilor Favolise was hesitant to support the amendment given that public demand. He was equally hesitant to have another amendment for a bid alternate lead to fundraising for a cover only for a bike rack, as Councilor Filiault suggested. If there is going to be a shade structure, Councilor Favolise hoped it would be as Councilor Bosley suggested—for shared pedestrian usage, not just a bike cover. Councilor Favolise was not sure the photo chosen in the packet was the best one for clarity at this point. He urged his colleagues to vote against the amendment.

Mayor Kahn asked for clarity on what the MSFI Committee recommended. The City Manager replied that the picture in the meeting packet showed a covered structure over a bike rack, but the MSFI Committee stated that it did not want it to be only for bicycles, they would want it to be shared use, which was why the parentheses in the packet stated: “covered structure with a mix of gathering space and bicycle parking”. Mayor Kahn wondered if the issue of the covered structure needed to be a separate conversation from the rest of the design decision. The City Manager thought that benches should be added to the image along with the bike racks to demonstrate the shared use.

Councilor Workman referred to the bottom of page 131 in the agenda packet, where it discussed the intent for the structure to have “benches, bike racks, or both. All the options for structures are premanufactured products.” The Councilor said that was her background for this conversation. She understood the images to be hypothetical, but it did not fully represent what the MSFI Committee discussed.

The City Manager said that on the design, there was placement of the shade structure with approximate dimensions, and she thought those were final details that could be marked out

but the decision needed to be whether or not the Council wanted the structure, and if yes, whether it should be shared use as the MSFI Committee recommended.

Mayor Kahn stated his concern that he did not recall the structure being located any place other than where the bike racks were and it seemed to him that the location, orientation, and/or dimensions might need to be altered to accommodate some of the additional uses being suggested, and it seemed like they had not really been presented to the Committee.

Councilor Greenwald reiterated that he did not want to debate these fine details on the Council floor. He did not think this was anywhere in any of the discussions or presentations other than when it was presented by Stantec in the slides the Council was reviewing. He said that if his fellow Councilors wanted a structure that he anticipated would cost \$100,000 for people to hang out under all afternoon then they should vote for it. He said it would serve no function other than to keep bikes from getting wet. As an owner of an electric bike, Councilor Greenwald said he would not leave it out in the rain or unattended anywhere downtown, whether locked or not. He said it would be an easy project to add in the future after this downtown project is completed when BPPAC or another group wants to fundraise. Councilor Greenwald did not want to spend taxpayer money on something without any function.

Councilor Haas wanted to correct some statements he heard. He stated that bicycling is a year-round sport. He recalled that one of the things that pushed forward the idea for having a shelter is the expense of modern bikes. Councilor Haas said there are many ways to protect bikes—especially e-bikes—and if people are using them and get caught downtown, they would not want them rained on because they are costly, which was how he said the bike shelter evolved. However, as Councilor Greenwald pointed out, Councilor Haas said that this developed from many different ideas and this covered shelter became convoluted with the solar panel shelter that was originally considered over the Farmers' Market. Now, he said it was being judged based on a photo that was just a symbolic representation without dimensions. He thought the idea should probably be put aside to be considered realistically in the future.

Councilor Filiault said the constituents had put this project in the Council's hands and asked the Council not to spend money unnecessarily. He said that if someone wants to spend \$100,000 to cover some bikes, they should fundraise, because Councilor Filiault said the Council should not be choosing to make the constituents pay for it.

Councilor Tobin remembered constituents talking about wanting something to cover their bikes, which was how she recalled this conversation starting. She said it the structure was located along the bike path specifically for that reason. She was confused at the beginning of the conversation, thinking initially that it was about the structure over cars on Gilbo Avenue. She recalled a point being made that the City would be providing infrastructure for cars, but shelter would also be required for bikes if the City would be encouraging it as a mode of transportation and building infrastructure for it. She recalled that Councilor Greenwald said that he would not leave his e-bike out in the rain, so if he was riding downtown, she wondered

where he would leave it. Councilor Tobin said she still supported a shade structure but would be comfortable with it as a potential add on item.

The City Manager clarified that the Council had discussed two shade structures for a while. The primary purpose of the one on Gilbo Avenue would be to provide solar power for the City's electricity use during the downtown project, and it would cover cars, but it could be used for other purposes like events. She said the second shade structure was shown on the design exactly where Councilor Tobin described near the bike path to serve a variety of multi-use purposes as discussed—bikes, seating, and events.

Councilor Favolise said that as he heard the Council discussing this, he thought it was at less of a consensus point about what the purpose of this shade structure would be. His understanding coming out of the MSFI Committee meeting—which he thought was reflected in the minutes and the Council agenda packet—was that it was to be shared use. He did not want to pull the structure out of the project entirely, so Councilor Favolise again urged a no vote on this amendment. He wondered if making this a bid alternate as Councilor Remy suggested would allow this process to continue moving forward toward some kind of resolution and give the MSFI Committee and any other interested parties—Councilors or otherwise—more opportunity to considered exactly what the use of the structure would be in addition to the dimension questions. So, he thought the best course of action would be a no vote on this amendment. He stated his willingness to support an amendment like Councilor Remy suggested.

On a vote of 7–6, the motion to amend the Committee report to remove the covered structure from Railroad Square carried. Councilors Tobin, Remy, Williams, Madison, Lake, and Workman.

A motion by Councilor Remy to amend the Committee report to include the covered structure on Railroad Square as a bid alternate and not in the primary design was duly seconded by Councilor Favolise.

Councilor Filiault said he had no problem with this. He said he would not vote it in no matter what would come back, unless it would be community fundraised. He was fine for it to be looked into, but he would never waste \$100,000 of the taxpayers' money on it.

Councilor Williams asked if there would be a fundraiser when the time comes for a parking garage.

Councilor Haas asked to also refer this to BPPAC for its input about what the structure could look like in addition to dimensions and to provide advice to the MSFI Committee (not as a formal part of the amendment).

Mayor Kahn asked if Councilor Remy intended to have a design presented to MSFI to address the thoughts of the Committee and Council. Councilor Remy said his intent was more so to see the cost of the structure and having a roof on it, as well as having bike racks fully or partially under it, and whether that would affect the cost at all. He thought \$100,000 was

probably high, but he said maybe because the City is often overcharged. He referred to the original design of it and the Stantec visual of it in the 3D models, which Councilor Remy said showed 3–4 bike rack spots but the rest of the structure open; he liked that and did not think it would cost \$100,000. He wanted to understand the actual cost to build the structure as an alternate and he hoped it would be closer to \$10,000.

On a vote of 13–0, the motion to amend the Committee report to include the covered structure on Railroad Square as a bid alternate and not in the primary design carried.

Councilor Remy returned to the issue of the big belly trash cans, but he was unsure if it needed to be decided at this time since they would be aboveground and not installed. The City Manager wondered if there should be a bid alternate on those as well to know the cost difference and analyze the time saved vs. the time spent emptying them and recycling and return to the Council with additional information. Mayor Kahn mentioned the difference in size too and whether there could be an obstruction of the pedestrian way. Councilor Remy agreed that more understanding would be useful.

A motion by Councilor Jones to amend the Committee report to maintain the current trash receptacles as the base, bid but seek a bid alternate for the trash compactors was duly seconded by Councilor Remy.

Councilor Filiault warned the Council that despite the due diligence that the MSFI Committee had done over the years and during the four-hour meeting on December 18, the Council seemed to be saying “no, let’s add money back in.” He urged his colleagues to pay attention to the expenses being justified. He said the MSFI Committee took its time and did not recommend the most expensive option, but a project that would be sustainable and not overburden the taxpayers. Councilor Filiault asked his colleagues to remember who would be paying for the project.

Councilor Remy said that at one point in time there was a decision to change to concrete sidewalks and granite curbing because it would be the right decision for long-term maintenance because they would not have to be repaired as often. The Councilor thought this bid alternate would be smart too because the City would be doing its due diligence and math to make the right decision long-term.

On a vote of 12–1, the motion to amend the Committee report to seek a bid alternate on the trash compactors carried. Councilor Filiault voted in opposition.

On a vote of 12–1, the motion to carry out the intent of the Committee report as amended carried. Councilor Jones voted in opposition.

NON PUBLIC SESSION

A motion by Councilor Greenwald was duly seconded by Councilor Bosley to go into a non-public session to discuss land matters under RSA 91-A:3 II (d) and the consideration or negotiation of pending claims or litigation under RSA 91-A:3 II (e) and legal advice under RSA 91-A:3 II (L). The motion carried unanimously on a roll call vote with 13 Councilors

01/02/2025

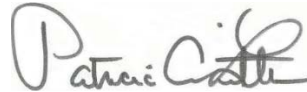
present and voting in favor. Councilors Lake and Chadbourne were absent. The regular session ended at 8:46 PM. A brief recess was called and the session started at 8:51 PM. Discussion was limited to the subject matters. The non-public session ended at 9:40 PM.

A motion by Councilor Greenwald to keep the minutes of the non-public session non-public, as disclosure would render the proposed action ineffective was duly seconded by Councilor Bosley. The motion carried unanimously with 13 Councilors present and voting in favor.

ADJOURNMENT

There being no further business, Mayor Kahn adjourned the meeting at 9:42 PM.

A true record, attest:

A handwritten signature in black ink, appearing to read "Patricia C. Smith". The signature is written in a cursive style with a large initial "P".

City Clerk



PUBLIC HEARING
Amendment to Land Development Code -
Minimum Lot Sizes

Notice is hereby given that a Public Hearing will be held before the Keene City Council relative to Ordinance O-2024-17-A "Relating to Minimum Lot Sizes in the High Density, Medium Density and Downtown Transition Districts." The Petitioner, the City of Keene Community Development Department, proposes to amend Section 3.5.2, Section 3.6.2, Section 4.6.1, and Section 4.6.2 of the Land Development Code to remove the minimum lot area required for each dwelling unit after the first dwelling unit in the High Density, Medium Density and Downtown Transition Districts with limitations.

The Ordinance is available for inspection in the office of the City Clerk during regular business hours.

HEARING DATE: January 16, 2025

HEARING TIME: 7:00 pm

HEARING PLACE: Council Chambers, Keene City Hall

Per order of the Mayor and City Council this fifth day of December, two thousand and twenty-four.

Attest:

City Clerk



PUBLIC HEARING
Amendment to Land Development Code -
Residential Parking Requirements

Notice is hereby given that a Public Hearing will be held before the Keene City Council relative to Ordinance O-2024-20-A, "**Relative to Residential Parking Requirements.**" The Petitioner, City of Keene Community Development Department, proposes to amend Table 9-1 and Section 9.2.5.A.1 of the Land Development Code to modify the required number of parking spaces for residential uses and specify parking requirements for elderly and workforce housing in all zoning districts.

The Ordinance is available for inspection in the office of the City Clerk during regular business hours.

HEARING DATE: January 16, 2025

HEARING TIME: 7:05 pm

HEARING PLACE: Council Chambers, Keene City Hall

Per order of the Mayor and City Council this nineteenth day of December, two thousand and twenty-four.

