



City of Keene
New Hampshire

KEENE CITY COUNCIL
Council Chambers, Keene City Hall
March 19, 2020
7:00 PM

Roll Call
Pledge of Allegiance

MINUTES FROM PRECEDING MEETING

- March 5, 2020

A. HEARINGS / PRESENTATIONS / PROCLAMATIONS

1. Nominations
Historic District Commission
Heritage Commission

B. ELECTIONS / NOMINATIONS / APPOINTMENTS / CONFIRMATIONS

C. COMMUNICATIONS

1. Cheshire Housing Trust - Application for a Lodging House License
2. Robert DiLuzio, Sr./SCI Corp. - Release of Right-of-Way

D. REPORTS - COUNCIL COMMITTEES

1. New England Aerobatic Club – Request to Use City Property – Dillant Hopkins Airport
2. Albert Grauer – Application for a Lodging House License – 85 Winchester Street
3. Request for Approval to Solicit Donations to be Used as Prizes - Fourth Grade Water Science Fairs - Public Works Department
4. Acceptance of Donation - Fire Department
5. Avon Street Water and Sewer Replacement Project - Public Works Department
6. Sale of City Owned Property - Tax Deeded Properties - Assessing Department
7. Acceptance of Land Donation – 0 Off Maple Ave. - Assessing Department
8. Roxbury Street Bridge over Beaver Brook Project - Increase in Project Budget – Public Works Department
9. 12 Gilbo Avenue - Parks, Recreation and Facilities Department
10. Capital Improvement Program - FY 2021-2027

E. CITY MANAGER COMMENTS

F. REPORTS - CITY OFFICERS AND DEPARTMENTS

G. REPORTS - BOARDS AND COMMISSIONS

H. REPORTS - MORE TIME

1. Pathways for Keene - Request to Use City Property – 4 on the 4th Race

I. ORDINANCES FOR FIRST READING

J. ORDINANCES FOR SECOND READING

1. Relating to Alternates to Boards and Commissions
O-2020-05
2. Relating to Lodginghouse Licenses
Ordinance O-2020-03
3. Relating to Septage and Holding Tank Disposal Rates
Ordinance O-2020-02

K. RESOLUTIONS

1. Relating to General Obligation Courthouse Bonds of 2013 Series B Partial Redemption
Resolution R-2020-04

Non Public Session
Adjournment

A regular meeting of the Keene City Council was held Thursday, March 5, 2020. The Honorable Mayor George S. Hansel called the meeting to order at 7:00 PM. Roll called: Stephen L. Hooper, Michael J. Remy, Michael Giacomo, Randy L. Filiault, Robert C. Williams, Philip M. Jones, Terry M. Clark, Raleigh C. Ormerod, Catherine I. Workman, Mitchell H. Greenwald, Kate M. Bosley and Thomas F. Powers were present. Councilors Janis O. Manwaring, Gladys Johnsen and Bettina A. Chadbourne were absent. Councilor Remy led the Pledge of Allegiance. A motion by Councilor Bosley to accept the minutes from the February 20, 2020 regular meeting was duly seconded by Councilor Filiault. The motion passed with a unanimous vote in favor.

ANNOUNCEMENTS – MAYOR

Mayor Hansel announced that on March 7, 2020 a CIP tour will be held, starting at the Public Works Facility. He went on to announce that City Clerk Patty Little was being honored this evening at Keene State College is an Outstanding Woman of New Hampshire for the Monadnock Region. This year's national theme is Valiant Women of the Vote. With these awards the College is celebrating amazing women in the state and the region as well as at the college level who have worked to secure political rights, specifically voting rights, for women and disenfranchised groups. He noted that Ms. Little has been with the City of Keene for 40 years serving as the City Clerk, and in that role she has preserved voting rights for all of Keene's citizens, protecting one of the most important tenets of our democracy. She has provided valuable support to nine Mayors and countless City Councilors. The Mayor wished the Clerk a hearty congratulations on this well deserved honor. The Mayor went on to note the Councilor Michael Remy, City Planner Mari Brunner and Downtown Coordinator Beth Wood have all been included in this year's Trendsetters hosted by the Keene Sentinel. This is an annual award handed out to young professionals who are leaders in their workplaces and communities.