Attest:

City Clerk



ITEM #B.1.

CITY OF KEENE NEW HAMPSHIRE

Meeting Date: January 16, 2025
To: Mayor and Keene City Council
From: Mayor Jay V. Kahn
Through: Patricia Little, City Clerk
Subject: **Nomination - Ashuelot River Park Advisory Board**

Recommendation:

Attachments:

1. Cook, Kelly 011425_Redacted

Background:

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

Ashuelot River Park Advisory Board

Kelly Cook, Slot 1
Moving from alternate
to regular member

Term to expire Dec. 31, 2027

Submitted on Fri, 01/10/2025 - 16:18

Subject: Interested in serving on a City Board or Commission

First Name:

Kelly

Email:

[REDACTED]

Last Name:

Cook

Cell Phone:

[REDACTED]

Address

10 Highland Ave
Keene, NH 03431

Employer:

Retired

Occupation:

Registered Pharmacist

How long have you resided in Keene?

30 years

Retired

Yes

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

Currently an alternate board member on the Ashuelot Advisory Board. Also, a ballot inspector for Ward 2

Have you ever served on a public body before?

Yes

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

Ashuelot River Park Advisory Board

Please let us know the Board or Commission that you are most interested in serving on.

Ashuelot Park Advisory Board

Please provide 2 personal references:

Charlotte Greenhalgh

[REDACTED]

[REDACTED]

Ellen Wishart

[REDACTED]

[REDACTED]



ITEM #C.1.

CITY OF KEENE NEW HAMPSHIRE

Meeting Date: January 16, 2025

To: Mayor and Keene City Council

From: Catherine Bergstrom
GMC Board of Directors

Through: Patricia Little, City Clerk

Subject: **Greater Monadnock Collaborative - Request for Date Change - *Jumanji* 30th Anniversary Celebration**

Recommendation:

Attachments:

1. Communication_Bergstrom_Redacted

Background:

Ms. Bergstrom requests that the date of the previously approved license to host the *Jumanji* 30th Anniversary Celebration on Downtown City property be changed to June 20–22, 2025. This change is contingent upon the City Council approving a delay in the bid process for the Downtown Renovation Project.

January 12, 2025

Mayor Jay Kahn
3 Washington Street
Keene, NH 03431

Re: Requesting Use of City Property for Celebration Event—
change from April 11-13 to June 20-22, 2025

Dear Mayor Kahn:

I am writing to request a change to the Council-approved 30th *Jumanji* Anniversary Celebration event in downtown Keene from the weekend of April 11-13 to the weekend of June 20-22.

In light of the recent Finance Committee's recommendation to delay the bid process for the downtown renovation project beyond June 2025, please consider allowing us to move the event back to the originally requested weekend.

The plan remains as presented to the Council and has been discussed at two protocol meetings with several representatives of the City of Keene including Assistant City Clerk, Deputy City Managers, KPD, KFD, DPW, and Parks & Rec.

We have already gotten a positive response from downtown businesses to participate in the event. It is my intent to get sponsors for this celebration to cover the expenses incurred to ensure a fun and safe experience in downtown Keene.

Please let me know if you have any questions.

I look forward to hearing from you soon.

Respectfully,



Catherine Bergstrom
GMC Board of Directors
Jumanji 30th Anniversary Celebration, Organizer

99 West Shore Road, Swanzey, NH 03446—



CITY OF KEENE NEW HAMPSHIRE

ITEM #C.2.

Meeting Date: January 16, 2025
To: Mayor and Keene City Council
From: Councilor Robert Williams
Through: Patricia Little, City Clerk
Subject: **Councilor Williams - Request for Letter of Support - HB250 Enabling Local Governing Bodies to Regulate the Muzzling of Dogs**

Recommendation:

Attachments:

1. Communication_Williams

Background:

Councilor Williams is requesting that the City Council direct the Mayor to write a letter to the appropriate House and Senate Committees in support of HB 250. Further, Councilor Williams is requesting that the City Council empower the City Attorney to testify in support of this bill.

January 13, 2025

City of Keene Clerk's Office
3 Washington Street
Keene, New Hampshire 03431

To the Honorable Mayor and City Council,

Last year, the Council's Planning, Licenses, and Development Committee considered a potential ordinance to require that dogs with a record of attacking other dogs be muzzled while out in public. At the time, the Committee was unable to move forward with this measure, due to a quirk in state law that only permits cities and towns to require the muzzling of dogs in the event of a rabies outbreak.

Recently, HB 250 – unofficially known as “Suzette’s Bill” – has been introduced in the New Hampshire House of Representatives. This legislation would enable local governments to consider muzzle requirements as an option to manage the risk to the public posed by vicious dogs.

The bill has been introduced by State Representative Jodi Newell of Keene and is co-sponsored by several other State Representatives from Keene: Phil Jones, Nicholas Germana, Samantha Jacobs, and Terri O’Rorke.

I am requesting that City Council direct the Mayor to write a letter to the appropriate House and Senate Committees in support of HB 250, and also empower our City Attorney to testify in support of this bill.

Sincerely,

A handwritten signature in blue ink, appearing to read "Bobby Williams". The signature is fluid and cursive, with a large loop at the end.

Bobby Williams

City Councilor, Ward 2



CITY OF KEENE NEW HAMPSHIRE

Meeting Date: January 16, 2025
To: Mayor and Keene City Council
From: Planning, Licenses and Development Committee, Standing Committee
Through:
Subject: **Keene Downtown Group - Request to Use City Property - Ice and Snow Festival - February 1, 2025**

Recommendation:

On a vote of 3–0, the Planning, Licenses and Development Committee recommends that the Keene Downtown Group be granted a street fair license to use downtown City rights-of-way for purposes of conducting merchant sidewalk sales, as well as use of downtown City property on Central Square, Church Street, Commercial Street, Gilbo Avenue, Main Street, Railroad Street, and designated parking spaces on Central Square and Main Street to conduct the Ice and Snow Festival on Saturday, February 1, 2025, from 10:00 AM to 4:00 PM, and reserving an inclement weather date of Sunday, February 2, 2025. In addition, the applicant is permitted to close off a portion of Railroad Street from Main Street to the exit of the Wells Street parking structure, Church Street from Main Street to Hannah Grimes back parking lot, and Commercial Street from Main Street to Commercial Street parking lot. The petitioner is further granted permission for two small outdoor campfires in enclosed firepits on City property adjacent to Railroad Square subject to obtainment of a burn permit from the Fire Prevention Bureau. This permission is granted subject to the signing of a revocable license and indemnification agreement, submittal of a certificate of liability insurance in the amount of \$1,000,000 listing the City of Keene as additional insured, submittal of signed letters of permission from the owner for any use of private property, and compliance with any recommendations of City staff. In addition, the petitioner is granted use of the requested parking spaces free of charge under the provisions of the Free Parking Policy. The Petitioner agrees to absorb the cost of any City services over and above the amount of City funding allocated in the FY 25 Community Events Budget.

Attachments:

None

Background:

Chair Bosley requested staff comments. The Deputy City Manager, Rebecca Landry, indicated that internal staff protocol meetings have been held with the applicant. She continued that for the 2025 event, the applicant anticipates approximately 7,000 attendees so they looked at last year's attendance and used modeling software to consider the concerns about congestion of pedestrians that occurred at the 2024 event. She said the applicant made good efforts to spread out the ice sculptures and only put them in places where there would be more room for pedestrians to queue around them. This year, they would be adding three sculptures in the Farmers' Market space to help

spread out even further. Twelve ice carvers were expected in addition to a number of family friendly activities. There would be a rail jam on Commercial Street with snow to be brought in from Granite Gorge. Ms. Landry continued, stating that Railroad Street would be closed for the train ride for kids as in years past. This year, the applicant also sought to close Church Street for a location for arts and crafts vendors. There would be a food court at Railroad Street in the former Vision Financial parking lot and campfires and smores on Railroad Square. She said the Airport snow blower would be there, which is always a big hit. The Colonial Theater would be participating as well, playing films for children for free.

Chair Bosley welcomed the applicant, Mark Rebillard of 64 Blackberry Lane, on behalf of the Keene Downtown Group. Mr. Rebillard, Committee Lead for the Keene Ice and Snow Festival, thanked Ms. Landry for the fantastic introduction. He said that traffic had increased for the festival, which was great. He explained that the festival serves two purposes: (1) to create an *entirely free*, fun day for families with a lot of activities so that families can participate without spending any money if they like, and (2) to create a great sales day for downtown merchants. He said the Keene Downtown Group published a survey in 2024, which indicated that a typical Saturday in February saw an increase of sales anywhere from 30%–300% because Festival goers were encouraged to visit the stores. He added that Arts Alive created stuffed yetis for a yeti scavenger hunt that brings participants into the stores. In 2024, 12 stores participated in free hot chocolate on Main Street to help bring visitors into establishments. The merchants would contribute various activities to the festival. Mr. Rebillard thanked the City for its help in organizing everything which made this event truly easy to organize and host.

Chair Bosley said the City appreciates the event and that it is a nice break in the harsh winters, especially when the ice sculptures can stay up for a few days if the weather allows. She called it a beautiful addition to the downtown and she appreciates the effort.

Vice Chair Jones and Councilor Haas agreed that the Keene Downtown Group had done an excellent job with this Festival.

There were no public comments.

Councilor Haas made the following motion, which was duly seconded by Vice Chair Jones.

On a vote of 3–0, the Planning, Licenses and Development Committee recommends that the Keene Downtown Group be granted a street fair license to use downtown City rights-of-way for purposes of conducting merchant sidewalk sales, as well as use of downtown City property on Central Square, Church Street, Commercial Street, Gilbo Avenue, Main Street, Railroad Street, and designated parking spaces on Central Square and Main Street to conduct the Ice and Snow Festival on Saturday, February 1, 2025, from 10:00 AM to 4:00 PM, and reserving an inclement weather date of Sunday, February 2, 2025. In addition, the applicant is permitted to close off a portion of Railroad Street from Main Street to the exit of the Wells Street parking structure, Church Street from Main Street to Hannah Grimes back parking lot, and Commercial Street from Main Street to Commercial Street parking lot. The petitioner is further granted permission for two small outdoor campfires in enclosed firepits on City property adjacent to Railroad Square subject to obtainment of a burn permit from the Fire Prevention Bureau. This permission is granted subject to the signing of a revocable license and indemnification agreement, submittal of a certificate of liability insurance in the amount of \$1,000,000 listing the City of Keene as additional insured, submittal of signed letters of permission from the owner for any use of private property, and compliance with any recommendations of City staff. In addition, the petitioner is granted use of the requested parking spaces free of charge under the provisions of the Free Parking Policy. The Petitioner agrees to absorb the cost of any City

services over and above the amount of City funding allocated in the FY 25 Community Events Budget.



CITY OF KEENE NEW HAMPSHIRE

Meeting Date: January 16, 2025
To: Mayor and Keene City Council
From: Planning, Licenses and Development Committee, Standing Committee
Through:
Subject: Rules of Order - Section 15. - Voting and Conflict of Interest

Recommendation:

On a vote of 3–0, the Planning, Licenses and Development Committee recommends that the City Attorney introduce for first reading the revisions to Rule 15, Voting and Conflicts of Interest, as proposed by the Committee.