PROCLAMATION – NATIONAL ATHLETIC TRAINERS ASSOCIATION

The Mayor presented a proclamation to the representatives from the Athletic Trainers Association acknowledging their good work and designating March 2020 as National Athletic Training Month in the City of Keene.

PUBLIC HEARING – CAPITAL IMPROVEMENT PROGRAM – FISCAL YEAR 2021-2027

The Mayor called the Public Hearing to order at 7:08 PM. The Notice of Hearing and Certificate of Publication were read. The Mayor recognized the City Manager for a brief introduction. City Manager Elizabeth Dragon began by explaining that the City's Capital Improvement Plan covers the timeframe of 2021-2027. For the Councilors this evening, some of what she is going to say is a repeat, but it is important information for the public. She continued that this past year the Council made several changes to our Fiscal Policies, which directly influence both our capital planning process and our operating budget process. First, the Council approved an every-other-year capital planning process because it had become increasingly apparent that Department Heads and Finance staff move from capital planning to operating budgets with little to no time in between. The City started the CIP process internally in August, and if all goes as planned, this will be completed in March – making this an eight-month process. At the same time, we are preparing and meeting on the operating budget, which happens right up until submission to the

City Council the first week in May. Then the City Council process starts all over again in May and extends through late June when the operating budget is adopted. Therefore looking at the entire timeline, the process begins in late August and goes until the following June. That means there are only about six weeks of the entire year when we are not engaged in some part of the budget or CIP process. Time is a scarce resource here and this change will allow us to free up time next year for more long-range and strategic planning, including goalsetting with the Council and City Departments. When it comes to the capital plan and the budget, the bottom line is that we will always have more needs and wants than we will have funding. Sidewalks might be important to one Councilor, while pools might be important to another. However, debt reduction might be important to everyone, and so we have to balance those interests and needs. The Fiscal Policy, the City Council goals and the Comprehensive Master Plan provides the roadmap. Ms. Dragon continued that debt is a necessary financing tool. This year the Council approved amendments to our Fiscal Policies to shift debt funded projects useful life from five years to seven years. The recently adopted policy also changed the threshold for capital projects from \$20,000 with a useful life of five years to \$35,000 with a useful life of seven years. These changes will slowly shift debt to longer-range projects. Saving for a project through the use of capital reserves allows for projects to be financed over time and helps reduce the need to borrow.

The City Manager explained that this proposed CIP document proposes four new reserve accounts: Energy Communication, IT Systems, Reappraisal and Road Infrastructure. These are four areas where the Manager is proposing a shift in how we fund these projects. In addition, it provides the opportunity to create group purchases across several Departments. The most recent Fiscal Policy changes also include language about using unanticipated and unrestricted revenues to help us advance budgetary policies related to bond debt, capital outlay or properties. We put this policy into action in this proposed CIP plan. She explained that the State - after our budget was adopted - included additional funds for municipal revenue sharing of \$350,000 this year and next year. However, there is no commitment from the State that these funds will continue into the future. Therefore, this is a perfect example of an unanticipated unrestricted revenue source, and this CIP plan puts the funds in the newly created Road Infrastructure capital reserve to partially offset the amount we need to borrow for a road bond in FY 22. All of these steps are good, gradual movements that with time will influence our overall debt, which is all good news. Good planning also requires good asset management strategies, and the City has taken several steps over the year to improve and enhance these strategies.

The City Manager continued that during the upcoming operating budget conversations, you will begin to see more City facilities moving to preventative maintenance plans. Our Central Fire Station is not new anymore, and if we are to preserve the facility, we must maintain it. In addition, the Airport facility had not been previously fully integrated into our asset management plan. Including a good preventative maintenance program now will help in the future to maintain these assets. This capital plan also includes wise investments in our infrastructure and facilities, including a project at the Recreation Center in FY 24, which includes a complete rehabilitation of multi-purpose room, lobby area, bathrooms and boilers. This is not only a needed project, but also a project that makes business sense. It provides an opportunity to reduce our ongoing operating costs and maintain revenue sources. We will achieve heating and lighting efficiencies, eliminate safety liability concerns related to the floors and maintain revenues received from the use of the space.

The City Manager continued that the replacement of the Robin Hood pool at 3.5 million dollars has generated a great deal of discussion. It's a new project and therefore has not been making its way through the CIP. The project is shown in the last year of the plan in FY 27. A recent evaluation of our pools indicated serious issues with the Robin Hood pool, and gave the pool a lifespan of five more years. If we are going to have a pool in this location, it needs to be included in the plan. This however, should just be the start of the conversation. Over the next several years, there is time to engage the community and the neighborhood. This project will provide an opportunity for a much broader conversation about the plans for Robin Hood Park. The Manager stated the Transportation Heritage Trail Project, which has been in the works for a couple years moving from the appendix to the plan, is currently being shown for FY 24 for design work with construction work to be phased over several years. Starting in FY 26, trail work will show in the plan as being debt funded. However, the reality is to keep bond indebtedness from spiking in the last few years of the plan, we must continue to collaborate with organizations like Pathways for Keene to pursue grant funding and matching dollars to construct the project. We have had great success doing this in the past with the many partners we have in the community.

The City Manager continued that in the end, what the Council has before them this evening is a well thought out plan that strategically invests dollars in accordance with the City's Master Plan and the Council's current Fiscal Policy. It attempts to strike a balance between competing priorities and fund projects over time to minimize spikes in spending, including our long-term debt.

At this time, the Mayor called forward items G1, G2 and G3. He explained these are memorandums from boards and commissions providing various recommendations regarding the CIP.

Item G1, Conservation Commission memorandum read regarding the Airport Road Fence and Wildlife Habitat. The memorandum indicated that the Conservation Commission voted unanimously to support this CIP project while urging the Council to consider the impact to the vibrant wildlife that abuts the Airport. The memorandum was filed into the record as informational.

Item G2, Planning Board memorandum read regarding the Capital Improvement Program. The memorandum indicated that the Planning Board voted unanimously to recommend to the City Council that the Capital Improvement Program FY 2021-2027 is consistent with the Comprehensive Master Plan and recommend that the City Council pay close attention to any duplication of projects with the Robin Hood Park Pool project and infrastructure work for the Arts Corridor. The memorandum was filed into the record as informational.

Item G3, communication from the Chair of the Bicycle, Pedestrian Path Advisory Committee read regarding the Transportation Heritage Trail. The communication indicated that the Bicycle, Pedestrian Path Advisory Committee recommends that the City Council support the Transportation Heritage Trail project in the proposed Capital Improvement Program. The

communication was filed into the record as informational.

The Mayor stated he would now go through the various sections of the Capital Plan and public comments would be accepted.

As there were no public comments, the Mayor closed hearing at 7:20 PM, but explained that the hearing will remain open for written comments until 1:00 PM Tuesday, March 10, 2020. Written comments must be signed and submitted to the City Clerk by this deadline to be included in the official record. This item is currently before the Finance, Organization and Personnel Committee.

A true copy, attest:



Deputy City Clerk

PRESENTATION – PRELIMINARY HOUSING INVENTORY

The Mayor recognized Senior Planner Tara Kessler and Medard Kopczynski, Director of Economic Development and Special Projects to address the Council. Mayor Hansel commended Mr. Kessler on her work on this inventory. Ms. Kessler began that she will be giving a fairly high- level presentation of the Preliminary Housing Inventory that was completed, noting this will encompass the materials that were provided to the Council in their packet. She noted her intent to touch on some of the key findings, as well as providing an overview of the impetus for this project and the methodology that was employed. She noted she will also go over some next steps and answer any questions the Council may have.

Ms. Kessler began that this inventory was undertaken because the City, for a number of years, has been trying to understand what is available in terms of workforce housing. We are fortunate to have a substantial amount of information through our Assessing Department. This was an opportunity to dig into that data and compare it to other information such as census data and state surveys that have been completed to see how we compare regarding providing affordable and reasonable accommodations for workforce housing in the City. It was also an opportunity to identify where we need to do more research and analysis on our housing stock to provide a more comprehensive picture of available housing.

Ms. Kessler went on to provide an overview of the methodology that was used to do this preliminary inventory. The Community Development Department worked with the Assessing Department to export all of the information available relative to residential and commercial units. They isolated just buildings that contain residential units, totaling about 6,604 buildings. Those units included single family homes, multi-family homes, apartments in mixed use buildings, residential condominiums, and manufactured homes. It excluded lodging houses, homeless shelters, assisted living facilities, nursing homes and dormitories, though these are given consideration at the end of the report in terms of their availability. These are viewed as more of a non-traditional type of residential dwelling due to their transient nature or because their capacity is identified by bed-count. It was important to separate that type of housing from the

bulk of the housing, while also noting we do have these types of housing available. Ms. Kessler went on to display an example of a property record card to illustrate the many pieces of data collected by the Assessing Department, adding there is much more information available than what is included on the slide. They collected a snapshot of each property, looking at ownership, assessed value, sales information, information on the condition of the unit, and a lot of information about the type of housing. Information on the type of housing included the number of residential and commercial units within the building, number of bathrooms, gross living area, etc. The study worked through all of this information.