Attachments:

1. Proposed Amendment - Rules of Order Section 15 - Markup
2. Proposed Amendment - Rules of Order Section 15 - No Markup

Background:

Chair Bosley welcomed Mayor Kahn to speak to his proposed changes to Section 15 of the Rules of Order: Voting and Conflicts of Interest. Chair Bosley noted that there were a lot of proposed edits to the Rule and this would be a significant change. She believed that this proposal from the Mayor was to align the City's Rule with State Statutes.

Mayor Kahn explained that this was different from the original proposal, in which the Council struggled with some definitions. Since, the NH Legislature had adopted (HB 1388) the Ethics Commission's recommendations for revised conflicts of interest rules for the Legislature had been signed into law by the Governor in August 2024 and became effective on January 1, 2025, for all NH legislators. Mayor Kahn felt that these recommendations provided the Council with basis for some definitions it had been struggling with. He recalled that this conversation began in January 2024 and said that the goal had always been to incorporate into the City Council's Voting and Conflict of Interest Rule a definition of special interests of other members in the household of a City-elected official, which he said the NH RSA had done. The Mayor appreciated how the City Attorney had incorporated the revised RSAs 14-B and 14-C into the City's Rule, so the City did not have to define the terms on its own. Mayor Kahn said that not only had the definitions been tested by the Ethics Commission and legislative process, but the definitions would continue to be interpreted in future Ethics Commission cases. As such, the City and Council would not need to rely only on its own experience and could look to those cases to determine whether they apply to the City. He thought the process recommended was essentially the same as the Council's current Rule that would still require an annual conflict-of-interest declaration and it would be up to the full City Council to determine whether the special interest of a Councilor or their household member is distinct from and greater

than the interest of the public at large.

Mayor Kahn continued, quoting the proposed definition of Special Interest from the proposed Rule: “A Special Interest shall be deemed to exist when any person living in the same domicile as the Councilor (excluding persons with a leasehold interest),” meaning not a relative but someone renting a room or a comparable interest, “and who shares a common economic interest in the expense of daily living with the Councilor, including but not limited to a spouse, parent, or child 18 years of age or older.” The Mayor said that, for example, not every parent living in a household contributes to the economic interests of the household, nor does a child who is 25 years old who has moved back home. Still, he said the Council would always depend on a Councilor’s honesty in completing a Conflict of Interest form. Mayor Kahn said the proposed revisions also defined a Special Interest for a Councilor or household member as both financial and non-financial, where one “has a substantial interest in the welfare of an organization” that is greater than the interests of the public at large.

Lastly, Mayor Kahn described the proposed obligation of the Councilor and Mayor to disclose any employer or organization they have a Substantial Interest in. It would not require that they declare household members’ positions or the locations of their employments, only that they are employed, which the Mayor wanted to make explicit. He thought it was clear that the Ethics Commission struggled over declaration of organizations, so it comprehensively defined when a Substantial Interest in an organization exists. The Mayor shared the example of founding the Southwestern NH Chapter of the Court Appointed Special Advocates (CASA) in 2000, for which his wife now also volunteered, to illustrate their Substantial Interest in that organization and its welfare, which is why he declares it on his annual Conflict of Interest disclosure. The Mayor concluded by reminding the Committee that the Conflict of Interest rules exist for the transparency of the public and not necessarily for the convenience of elected officials. The Council as a whole would determine whether a Councilor’s special interests are sufficiently distinct from and greater than the general public’s to warrant a Councilor being excluded from a debate or vote.

Chair Bosley said she had personally supported updating this particular Rule and she appreciated the added clarifying language. She said that there were many instances in which the Council had policies of practice and she appreciated when those could be identified and codified so there are no abuses. She recalled during her time on the Council many decisions to allow Councilors to not participate on financial votes relating to their organizations but allowing them to participate for non-financial votes; for example, allowing votes for a license to use City property but not a request for funding for a festival. She hoped that codifying this would provide clear expectations of the circumstances under which a Councilor should declare a conflict. Chair Bosley appreciated the transparency. She said that letting the public know that the Council is making decisions without an “agenda” is important for the public’s confidence. She said it is also important for Councilors to be aware of their fellow Councilors’ special interests when discussing topics.

Mayor Kahn said he thought this would need an affirmative vote of the Committee for this amendment to be presented for a first reading by the City Council on January 16 and a final vote at the earliest on February 6. Chair Bosley clarified that after the first reading at Council on January 16, there would be another discussion before the PLD Committee on February 12 before potentially having a recommendation back to Council on February 20. She hoped to get consensus for the direction the Council wanted to go in with this.

Councilor Haas said that Substantial Interest was very well defined, and he said that was really the goal—to clarify who has to disclose what within the Councilors’ households. It seemed to Councilor Haas that the word “conflict” had been replaced with “Special Interest,” and it seemed that the Council would be deciding whether a Special Interest exists that would impair the ability of a Councilor to judge properly; taking the idea of a conflict out of the Rule. He asked if that was how his

colleagues were understanding things. The Assistant City Attorney, Amanda Palmeira, appreciated the Councilor's point, noting that it was a product of the State's statutory construction and the terms it had adopted. She called them terms of art that would be defined and used throughout the Rule, but she said that conceptually, they are conflicts of interest and she added that some of the State's chapter titles where these definitions are in use reference the term "Conflict of Interest" in the title. So, Councilor Haas said that instead of judging whether there is a Conflict of Interest, the Council would be deciding based on whether the conditions for a conflict exist. He called that a significant change and it seemed to him that it would be much less adversarial in the moment when a conflict is discussed. The Councilor pointed out an editing matter: in the first paragraph the word "issue" was changed to "item," but that change had not been consistently carried throughout. Ms. Palmeira thanked the Councilor and said she would review it with the City Attorney.

Vice Chair Jones said this was an issue the Council has gotten into the weeds on sometimes, stating himself included, but he thanked the Mayor for the clarity because it addressed issues the Vice Chair had from the beginning. Vice Chair Jones commented on how quickly the changes had proceeded through the Legislature. He was glad to have cleared up the parts he had concerns with and looked forward to seeing it go through the Council process.

There were no public comments.

Councilor Haas mentioned another edit: on the second page of the Rule (page 8 of the agenda packet) in the second paragraph, the language switched to, "The Mayor shall also be." Councilor Haas said he read that as being subject to the conditions in this section titled Voting and Conflict of Interest, but then the Mayor would fall into the other categorizations of Special Interest and Substantial Interest, rather than the word "conflict." Chair Bosley thought the Committee should ask the City Attorney to read that paragraph because the term "Conflict of Interest" was used twice in the red line version instead of the term "Special Interest." She wanted to ensure it was consistent and appropriate before submitted to Council.

Vice Chair Jones made the following motion, which was duly seconded by Councilor Haas.

On a vote of 3-0, the Planning, Licenses and Development Committee recommends that the City Attorney introduce for first reading the revisions to Rule 15, Voting and Conflicts of Interest, as proposed by the Committee.

SECTION 15. VOTING AND CONFLICT OF INTEREST.

Every Councilor present when a vote is required shall state their vote except when the Councilor has a conflict of interest in the matter under consideration. A conflict of interest shall be defined to exist when a proposed action, decision, or discussion ("~~IssueItem~~") presented to the City Council for consideration, would affect the Councilor's **Special Interest**. ~~pecuniary or personal interests. A pecuniary interest is any private financial interest, whether in the form of money, property or other commercial or financial consideration, the primary significance of which is an economic gain to the Councilor which is not otherwise available to the public generally ("Pecuniary Interest"). A personal interest is any interest of a Councilor in the outcome of an Issue which would provide a financial benefit to any individual, group, or organization in which the Councilor has an interest, and which would (or could be reasonably perceived to) inhibit the impartial judgment of, or decision on, the Issue by the Councilor ("Personal Interest").~~ Membership in an organization generally, and not in a leadership capacity, shall not be considered a Personal Interest. A conflict of interest "**Special Interest**" shall be deemed **defined as follows**: to exist when a Councilor's spouse, parent, child, or other member of the Councilor's immediate family living in the same household ("~~Immediate Family~~") has a Pecuniary Interest in a proposed Issue. A Councilor with a conflict of interest on a Council agenda shall file with the City Clerk the written particulars of the conflict of interest for inclusion on the Council agenda. If the conflict becomes known to a Councilor during a meeting, the Councilor should immediately disclose the particulars of the conflict of interest. The question of whether or not a conflict exists will then be decided by a majority vote of the Councilors present. The Councilor who may have a conflict of interest shall not vote on the question of the existence of the conflict of interest. When a conflict of interest is determined by the City Council to exist, the member having the conflict shall be prohibited from participating in the discussion and the vote on the Issue. Except at a duly noticed public hearing, or a public meeting, in which the public is allowed to speak, no Councilor having a conflict of interest may discuss the Issue in which he or she has a conflict with any other Councilor in any other place or any other time. If a Councilor with a conflict of interest wishes to speak at a public hearing, or in a public meeting, the Councilor shall do so from the audience section of the meeting.

Any financial or non-financial personal interest in the outcome of an Item that is the subject of official activity, distinct from and greater than the interests of the public at large:

- i. **A financial interest exists where a City Councilor or Household Member, or a person or organization, whether nonprofit or for profit, by which the City Councilor is employed, or from which the City Councilor receives compensation, to act as the person's or organization's agent or advocate, could stand to gain or lose anything of material value as a result of the official activity.**
- ii. **A non-financial personal interest exists where a City Councilor or Household Member has a Substantial Interest in the welfare of an organization, whether nonprofit or for profit, by virtue of holding a position with a fiduciary responsibility, such as a board member, trustee, or director.**
- iii. **A City Councilor or Household Member's ownership of securities of a publicly traded corporation shall not be construed to constitute a Special Interest in matters that may affect the corporation unless the City Councilor or Household Member serves as an officer, board member, trustee or director of the corporation or owns more than one percent of the outstanding securities of the corporation.**

"Substantial Interest" in an organization shall include any of the following factors:

- i. **The person founded the organization;**
- ii. **The person is a substantial contributor to the organization;**
- iii. **The person's compensation is primarily based on revenues derived from activities of the organization, or of a particular department or function of the organization, that the person controls;**
- iv. **The person has or shares authority to control or determine a substantial portion of the organization's capital expenditures, operating budget, or compensation for employees;**
- v. **The person manages a discrete segment or activity of the organization that represents a substantial portion of the activities, assets, income, or expenses of the organization, as compared to the organization as a whole; or**

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- vi. The person owns a controlling interest (measured by either vote or value) in a corporation, partnership, or trust or other entity.