Ms. Kessler went on to define workforce housing, noting for the purposes of this study the City used the state definition. The State defines workforce or affordable housing in RSA 674:58 as housing intended for sale that is affordable to a household with an income of no more than 100% of the median income for a four person household for the County that household is living in. In Cheshire County that income level would be \$77,300. What would constitute affordable housing at that income level would be a home that sold at \$233,000 or less. With respect to rental housing, the definition of workforce rental housing would be housing that is affordable to a household with an income of no more than 60% of the median income for a three person household in the County where the housing is located. Within Cheshire County that income level would be \$41,470, and the estimated maximum affordable monthly rent would be \$1,040. These limits are provided to us from New Hampshire Housing and Finance Authority and they have accounted for such things as a 5% down payment, a thirty-year mortgage, .5 points on that mortgage, mortgage insurance, estimated taxes and hazard insurance. \$233,000 is what you could buy and be considered "affordable" taking into account all the noted factors for that income level. The gross monthly rental amount factored in rent and utilities. The inventory was based around these limits to help us understand how many of the available housing units fall within these limits.

Councilor Jones asked Ms. Kessler if this took into account the market in terms of drivers like Keene being a college community and how that might impact the rental rates. Ms. Kessler stated that was a good point and noted this was based on a picture of what is affordable at a County level and does not drill down deeper to what is affordable in Keene. She continued the median income in Keene is just over \$74,000. To paint a more accurate picture the City would need to do further calculations about what would be affordable in Keene based on the median income for a household in Keene. We have not gone to that level in the study. Really, the intent was to prove that based on the State definition, which relies on County level statistics, this inventory shows how we hold up to that standard.

Ms. Kessler continued that based on those purchase price limits and rental limits, we found that the City has an abundance of workforce housing specifically with respect to housing that is more likely to be purchased and owner occupied. Based on the assessed value, which according to the City Assessor reflects the fair market value based on 2016 the market, about 80% of our buildings containing residential units are assessed at a parcel value of \$233,000 or less. Looking at the 396 properties that sold in 2019 in Keene, about 70% of those properties were single family homes, and about 70% of those single family homes were purchased for \$233,000 or less. What that means in Keene is that almost 50% of our dwellings are owner occupied and about 45% are single family homes. So there appears to be a great deal of housing that is available and

affordable at these purchase price limits, based on assessed value and the most recent sales data. Ms. Kessler displayed a graph illustrating this point using data from 2015 through 2019. She spoke about the trending in the graph that shows in 2015 82% of single family homes sold at or below \$233,000 as compared to 69% in 2019. This shows that our housing values are increasing, which likely mirrors statewide trends. She displayed another graph showing total assessed parcel value of 1-unit detached dwellings in Keene based on the 2016 valuation. The graph showed the range of housing broken out by assessed value. Only about 10% of the housing is assessed above \$300,000, the rest is below that number.

Councilor Ormerod referred back to Ms. Kessler's statement that there is an abundance of workforce housing, noting he understands that statement in the context of this study. He added that he is aware that we do not have a lot of inventory nor a workforce that is actively occupying what we do have. He asked if there was any data in that regard. He elaborated that he would like to know how many occupants are in the workforce versus those that are retired, or disability or otherwise not working. Ms. Kessler stated that is an important question for the City to drill down to. She added that for the purposes of this study, which was done fairly quickly, this warrants future consideration as we try to better understand who resides in our owner occupied homes. She noted the census indicates that almost 50% of these dwelling units are owner occupied. It would be helpful for us to look at population and demographics in a future study.