A Special Interest shall be deemed to exist when any person living in the same domicile as the Councilor (excluding persons with a leasehold interest) and who shares a common economic interest in the expenses of daily living with the Councilor, including but not limited to a spouse, parent, or child 18 years of age or older ("Household Member") has a Special Interest in a proposed Item. A Councilor with a Special Interest on a Council agenda shall file with the City Clerk the written particulars of the Special Interest for inclusion on the Council agenda. If the Special Interest becomes known to a Councilor during a meeting, the Councilor should immediately disclose the particulars of the Special Interest. The question of whether or not a Special Interest exists will then be decided by a majority vote of the Councilors present. The Councilor who may have a Special Interest shall not vote on the question of the existence of the Special Interest. When a Special Interest is determined by the City Council to exist, the member having the Special Interest shall be prohibited from participating in the discussion and the vote on the Item. Except at a duly noticed public hearing, or a public meeting, in which the public is allowed to speak, no Councilor having a Special Interest may discuss the Item in which he or she has a Special Interest with any other Councilor in any other place or any other time. If a Councilor with a Special Interest wishes to speak at a public hearing, or in a public meeting, the Councilor shall do so from the audience section of the meeting.

Any Councilor having reasonable grounds to believe that another Councilor has a ~~conflict of interest~~ **Special Interest** may raise the ~~issue~~ **question** on his or her own motion. The Mayor shall also be subject to the Rule on ~~Conflict of Interest~~ **Voting and Conflict of Interest** notwithstanding whether or not the Mayor is entitled to vote on an ~~Issue~~ **Item**. The question of whether or not a ~~conflict of interest~~ **Special Interest** exists is subject to debate. The question will then be decided by the Council as set forth above.

The Mayor and Councilors shall file with the City Clerk in January of each year a Statement of **Special** Interests on a form prepared for that purpose by the City Clerk. The Statement of **Special** Interests shall identify for the Mayor and for each Councilor and for each ~~other person in the Immediate Family~~ **Household Member** the person's employer, and ~~for the Mayor and for each Councilor,~~ any board, commission, organization, association, or other entity **in which the Mayor and Councilor or Household Member has a Substantial Interest.** ~~is a member of, and whether or not the person holds a leadership position in that organization.~~ The Statement of **Special** Interests shall be available in the Office of the City Clerk for public inspection.

(Amended 6-5-1975, 4-15-1976, 4-20-1978, 4-17-1980, 6-18-1981, 8-2-1984, 4-18-1991, 2-17-2005, 6-5-2008, 1-18-2018, 6-18-2020, 4-7-2022)

SECTION 15. VOTING AND CONFLICT OF INTEREST.

Every Councilor present when a vote is required shall state their vote except when the Councilor has a conflict of interest in the matter under consideration. A conflict of interest shall be defined to exist when a proposed action, decision, or discussion ("Item") presented to the City Council for consideration, would affect the Councilor's Special Interest. A "Special Interest" shall be defined as follows:

Any financial or non-financial personal interest in the outcome of an Item that is the subject of official activity, distinct from and greater than the interests of the public at large:

- (i) A financial interest exists where a City Councilor or Household Member, or a person or organization, whether nonprofit or for profit, by which the City Councilor is employed, or from which the City Councilor receives compensation, to act as the person's or organization's agent or advocate, could stand to gain or lose anything of material value as a result of the official activity.
- (ii) A non-financial personal interest exists where a City Councilor or Household Member has a Substantial Interest in the welfare of an organization, whether nonprofit or for profit, by virtue of holding a position with a fiduciary responsibility, such as a board member, trustee, or director.
- (iii) A City Councilor or Household Member's ownership of securities of a publicly traded corporation shall not be construed to constitute a Special Interest in matters that may affect the corporation unless the City Councilor or Household Member serves as an officer, board member, trustee or director of the corporation or owns more than one percent of the outstanding securities of the corporation.

"Substantial Interest" in an organization shall include any of the following factors:

- i. The person founded the organization;
- ii. The person is a substantial contributor to the organization;
- iii. The person's compensation is primarily based on revenues derived from activities of the organization, or of a particular department or function of the organization, that the person controls;
- iv. The person has or shares authority to control or determine a substantial portion of the organization's capital expenditures, operating budget, or compensation for employees;
- v. The person manages a discrete segment or activity of the organization that represents a substantial portion of the activities, assets, income, or expenses of the organization, as compared to the organization as a whole; or
- vi. The person owns a controlling interest (measured by either vote or value) in a corporation, partnership, or trust or other entity.

A Special Interest shall be deemed to exist when any person living in the same domicile as the Councilor (excluding persons with a leasehold interest) and who shares a common economic interest in the expenses of daily living with the Councilor, including but not limited to a spouse, parent, or child 18 years of age or older ("Household Member") has a Special Interest in a proposed Item. A Councilor with a Special Interest on a Council agenda shall file with the City Clerk the written particulars of the Special Interest for inclusion on the Council agenda. If the Special Interest becomes known to a Councilor during a meeting, the Councilor should immediately disclose the particulars of the Special Interest. The question of whether or not a Special Interest exists will then be decided by a majority vote of the Councilors present. The Councilor who may have a Special Interest shall not vote on the question of the existence of the Special Interest. When a Special Interest is determined by the City Council to exist, the member having the Special Interest shall be prohibited from participating in the discussion and the vote on the Item. Except at a duly noticed public hearing, or a public meeting, in which the public is allowed to speak, no Councilor having a Special Interest may discuss the Item in which he or she has a Special Interest with any other Councilor in any other place or any other time. If a Councilor with a Special Interest wishes to speak at a public hearing, or in a public meeting, the Councilor shall do so from the audience section of the meeting.

Any Councilor having reasonable grounds to believe that another Councilor has a Special Interest may raise the question on his or her own motion. The Mayor shall also be subject to the Rule on Voting and Conflict of Interest

notwithstanding whether or not the Mayor is entitled to vote on an Item. The question of whether or not a Special Interest exists is subject to debate. The question will then be decided by the Council as set forth above.

The Mayor and Councilors shall file with the City Clerk in January of each year a Statement of Special Interests on a form prepared for that purpose by the City Clerk. The Statement of Special Interests shall identify for the Mayor and for each Councilor and for each Household Member the person's employer, and any board, commission, organization, association, or other entity in which the Mayor and Councilor or Household Member has a Substantial Interest. The Statement of Special Interests shall be available in the Office of the City Clerk for public inspection.

(Amended 6-5-1975, 4-15-1976, 4-20-1978, 4-17-1980, 6-18-1981, 8-2-1984, 4-18-1991, 2-17-2005, 6-5-2008, 1-18-2018, 6-18-2020, 4-7-2022)



CITY OF KEENE NEW HAMPSHIRE

Meeting Date: January 16, 2025
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: **Proposing that the City Council Consider a Delay in the Downtown Infrastructure Project**

Recommendation:

On a 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to bid the downtown infrastructure project in the fall of 2025 with construction in 2026 and to pursue funding for all phases of the project through the Federal Raise Grant.

Attachments:

None

Background:

City Manager Elizabeth Dragon stated that given the concerns expressed by downtown businesses, staff is not opposed to a one-year delay in the construction timeline. If the Council decides to delay the project, staff will plan to issue the bid in September or October 2025 with a target date of 2026 for construction. In the meantime, staff would apply for a federal Raise Grant. Applications for this round are due at the end of January. If the Council decides to proceed with the current construction schedule, the grant submission will focus on phases two and three of the project. However, if Council chooses to delay the staff will apply for the full project.

The Manager indicated there are no guarantees of receiving funding, the grant is a significant opportunity for funding. It is important to note that the city's initial application wasn't selected as a project of merit and hence won't be reviewed in the first round of applications. She added staff did conduct a debrief with the federal government (FHWA staff) and they provided feedback on where the city's application performed well and where the application didn't score maximum points. The staff will use that information to strengthen the submission this time around.

Additionally, staff will be asking council support in engaging the N.H. Congressional Delegation. Just yesterday, staff reached out to Pam Slack from Senator Shaheen's office, and she has agreed to assist the city in securing a support letter. Staff will also be reaching out to Senator Hassan's office for their support. The Manager indicated having backing from our delegation is a critical component of this process.

There are financial risks to consider, particularly related to the potential escalation of construction

costs and market fluctuations, as discussed at the last FOP meeting. However, delaying construction would allow the city to bid the project months ahead of the plan schedule. This additional time would enable staff to collaborate with the contractor, better understand their construction approach, and communicate those details to businesses and residents, and address concerns proactively. Moreover, it would provide an opportunity to pursue federal funding for the full project through the Raise Grant, potentially significantly reducing the burden on taxpayers.

The Manager went on to say, ultimately, the decision rests with the council. It is a matter of weighing the financial risk associated with cost uncertainties and market fluctuations, with the opportunity for substantial federal funding that could alleviate financial impacts on the community and all the while considering the concerns the committee heard from the downtown business community. City staff is prepared to move forward in 2025 or 2026 based on council direction.

Councilor Remy stated that he appreciates the update the Manager just provided and stated that he was able to obtain the information he was looking for.

Councilor Roberts stated this is a difficult decision. This is an issue that has been going on for a long time. He raised concerns about the incoming administration and the discretionary funding they would be looking to cut which this project would fall under. He stated he would begrudgingly support the delay as he knows how the price of construction can change.

Pam Slack addressed the committee and stated she could on behalf of Senator Shaheen's office indicate what the office can do to support the city. She went on to say that based on the many unknowns, she felt it was prudent to delay this project.

Mr. Rowland Russell of 77 High Street talked about a similar situation with Antioch University and their construction project. He talked about the delay with their project and the increased price of construction during the delay. Eventually, the increased price became 2 1/2 times for the budget. He stated he wanted to make sure that we do all we can to support our businesses and it is going to fall on citizens to do that hopefully not through higher taxes.

Councilor Tobin stated she has concerns about delaying the project and felt communication can be improved and she looks forward to doing that. She talked about the delay with the skate park and the increase to cost that it caused. She also referred to the increase in construction costs that could be forthcoming. The Councilor stated at last year's pumpkin fest a section of downtown was flooded, and she was relieved that this issue was going to get fixed. She agreed this issue is going to be difficult, but she will show up and support downtown businesses.

Mr. Ted McGreer stated he has been downtown for 25 years so his business has staying power compared to newer businesses that could face challenges. He is happy there is some thought being given to delaying the project. Mr. McGreer clarified with the Manager the last time the city applied for the Raise Grant they did not have a solidified plan in place. The Manager agreed. Mr. McGreer noted with a more solid plan and with the support of Senator Shaheen's office there is a higher likelihood the city could receive the grant this time around.

Councilor Filiault stated that when he originally wrote this letter it was on behalf of the downtown merchants, and he was not sure how many were going to show up. He noted that there were nearly two dozen merchants who showed up tonight to address the committee to express their deep concerns and to indicate that some won't be able to survive the construction period. He felt that there is enough reason to delay the project by a calendar year. He added as that as the City Manager just alluded to, the City has a more significant chance of getting the Raise Grant the second time around, which is close to a million dollars. He added there are also other grants the city could apply for.

Councilor Filiault agreed there is always a calculated risk that the cost could go up but in this situation the risk of putting multiple businesses out of business is a risk he didn't want to take. The City now has a good chance of receiving multi-million dollars in grants that it did not receive before and he felt there is no taxpayer who would want to turn that down because the grants would reduce what the taxpayers would have put into the downtown project. He felt that between the two calculated risks; one is going to help the downtown merchants survive another year while they can put funds away for an upcoming project and the second is a good potential of getting multi-million dollars in grant funds to reduce taxpayer burden. He felt those two are reasons enough to delay this project a year.

Mr. Jim Sterling of Jordan Road stated he was a business owner and understands the concerns being raised. He felt every small business owner has the anxiety that they could go out of business. He noted that new businesses are opening daily and felt the upcoming infrastructure issue is not slowing that down. He mentioned the three-year roundabout project on Island Street and Winchester Street and questioned if anyone went out of business due to that project.

He talked about the new administration coming in and the potential of prices going up significantly. Mr. Sterling stated receiving this grant is also unlikely with the changes coming up with the new administration.

Mr. Jared Goodell of 39 Central Square was the next speaker. Mr. Goodell stated the question before the committee is whether a major infrastructure project should be paused. He stated the committee must decide how much weight should be given to the things that are outside of the control of City government. He pointed out that the purpose of City government is limited but important. Public safety is a leading responsibility, and a close second is public infrastructure. When public infrastructure systems fail the Council and City administration have failed the City. It is undisputed that the aging infrastructure on Main Street and Central Square need to be addressed. Mr. Goodell stated it is disingenuous for many of those asking to delay the project to suggest that the downtown businesses have not had proper notice or time to prepare. He felt this project has been the talk of the town for years.

Mr. Goodell went on to say that this project has given the downtown stakeholders more time than many other businesses in other areas of the City which have had work done on their infrastructure and roadways. The Key Road project in Keene made an outlet road virtually inaccessible for more than a year and that project did not receive this level of attention or notice. Those businesses, many small locally owned businesses, survived. Mr. Goodell reminded the committee that they represent thousands of constituents not just those downtown merchants.

He did not feel the possibility that some downtown businesses may close because of this project should be given considerable weight in the committee's deliberations regarding delay. Businesses come and go every day; businesses are closing on Main Street now and there is no work being done. Business entrepreneurs are opening new businesses on the eve of a major infrastructure project. Mr. Goodell stated from the standpoint of downtown businesses, there will never be a good time for this project. For the taxpayers, now is the best time to start this project. Taxpayers in Keene are saddled with some of the highest tax rates in the state. He stated the City has a chance to mitigate further increases in taxes by getting shovels in the ground as soon as possible.

With respect to grants, Mr. Goodell stated as the Manager stated these funds are a "maybe". The City has been denied once and it could be denied again. He felt if a water or sewer line breaks this would be a higher cost to the taxpayers.

Mr. Goodell in closing stated, Councilor Roberts had stated he would begrudgingly support a delay and asked that the committee not begrudgingly make significant financial decisions for the City. Do what is right for the City – which means every taxpayer.

Ms. Roberta Mastrogiovanni, owner of Corner News, addressed the committee and stated she agrees with Councilor Filiault. She stated that being able to perhaps get a grant and giving some thought to downtown businesses should be reason enough to delay this project by a year. She noted no downtown merchants' numbers have increased but they would be able to rally after a year.

Mr. Sterling addressed the committee again and stated what the downtown businesses are asking for is a grant from the taxpayers of Keene. He felt the City should be asking for financial statements from downtown businesses before it decides to delay the project. He did not feel the anxiety of downtown businesses should be a reason to increase our taxes.

Mr. Russell spoke for a second time stating he would like to stress the need to preserve the integrity of the plan regardless of when it is done. He stated the committee working on this project has come up with a good plan and wanted to make sure that plan is preserved; making downtown pedestrian friendly, raised sidewalks, etc.

Ms. Beth Doyle, Owner of Moe, stated she has been in business for 29 years. She stated she came in after the last beautification project and got her space when most businesses were put out. She indicated a new business doesn't start making money for the first three years. And traffic is what helps make businesses thrive and the project would have an effect on that. Ms. Doyle agreed that they have heard about this project, but the information provided has not been consistent. She stated that downtown thrives because of all the businesses that exist, if one or two fail that would have an impact on everyone. She asked the City to give them one more year to be better prepared.

Chair Powers stated the City Clerk's office received a letter from a local business owner who has asked that the project not be delayed.

Councilor Lake stated he did speak for and against delaying this project. He stated he is glad to hear about the City going out for funding again. The Councilor stated from an infrastructure perspective extending the period that the City might be able to work with the construction companies, speaks a lot to him of instead of trying to rush the bid process. He felt going out to bid in the fall, giving additional time over the winter and into the spring to collaborate with the construction company and downtown businesses was a great piece of information he was able to receive tonight.

Councilor Chadbourne felt that there have been good points raised both in support of delaying and in support of not delaying the project. She stated she has heard from taxpayers about the increase in taxes and what kind of effect the new administration coming in would have on this issue. The Councilor stated she likes the idea of being able to apply for this grant and be more prepared but added it is a risk. She referred to the various stories she had heard about people falling in love with the downtown, which is the heart of our city.

Councilor Remy stated he likes the opportunity for the grant and the extra time for communication. He stated he is also apprehensive about the cost of items going up in the future but wasn't sure how much of that could be taken to heart. The Councilor stated there was a business owner who worked against the City to get this grant last year and asked if staff could work with businesses in support of getting the grant. The Manager stated she would be happy to reach out to businesses for their support. The Councilor stated this is not a light decision the council can make.

Chair Powers stated somewhere down the line the city has lost the process with this project but agreed it must go forward. He felt a decision should have been made a long time ago. He felt the City would hurt but felt we could withstand it.

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

On a 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to bid the downtown infrastructure project in the fall of 2025 with construction in 2026 and to pursue funding for all phases of the project through the Federal Raise Grant.



CITY OF KEENE NEW HAMPSHIRE

Meeting Date: January 16, 2025
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: **Bulletproof Vest Partnership Grant Program - 2024**

Recommendation:

On a 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept and expend \$6,259 from the Bulletproof Vest Partnership Grant Program funds of the US Department of Justice, Bureau of Justice Programs.

Attachments:

None

Background:

Police Captain Kopcha addressed the committee and stated that this item is in reference to a bulletproof vest grant, which is an annual federal grant. This is a 50/50 grant that helps offset some of the costs of replacing ballistic vests that the officers wear on duty, which only last four or five years before they need to be replaced. New officers who are hired need vests tailored to fit them specifically.

The department budgeted for \$3,950 which with the terms of the grant would allow the city to expend a total of over \$12,000.

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

On a 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept and expend \$6,259 from the Bulletproof Vest Partnership Grant Program funds of the US Department of Justice, Bureau of Justice Programs.



CITY OF KEENE NEW HAMPSHIRE

Meeting Date: January 16, 2025
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: 2025 Keene PD Highway Safety Grant

Recommendation:

On a 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept and to expend the grant from the New Hampshire Highway Safety Agency to fund the Highway Safety Grant - Keene.

Attachments:

None

Background:

Captain Kopcha stated this is another annual grant the Keene Police Department applies for. This is a state grant and funds various initiatives; extra duty details for officers that are working in addition to their regular shift, special directed patrols for speed, drunk driving enforcement, seat belt violations, distracted driving. This grant used to be separated into those individual initiatives. It is now a combined grant in the amount of \$10,200.

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

On a 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept and to expend the grant from the New Hampshire Highway Safety Agency to fund the Highway Safety Grant - Keene.



CITY OF KEENE NEW HAMPSHIRE

Meeting Date: January 16, 2025
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: Annual Reports of Boards and Commissions

Recommendation:

On a 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends that the City Council request that City Boards and Commissions submit an annual report to the City Council on or about July 1st, 2025.

Attachments:

None

Background:

Councilor Haas stated he is before the committee on behalf of the volunteers who serve on of the various City Boards and Commissions. He felt these individuals don't get the recognition and appreciation they deserve. He stated he would like to call for an annual report from these various Bodies, giving them a chance to bring forward their challenges, their goals, and how they can do a better job in advising the city.

The Councilor also suggested deleting from the website those public bodies that don't meet anymore, such as the Agriculture Commission. He asked to resurrect the City College Commission. He felt the same extends to Standing Committees. He felt this could be a one-page description of what they did and what they want to do.

The Manager stated she likes the idea of requesting an annual report, but wasn't sure it can be required based on different statutes.

Councilor Lake felt it was a good idea to get periodic reports from the committees. He asked what the process for requesting these reports would look like. The City Manager suggested a motion be made that the Council requests annual reports from Boards and Commissions – staff can then pass that message along.

Councilor Jones began by thanking Councilor Haas for recognizing the City College Commission which the Councilor stated he had served on. He stated during the tenure of Mayor Lane there was a process to obtain such reports from Board and Commissions. Further, it is a process that worked in the past and he felt it is something that could be accomplished by staff and the Mayor.

The Manager stated she did speak with the City Clerk about this and added it was a process to request all Bodies to come before Council and that is not what staff is proposing here. What staff is proposing now is an annual report and if there is a committee that Council would like to hear from, they could be requested to attend a Council meeting. In addition, there could be a topic the Council is deciding on and would like input from a specific Board or Commission, staff could also coordinate that.

Mayor Kahn addressed the committee and stated he wanted to assure the public that the City has on its website is information regarding all its Boards and Commissions. He indicated that recommendations that need to reach the Council are being conveyed to the Boards and Commissions. He felt that if staff could obtain this information in a less labor-intensive manner that would be prudent. He also suggested adding an expected date as well. With respect to the City College Commission, he noted there is a lot of dialogue that goes on between the City and the college. It is an important part of the City. He stated the City Manager and Mayor meet with college staff frequently and the college will be presenting their master plan to the Planning Board later this month. He stated there is continuing dialogue that happens with the college regarding housing, neighborhoods – there is Keene Police Officer working on neighborhood issues.

The Mayor indicated if there is purpose, it will be brought back to the City Council because that charge was written in 2008; it is a dated charge and needs to be refreshed if there is going to be an ongoing effort.

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

On a 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends that the City Council request that City Boards and Commissions submit an annual report to the City Council on or about July 1st, 2025.



CITY OF KEENE NEW HAMPSHIRE

Meeting Date: January 16, 2025
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: Call Volume and Staffing Needs - Fire Department

Recommendation:

The consensus of the Finance, Organization and Personnel Committee was to accept the presentation relating to Fire Department call volume and staffing needs as informational.

Attachments:

None

Background:

Fire Chief Jason Martin and Deputy Fire Chief Gregory Seymour addressed the committee next. The Fire Chief stated that in October 2024, the City Manager put together a team to look at the current staffing level at the Fire Department. They looked at trends and at ways the department could become more efficient. It has been determined that the Fire Department has reached its saturation capacity to handle the increased volume of calls. Chief Martin turned the presentation over to Deputy Chief Seymour for a detailed analysis of the Fire Department staffing.

Deputy Fire Chief Seymour displayed a PowerPoint presentation. He explained the Keene Fire Department is headed by the Fire Chief and has two divisions. First is Prevention Division which is headed by the Fire Marshall. Second is the Operations Division which is headed by the Deputy Fire Chief. The Operations Division is split into four shifts covered by four shift commanders, eight lieutenants, and 32 firefighters each shift working one 24-hour period. The daily operation staffing is one shift commander, one lieutenant, three personnel on engine 1, two personnel on ladder 2, two firefighters on ambulance 1 downtown and two firefighters and paramedics on ambulance 2 out of station two. He added the department also has daily administrative staffing available.

Deputy Seymour went on to say that Engine 1 is the primary engine out of downtown coupled with A1 (primary ambulance). Engine 1 has a company officer, a driver and a firefighter. A1 has a company of two. At any time, they could be combined to create a company of five if they are all available. Engine one on busy days will drop down to two individuals to cover another ambulance out of downtown.

Station 2 houses Ladder 2 and A2. Ladder 2 is staffed with a single officer and a driver, and A2 has two personnel. On fire incidents, one member from A2 is put on Ladder 2 to have a company of three. Both stations are supervised by a shift commander who acts as the kind of mobile command post for the city. The shift commander deals with daily operations, movement of those assets in and

out as well as emergency scene management and instant command, coordination of mutual aid as well as emergency call back of off duty personnel. The Deputy added some of the apparatus is staffed by callback personnel - those are the Tower Ladder Tanker 1, Engine 2, and Rescue 1. The department also has two backup ambulances (A3) which is staffed by Engine 1 and A4 which is the second backup truck out of downtown.

The Deputy next reviewed "Responsibilities" – The City of Keene primarily provides paramedic emergency services for the City of Keene and surrounding contract towns. Structural fire protection, aircraft fire response, high angle technical rescue, confined space technical rescue, trench collapse, structural collapse, hazardous materials response (technician level one of just a few teams in the state), surface water rescue and emergent and non-emergent event standby. He noted the City of Keene Fire Department is the only department in New Hampshire, Vermont, and Massachusetts that undertakes all those disciplines. The next closest would be in Portland, Maine.

The Deputy next referred to a map showing the career fire departments in the State of New Hampshire. He noted the City of Keene sits by itself in the southwest corner of the State with very little resources to help back us up. Our closest career support with specialties is the Brattleboro Fire Department in Vermont, which is 32 minutes away, other than that it would be Claremont and Concord, which are both about an hour.

He made note to a slide which shows a steady increase in call volume since 2009, it was the last time any apparatus was added, and a shift commander was added to the car. Projected numbers for 2024 were 6,366 (emergency calls) - actual total volume of emergency calls for 2024 were 6,373 with required 10,880-unit responses. He explained what this means is that some incidents may require more personnel in a single apparatus. A building fire could require eight-to-ten-unit responses.

Call Volume – Deputy Seymour explained the green bars on the graph represent the City of Keene. Keene is where the biggest increase has been. Out of town calls as a percentage have gone down from 10% to 6.61%. He referred to another slide where the calls are split between fire-related incidents and emergency medical-related incidents. The lines that run across represent staffing. He noted the bars don't correlate with staffing levels. They show an overall number; it increases as the call volumes increase. He noted one thing that is not reflected in this slide is how the department has changed manpower usage. In the past, the department used to promote staff positions (Fire Marshall's office, Fire Prevention and Fire Alarm) from within. They used to be the third engine out of downtown if there was the need. As the department has had to hire from outside, the department is no longer able to dual role those positions. Actual availability of personnel to respond has decreased.

Overlapping Incidents - 2,700 of the 6,316 calls were overlapping – which means at one time if a call goes out there is a 43% chance another one is going to come right behind it. This means resources must be split which makes it difficult to respond to a major incident. The department uses callbacks for this type of incident, but it takes time to get resources in to cover emergencies. Anyone who is called for an ambulance or fire truck knows that every minute that they are not there can be a big change.

The next graph represents emergency medical calls, motor vehicle crashes, and other fire-related calls.

Where do the bulk of calls come from? It is mostly from EMS - the bulk of that is in nursing home responses. In the past, most of those calls were handled by Diluzio Ambulance and once they dissolved that became the City's responsibility. He noted to a graph and explained it is not a single nursing home that is causing this issue; it is spread across all nursing homes in the City. Post Covid, people seem be getting sicker.

Revenue – Revenue has increased. Total collected revenue in 2015 - \$860,000 to \$1.65 million.

Contract Town Responses – 6% of total call volume. The towns that the City responds to are Chesterfield, Sullivan, Nelson, Surry, Roxbury, and Westmoreland. The non-contract town responses – Swanzey has the highest call volume. Contract town revenue – has stayed consistent, Westmoreland has depreciated. Contract town revenue accounts for around 11% of the total revenue.

Working Hours – The Deputy referred to a graph and explained that 2100 is the minimum working hours based on the 42-hour work week. In FY23 the top earners worked close to 3,250 hours, FY24 and FY25 will significantly increase. He explained 3,250 equates to working two full-time jobs which eventually causes burnout for employees. In FY23 the top person responded individually to 900 calls. Compared to other towns and cities in New Hampshire, Keene is the highest. In FY24 that number increased to 1,000 which he indicated is a large increase for one individual. This concluded the Deputy's presentation.

The Manager stated that when staff last looked at this issue a couple years ago, there was a staffing committee that spent quite a bit of time looking at the trends in the fire department and analyzing where the City was going, what we were going for, what types of calls, who was helping us, and who are we helping. This allowed the City to get a good understanding of what was occurring at the department. She stated the Council supported the addition of four firefighters. Four firefighters are one per shift. She added that unfortunately it takes a long time to get up to full-staffing level. The Manager stated soon we might be at a point where we are at full-staffing level.

The Manager went on to say that the call volume is still growing. New Hampshire is one of the states with the highest old-age population and much of the call volume is from our skilled-nursing facilities or our nursing homes. The change with Diluzio and losing their service to the community has impacted the city dramatically.

The Manager stated that tonight is the first presentation of data, and the staff intends to come back at the next FOP to request support of the City Council to apply for a Safer Grant. This is a grant through FEMA that assists communities who are looking to add staffing. The grant provides 75% of the first year, 75% of the cost for the second year and 35% in the third year and then it is fully funded by the City. The deadline for grant submission is February.

Councilor Roberts stated he was concerned about the hours being requested of some of these individuals because at some point they will break down and that could cause issues to their co-workers. He felt this is a highly stressful job and people need time to regenerate. The Manager stated this is causing for a higher rate of burnout and these individuals are highly unlikely to want to return to work when called back.

Chair Powers agreed the call volume has gone up. The Manager stated the private nursing homes are adding to the burden. She noted with Diluzio terminating its services, the County has been assisting the City at no charge but their model is also likely to change in the future. She felt the more we can cover ourselves the better off the City would be.

Councilor Chadbourne stated she is concerned about the well-being of these very dedicated individuals. She added many of the graphs indicate 2024 as projected and asked how close they are to the actual numbers. Deputy Seymour stated it is within ten. The Councilor asked about Smart Ride and asked if this service has replaced Diluzio. The Manager stated Smart Ride is for non-emergency rides (doctor's appointments). Councilor Chadbourne asked whether the City calls on out-of-town

volunteer fire departments for assistance. Chief Martin stated they do, but the City pays them more than it gets back.

Councilor Chadbourne asked a question on behalf of her neighbors: Why does a ladder truck accompany an ambulance on a call? Deputy Seymour stated that most firefighters are trained in many disciplines. Depending on where the paramedics are staffed on a particular day, that patient may need a higher level of care, so more people are sent to shorten the duration of the call, to help carry some out from multi-stories. If that staff is not needed, they will move on to a different call. He added every minute they do not have the necessary help the situation gets worse. The Councilor stated the question was why a ladder truck needs to be dispatched versus perhaps a suburban. The Deputy stated 42% of their incidents are over-lapping. That ladder truck is just not a ladder truck it is a toolbox, etc. They could need to respond from that call to another fire call. She also asked why the trucks are left running. The deputy stated to operate the radios, lights, and electronics the trucks must stay running. He also added due to the new high emissions in the vehicles they must stay at a high idle to burn off a lot of that soot. He added that it also does not help if a firetruck does not start when it is turned off.

Jared Goodell addressed the committee again and stated that the Keene Fire Department is currently the most expensive department in the City as of 2023-2024 now standing at \$9 million dollars, which is nearly 20% of the City's overall budget. He noted that between 2019 and 2024, the department's calls increased by 11%, but its budget in the same period increased by 18%. He indicated EMS makes up the lion share of calls that the Keene Fire Department responds to. He stated that as just mentioned it has always confused him that a very expensive piece of equipment and that very highly trained professionals who are on board respond to a low-acuity type of call and added he does not minimize what any community member goes through at any moment. However, he felt there were more efficient ways that involve better resources to get those members of the community proper help at the time and to get them moving forward. He questioned how many repeat calls are for the same citizens experiencing substance abuse or mental health issues? He felt the Fire Department in much the same way as the Police Department, has become a catch-all for the most vulnerable in our population.

Mr. Goodell noted other jurisdictions have recently developed and implemented what they call alternative response units or crisis response units. These units are much more focused on those high frequency calls that don't require a \$1,000,000 fire equipment to respond. They may operate out of a standard vehicle as Councilor Chadbourne brought up and carry things like Narcan or over-the-counter medicine, which could be administered, and these units could also be staffed by not firefighters but social workers who can help connect these citizens with resources instead of another ride to the ER. As an alternative, this type of response unit could also help with low acuity nursing, home transport calls and substance-use such as a transport van instead of the more expensive ambulance. He noted the Keene Police Department has recently moved in the same direction with its staff by bringing on board a social worker. This position allows expensive Police Department resources to be directed at more resource-appropriate calls while simultaneously providing a more impactful response to the citizen in need.

Mr. Goodell urged the City Council, the Fire Department and City staff to research different ways to solve this staffing issue without simply hiring more firefighters and EMTs which does not really seem to be working. He noted the population is not growing in Keene, but we are getting more calls and felt there is probably a mental-health aspect that goes along with that. He asked if it was perhaps time to take a different approach as the Police Department did to see if that would be a solution to help the citizens in Keene.

Councilor Roberts made mention of a situation in his neighborhood where the ambulance responded

to the same address on multiple occasions. He also noted that a bariatric individual would require additional personnel to move.

The Deputy Chief agreed they make repeated calls to the same location. He stated that opioid crisis is an issue, and they have looked at many different ways to utilize staff. He stated they have not added extra firefighters in many years. He added moving staff around has made them less efficient and less able to manage emergencies. He stated that there are creative ways to do things, but it does require personnel.

Councilor Powers asked the Deputy to address bariatric needs. Deputy Seymour stated that they recently put out a cache of equipment to handle bariatric patients who cannot be assisted by normal equipment. He stated these calls are manpower intensive and they do respond quite frequently to such calls.

The Manager stated she has been talking to the Fire Department and have discussed different models. She indicated that what was discovered is that the department does not have enough personnel to handle a large fire and asked that at the next meeting, a presentation is undertaken as to how a structural fire is handled. She noted this is an issue for Keene as Keene is isolated and relies on volunteers, whose numbers are declining. The Manager stated that for her it was not just EMS calls but also how a fire call is handled.

Councilor Chadbourne in response to Mr. Goodell's comments stated there has been discussion about adding mental health workers, which is an ongoing discussion. The Chief agreed Cheshire Medical Center is also looking into this issue.

Mr. Rob Skrocki of the Professional Firefighters of Keene addressed the committee next and began by thanking the City Manager for putting this working group in place and including the Professional Firefighters of Keene in the discussion. He stated that it is obvious throughout the presentation that the City is in some tough times and the Fire Department is at the brink of failure. With respect to what Councilor Chadbourne had raised about the ladder truck and an ambulance showing up together, he noted that an item that was not pointed out is that the 911 system codes how a call is responded to, which triggers how the department would respond to a call. There is a predetermined equation as to the severity of the call and how it is responded to.

Councilor Chadbourne stated that some of the drug overdose calls could bring about unpredictable behaviors and asked at what point police backup is called in. The Deputy stated the police also have access to calls, have their own level of suspicion, and respond. He stated Fire personnel have been injured while on a call.

The Chair encouraged the public to look at the website to learn more about what the Fire Department does.

The consensus of the Finance, Organization and Personnel Committee was to accept the presentation relating to Fire Department call volume and staffing needs as informational.



CITY OF KEENE NEW HAMPSHIRE

Meeting Date: January 16, 2025
To: Mayor and Keene City Council
From: Planning, Licenses and Development Committee, Standing Committee
Through:
Subject: Sign Code Modifications Requested by Mayor Kahn

Recommendation:

On a vote of 3–0, the Planning, Licenses and Development Committee recommends placing the Sign Code Modifications Requested by Mayor Kahn on more time.

Attachments:

None

Background:

Chair Bosley welcomed Mayor Jay Kahn to speak to his requested modifications to the City's Sign Code.

Mayor Kahn said he wrote this letter after it came to his attention that there were businesses in the Industrial Zone with blade signs that had been asked to remove them based on the City's Land Development Code Section 10.3. Mayor Kahn said he would want the City to do anything it could to assist the workforce of our industrial businesses in the City—and he thought many Councilors would agree—and he thought that could be the background theme for why the Council would wish for this change. Mayor Kahn said the Industrial Zone stood out as distinct. In the instance where the blade sign was asked to be removed, there was a minimum of 50 feet from the roadway, there was no sidewalk that would be obstructed, and no view that would be obstructed by the sign. He said the sign is simply to call attention to the workforce needs of the employer. Mayor Kahn reiterated that his purpose for bringing this forward and what he anticipated occurring as a result would be for the Committee to recommend that an Ordinance be prepared that would provide for an exclusion to Section 10.3 of the Land Development Code and he suggested the following language: "That blade signage be permitted in the Industrial Zone where the sign does not interfere with travel or maintenance of the right-of-way."

Chair Bosley referred to a map that was accessible on the City website to look at the Industrial Zone. Chair Bosley asked if the Mayor intended to include the Industrial Park Zone as well and Mayor Kahn replied yes.

Chair Bosley asked the Assistant City Attorney, Amanda Palmeira, where in the City's existing Sign Code these blade signs were referred to. Ms. Palmeira referred to the Definition Section of the Land Development Code where a number of different signs were defined, as well as signs in general. Ms.

Palmeira said there was not a definition listed for blade signs. Ms. Palmeira continued that she believed that there was a broader category of types of signs that are animated signs, and the City had conceptually not allowed this type of signage. Blade signs were considered animated signs.

Chair Bosley asked for comments from the Community Development Department. Senior Planner, Mari Brunner, who commented that a more appropriate term for these blade signs would be “blade sail signs” or “feather signs.” She referred to a definition that said these vertical signs have a harpoon style pole or staff driven into the ground or they are supported by means of an individual stand made of flexible material. They are designed to attract attention to a specific event or as the Mayor mentioned, to a business trying to hire employees. The signs typically move in the wind, so under the City’s Sign Code, any sign that moves is considered animated and therefore prohibited under Table 10-2, Prohibited Signs, however there is an exception in the code for flags.

Chair Bosley said she noticed that blade signs were not called out specifically in the Sign Code so leading up to the meeting, she was trying to determine what category they would fall under in the list of Prohibited Signs. She asked if the Exceptions column of Table 10-2 could be modified to include designations for other types of signs for districts and blade signs could be added there. Ms. Brunner said she believed so. She explained that staff hoped—rather than coming back with a draft ordinance to submit for first reading—to return to the next PLD meeting with a preliminary, informal presentation for a more in-depth discussion about what exactly the Committee would be seeking before submitting an ordinance for first reading that would hopefully get through the process in one attempt. Chair Bosley asked if the Ordinance would have to go before the Joint Committee of the Planning Board & Planning, Licenses and Development Committee. Ms. Brunner said yes, it would be introduced to the City Council, referred to the Joint Committee, and then go through the standard process.

Vice Chair Jones remembered these blade signs also being called feather signs, but he thought the term animated covered it all. He recalled dealing with this issue a number of years ago for a food stand on Emerald Street. Vice Chair Jones believes that these signs are nice in the industrial area because they add color and a little something extra to a property, so he did not think they should be restricted to recruiting purposes only. From his perspective, if a business owner wants the sign and meets any established conditions, it would be fine.

Councilor Haas said these signs are great and he agreed with this change. He stressed the importance of maintaining the signs and ensuring they are installed as intended, because they are temporary, so they should be properly secured to not damage surrounding property or people. He thought that the wording in the Sign Code should be retained emphasizing that damaged signs should be removed and that they need to be properly erected and securely installed. Councilor Haas did not want to get into permitting in the Land Development Code but said there should be some stipulations about how long the signs can be erected.

Chair Bosley said that was a great segue because she shared Councilor Haas’ concern and wondered if there was a rule for how long these signs could be erected, as they were not intended to be permanent and could fall into disrepair in a way that is not safe for pedestrians or vehicles. She wanted to ensure that the rules would keep the signs far enough from the roadway edge for those things to be prevented. She wondered about them being allowed up for a cumulative amount of time per year or all year; she was unsure if she had formed an opinion yet. She agreed that the Committee needed to discuss what it thought would be appropriate.

Chair Bosley pointed out that a Councilor reached out to her because they wanted to hear from the Committee about whether there was interest in allowing these signs in the Commerce Zone as well. Chair Bosley thought that would start to complicate the conversation because the Commerce Zone encompasses a lot of different streets with different characteristics. She was very comfortable with

these signs in the Industrial Zone, but thought the Commerce Zone would come up at full Council.

Councilor Haas asked if the City had any regulations about timing for temporary signs at this time. Ms. Brunner was not positive but believed that there was an allowance of 14 days for temporary signs. She said that feather signs are meant to be temporary because—also known as sail signs—they are not meant to be out in high wind conditions. She thought these were things that could be reviewed at the time that a permit is issued. Even though this would go through the Zoning Code, Ms. Brunner explained that Building staff review the Sign Permits for reasons like these, to consider the structural integrity and public safety. Often, these signs are only base-weighted and not actually driven into the ground. Councilor Haas agreed that more care would be needed with the signs in that case.

Chair Bosley asked if there were limitations for how long (days per month) these signs or sandwich signs could be placed for open enrollment for schools. Ms. Brunner noted that she is not an expert in the Sign Code, so she was unsure. Chair Bosley said that was fair, noting her recollection that about a decade prior, she personally ran into this issue. She suggested looking into how the City had approached other time limitations for signs to compare and offer some consistency.

Vice Chair Jones did not think either of the recommended motions were appropriate based on the discussion. He thought the Committee should send the matter to the Mayor for him to forward it to the Joint Committee. The Chair thought there would need to be a fully fleshed out draft ordinance to send to the Joint Committee. Ms. Brunner asked if the Committee was willing to allow staff to bring an informal proposal to the next meeting to ensure they understood the Committee's wishes correctly and discuss more of the details before formalizing a draft ordinance application to send to the Joint Committee through the normal process. The Committee agreed with that plan, so Ms. Brunner suggested a motion to place this item on more time.

Councilor Haas thought there were already a lot of other restrictions and guidance on temporary signs in the Sign Code, so he thought these should be able to fit in easily. He welcomed any ideas staff would bring back to the Committee in advance to sending something to the Joint Committee. He noted that it could take a long time before it gets through the normal process, citing potentially August, and his hope that it could be expedited. Chair Bosley said that was very fair, noting her hope that if the ordinance could be developed right the first time with knowledge of what the Council is interested in, that it would expedite the process.

There were no public comments.

Vice Chair Jones made the following motion, which was duly seconded by Councilor Haas.

On a vote of 3–0, the Planning, Licenses and Development Committee recommends placing the Sign Code Modifications Requested by Mayor Kahn on more time.



CITY OF KEENE NEW HAMPSHIRE

Meeting Date: January 16, 2025
To: Mayor and Keene City Council
From: Planning, Licenses and Development Committee, Standing Committee
Through:
Subject: **Relating to Building Height in the Commerce District
Ordinance O-2024-19-A**

Recommendation:

On a vote of 3–0, the Planning, Licenses and Development Committee recommends the adoption of Ordinance O-2024-19-A.

Attachments:

1. Ordinance O-2024-19-A_clean_referral

Background:

Chair Bosley welcomed Planner, Evan Clements, to speak to Ordinance O-2024-19-A. Mr. Clements had nothing to add from the public hearing at the January 2 Council meeting, but welcomed questions.

Chair Bosley noted that this was an item that the Committee had gone through in fine detail with the Joint Committee of the Planning Board and the Planning, Licenses and Development Committee. There had been a public hearing with no public comments and there were none submitted in writing. So, the Chair was comfortable with the Ordinance. She recalled that this was an “A” version because there were some slight amendments that she thought would help promote what the Committee wanted to see in the Commerce Zone, while protecting the original underlying expectation of what the Commerce Zone should be. She said the Committee hoped to see some additional projects added by having this in place, so Chair Bosley was in support.

Councilor Haas pointed out a potential Scrivener’s issue: on items one and two, a–c did not align. Brief discussion and review ensued. Chair Bosley thought Councilor Haas was seeing discrepancies between the Ordinance and the Land Development Code. The Chair anticipated that the language in the Ordinance would drive a rewrite of the text in the Land Development Code so those things would be clear ultimately. Councilor Haas agreed that the intent was clear.

Vice Chair Jones thought this was great. He said the City had been stuck at a standard for a long time that went back to the days when there was less fire suppression and chain-run elevators. He thought the City was finally catching up to the future.

Councilor Haas made the following motion, which was duly seconded by Vice Chair Jones.

On a vote of 3–0, the Planning, Licenses and Development Committee recommends the adoption of Ordinance O-2024-19-A.



CITY OF KEENE

In the Year of Our Lord Two Thousand and Twenty Four

AN ORDINANCE Relating to Amendments to the Land Development Code, Building Height in the Commerce District

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

That Chapter 100 of the Code of Ordinances of the City of Keene, the Land Development Code, as amended, is further amended as follows:

1. That Section 5.1.4 “Height” of Article 5 “Max Stories Above Grade” be amended as follows:
 - a. Max Stories Above Grade* ~~2~~ **3**
 - b. ~~With an additional 10-foot front and side building setback, or a building height stepback of at least 10 feet. Stepback must occur above the ground floor.~~
 - c. ~~With an additional 20-foot front and side building setback, or a building height stepback of at least 20 feet. Stepback must occur above the ground story and no higher than the third story.~~


2. That Section 5.1.4 “Height” of Article 5 “Max Building Height” be amended as follows:
 - a. Max Building Height* ~~35~~ **42ft**
 - b. ~~With an additional 10-foot front and side building setback, or a building height stepback of at least 10 feet. Stepback must occur above the ground floor.~~
 - c. ~~With an additional 20-foot front and side building setback, or a building height stepback of at least 20 feet. Stepback must occur above the ground story and no higher than the third story.~~

3. That Section 5.1.4 “Height” of Article 5 be amended to include a new footnote as follows:
 - a. ***See Use Standard 8.3.1.C.2.c for additional height allowances for “Dwelling, Multifamily.”**

4. That Section 8.3.1 “Residential Uses” of Article 8, subsection C.2 Dwelling, Multi-Family Use Standards be amended to include a new subsection “c” as follows:
 - a. **In the Commerce District, up to 6 stories or 82 ft of height is permitted so long as the ground floor along the street primary frontage shall be tenantable commercial space. Dwelling units shall be permitted on the ground floor behind the tenantable commercial space if this use standard is utilized. An additional 15-foot front building setback or a building height stepback of at least 15 feet shall be required. The stepback must occur above the ground floor and no higher than the fourth story. If directly abutting a single family or two-family use, a 50ft side and/or rear building setback from the common property line shall be required.**

Jay V. Kahn, Mayor

In City Council December 5, 2024.
Public hearing scheduled for
January 2, 2025, at 7:00 PM.



City Clerk



CITY OF KEENE NEW HAMPSHIRE

Meeting Date: January 16, 2025
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: **Relating to Class Allocation and Salary Schedule
Ordinance O-2025-01**

Recommendation:

On a 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends the adoption of Ordinance O-2025-01.

Attachments:

1. O-2025-01 Class Allocation & Salary Schedules Public Works_Referral

Background:

Asst. City Manager/HR Director Beth Fox addressed the committee next. Ms. Fox stated that this proposal is to make title adjustments to the existing class allocation listing that relates to the Public Works Department. She noted that there are two that are requested for consideration.

The first is an adjustment to the existing title of Transportation/Storm Water Operations Manager. The department has requested that the title be changed to Highway Operations Manager. The department feels this describes what the position is charged with and is easier for the public understand.

The second adjustment is a proposed reclassification position. The department has reviewed the job description for the Infrastructure Project Manager and made some changes. Those changes warrant a regrading of the position to an S18 versus S19.

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

On a 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends the adoption of Ordinance O-2025-01.



CITY OF KEENE

In the Year of Our Lord Two Thousand and Twenty-Five

AN ORDINANCE Relating to Class Allocation and Salary Schedules

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

That the ordinances of the City of Keene, as amended, hereby are further amended by deleting the stricken text and inserting the bolded text in Section 62-194, “Administrative, Office, Technical and Management Personnel” of Chapter 62 entitled “Personnel” as follows:

Sec. 62-194. Administrative, office, technical and management personnel

- S 4 Library Aide
- S 5 Minute Taker
- S 6 Administrative Assistant; Records Clerk
- S 7 Administrative Assistant I
- S 8 NO POSITIONS ASSIGNED
- S 9 NO POSITIONS ASSIGNED
- S 10 Audio Video Production Specialist; Recreation Specialist
- S 11 Office Manager; Parking Services Technician
- S 12 Librarian I; Planning Technician; Executive Secretary; Staff Accountant;
Purchasing Specialist; Human Resource Specialist
- S 13 NO POSITIONS ASSIGNED
- S 14 NO POSITIONS ASSIGNED
- S 15 Executive Assistant; Librarian II; Payroll Administrator; Human Resources Assistant; Youth
Services Manager; Engineering Technician; Assistant City Clerk; Senior Paralegal; Police
Dispatch Supervisor; Social Worker; Fire Department Administrator; Deputy Revenue Collector
- S 16 Planner; Laboratory Supervisor; GIS Coordinator
- S 17 Property Appraiser; Recreation Programmer; Librarian III; Airport Maintenance & Operations
Manager; IT Systems Specialist; Parking Operations Manager; Recreation Facilities Manager
- S 18 Purchasing Agent; Civil Engineer; Solid Waste Manager; Maintenance Manager; Revenue
Collector; Records Manager/Deputy City Clerk; Laboratory Manager; Human Services
Manager; Treatment Plant Manager; Deputy City Clerk; **Infrastructure Project Manager**
- S 19 ~~Transportation/Stormwater Operations Manager~~; Senior Planner, Recreation Manager
Fleet Services Manager, Accounting & Fund Manager; **Infrastructure Project Manager**;
Highway Operations Manager
- S 20 Systems Administrator; Purchasing & Contract Services Manager; Assistant City Attorney;

- Water/Sewer Operations Manager
- S 21 NO POSITIONS ASSIGNED
 - S 22 NO POSITIONS ASSIGNED
 - S 23 NO POSITIONS ASSIGNED
 - S 24 City Engineer; Database Administrator; Building/Health Official
 - S 25 Assistant Finance Director/Assistant Treasurer; Assistant Public Works Director/Division Head;
Airport Director
 - S 26 City Assessor; Police Captain; Human Resources Director; Library Director; Deputy Fire Chief;
Parks & Recreation Director
 - S 27 IT Director; Community Development Director
 - S 28 Finance Director/Treasurer
 - S 29 Police Chief; Fire Chief; Public Works Director
 - S 30 NO POSTIONS ASSIGNED
 - S 31 Deputy City Manager
 - S 32 NO POSITIONS ASSIGNED

Jay V. Kahn, Mayor

In City Council January 2, 2025.
Referred to the Finance, Organization
and Personnel Committee.



City Clerk



CITY OF KEENE NEW HAMPSHIRE

Meeting Date: January 16, 2025
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: **Relating to Boards and Commissions
Ordinance O-2025-02**

Recommendation:

On a 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends the adoption of Ordinance O-2025-02.

Attachments:

1. O-2025-02_Boards and Commissions_referral

Background:

Deputy City Clerk Terri Hood was the next speaker. Ms. Hood stated she was before the committee to represent the ordinance that was submitted by the City Clerk related to Boards and Commissions, specifically, to some changes in the membership make up for the Bicycle/Pedestrian Committee and the Conservation Commission. Ms. Hood noted this is more of a housekeeping issue.

In terms of the Bicycle/Pedestrian Committee there has been a desire to have a City Council member serve as ex officio on this Board for a couple of years; this is putting that into place. The City Councilor currently serving will go from being a citizen member to an ex officio on that Board.

The second change is the Conservation Commission membership. There was an ex officio member on the Conservation Commission for some time. State Statute dictates who can serve on land use boards and having an ex officio member of the City Council is not contemplated in that statute. Hence it is being removed for that reason.

Councilor Chadbourne asked if a Council member could be added to the Commission if the city wished to do so. Ms. Hood deferred to the attorney for a response. Attorney Palmeira stated a Councilor could serve as a member of the public, but the city cannot add into its code that one of the members has to be a City Councilor because this is subject to what the RSA allows the city to do.

Ms. Hood stated there is a Councilor serving on the Board right now and her understanding is they will remain on the Board but will convert to a citizen member.

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

On a 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends the adoption of Ordinance O-2025-02.



CITY OF KEENE

In the Year of Our Lord Two Thousand and Twenty Five

AN ORDINANCE Relating to Boards and Commissions

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

That the Ordinances of the City of Keene, as amended, are hereby further amended by adding the bolded text to Section 2-712 "Membership" of Division 5, "Bicycle/Pedestrian Path Advisory Committee" and deleting the stricken text in Section 2-771 "Membership" of Division 7, "Conservation Commission" of Article V. "Boards and Commissions" of Chapter 2 entitled "Administration" as follows:

DIVISION 5. BICYCLE/PEDESTRIAN PATH ADVISORY COMMITTEE

Sec. 2-712. Membership.

The bicycle/pedestrian path advisory committee shall consist of seven regular members. **One member shall be a city councilor.** All appointed citizens to the committee must represent a cross section of bicycling clubs, organizations and interests in the region.

DIVISION 7. - CONSERVATION COMMISSION

Sec. 2-771. - Membership

The conservation commission shall consist of seven regular voting members. ~~one of whom shall be a member of the city council.~~

Jay V. Kahn, Mayor

In City Council January 2, 2025.
Referred to the Finance, Organization
and Personnel Committee.


City Clerk



CITY OF KEENE NEW HAMPSHIRE

Meeting Date: January 16, 2025
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: **Relating to Appropriations for Tree Removal Work
Resolution R-2025-01**

Recommendation:

On a 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends the adoption of Resolution R-2025-01.

Attachments:

1. R-2025-01 Relating to appropriations for tree removal work_referral

Background:

Public Works Director Don Lussier stated the request tonight is a request for a new appropriation, \$50,000 to help clean up some storm damage that occurred in July 2024. Mr. Lussier stated that it took some time to figure out whether these trees were actually City responsibility. He stated the boundary line along the back of the property on Sesame Street and where the City parcels are located is not clearly defined. It has now been determined that they are City trees, and they need to be cleaned up. He reminded the committee of the damage that occurred to the Tanglewood neighborhood and Pako Park area last July. There are a number of trees either leaning over private property or on paths where kids walk to school, and it is a safety concern. Mr. Lussier stated the City worked with its tree removal contractor to come up with an estimate but the biggest challenge with this issue is the access. A lot of the work will have to be done with cranes lifting trees over houses and backyards. The estimate for this work is \$50,000.

Councilor Chadbourne noted that because this is an estimate there could be money left over and asked if that money could be used for planting of trees in certain neighborhoods. Mr. Lussier stated the estimate that was developed with the contractor was between \$45,000 and \$50,000, staff asked for \$50,000 to have a cushion. The Parks and Recreation Department needed tree removal completed in Dinsmore Woods for which they did not have a budget, if there is money left over from this estimate, the plan is to use those funds to chip and remove those trees that have been left in the Dinsmore Woods. Chair Powers stated there is a plan to replace some of the trees that have been lost throughout the City for any number of reasons.

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

On a 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends the adoption of Resolution R-2025-01.



CITY OF KEENE

In the Year of Our Lord Two Thousand and Twenty Five

A RESOLUTION Relating to appropriations for Tree Removal work

Resolved by the City Council of the City of Keene, as follows:

That the sum of Fifty Thousand Dollars and no cents (\$50,000.00) be and here is appropriated from the unallocated fund balance for the purpose of unplanned tree removal work in and around the Sesame Street / Clark Circle neighborhood.

Jay V. Kahn, Mayor

In City Council January 2, 2025.
Referred to the Finance, Organization
and Personnel Committee.

City Clerk