Councilor Giacomo made reference to a footnote on page five of the handout provided to the Council and registered concern that it stated the number for Keene did not account for taxes. A \$233,000 house costs about \$2,058 per month, and of that \$1,100 is actually paying for the house, while the remainder is City taxes and insurance. This means that once you do the math, it actually comes out to around \$200,000, which is quite a bit less than you can actually afford in Keene. Rather than 69%, you are talking about more like 50% of the available housing stock. He asked when the full report comes out, will we be including the actual taxes, mortgage insurance, home insurance, etc. to determine the 30% threshold of a person's salary identified by the State. Ms. Kessler said this was discussed. Given that this was a preliminary analysis, they wanted to rely on the state County level standard as a starting point, and the purchase price does take into account average municipal taxes. We know that Keene's tax rate is higher than other communities are and it would behoove us to drill down a little bit deeper to better characterize what an affordable purchase price would be for Keene based on a similar calculation to what the state of NH does for Counties. That is something we could do in a future study. We did not do it this time because of the quick turnaround. As Councilor Giacomo noted, \$200,000 might be a more reasonable price, and there is still a fair majority of properties in the City assessed for less than \$200,000, 68% based on the analysis of the Assessor's records. However, certainly it will be important to provide a more relevant picture for someone living in Keene based on our tax rates and our median income.

In follow up Councilor Giacomo commented that we are stuck to that 30% number and the distribution of people's expenses has shifted dramatically since 1968 or 1969, when that number was first proposed. He asked if we have any latitude to account for the modern distribution of expenses, affordability could be vastly different. What he worries about is that this could appear disingenuous. He noted according to his calculations, someone with a four-year college degree moving to Keene and earning an average salary can afford a \$78,000 home. If we want to attract

young professionals into Keene, \$78,000 being the maximum home that can be afforded with an average amount of student loan debt, saying \$233,000 is affordable is disingenuous. He worries that if we are going to be presenting something like this, we are really glossing over the issue. Ms. Kessler thanked Councilor Giacomo for his feedback, particularly as a young professional who has had to find housing and pay for all the other necessary expenses of life. She also appreciated his comments about how the study characterizes affordability and how the public might perceive that. She agreed that might be a shortcoming in the report. They understand that the state threshold does not fully account for current expenses. A future study with a fuller context of who is living in Keene and what is affordable living in Keene based on basic housing factors, transportation, daycare, etc.

Medard Kopczynski commented that we are looking at local issues, and the definitions we are using are the State definitions. That was intentional. When the conversation takes place in Concord, it is taking place within the context of these definitions. Therefore, when the Legislature is talking about a lack of affordable housing, it is talking about these numbers. When there are conversations about homelessness and lack of affordability, it is talking about these numbers. When developers want to come into Keene and they say there is a lack of affordable housing, they are referring to these numbers. We are stuck with these numbers for comparison as we look externally. If you remember the Economic Development Report that we completed and the Council adopted, it contained many discussion items related to affordability that need to be discussed. Specifically related to young people starting out, how do we deal with daycare and how do we help people deal with housing. This is an excellent first swipe, and now we need to do some tinkering with it. How much comparison we will do with the County at-large from the standpoint of tax rate remains unknown. The next steps, and the input received from Council will help to define this as a better tool. But the reason we used these numbers was that these are the macro numbers used in the state of NH and it gives us an opportunity to compare ourselves using the same standards.

Councilor Clark asked with regard to the median average we are using, is that the average where if you had 100 people and five of them are making a million dollars and everyone else is making under \$20,000, then the average is \$74,000? How is this weighted? Ms. Kessler explained it is a median average, so it represents where most people fall within a scale. It is based on the U.S. census data, which is the best data source we have available to us. She further explained it represents household income not individual income. In a future study, we could show trends in income over time as part of the demographic analysis.

Ms. Kessler moved on to rental housing, noting that rental housing is somewhat less available than owner occupied housing and is somewhat less affordable as well. \$1,117 is the median monthly gross rental cost in Keene. Ms. Kessler noted the most readily available source for this data was from NH Housing's annual residential cost survey, and it is based on a sample size so there is a margin of error. The City does not collect rent information systematically or using a set methodology, so we wanted to rely on a standard source for this information. There is also the census data, which shows a lower average rent around \$977 per month. What is interesting here is that our median household income is less than the County, but we have higher rents than the other communities do in Cheshire County. The state median is \$1,200. As of 2019, rental vacancy rates in Keene were at 1.1% as compared to .8% statewide. Typically, around 5%

would be considered a healthy vacancy rate that indicates the market is not constrained. That number has fluctuated, it was 4.7% in 2018. It is following closely with state trends. Census data shows that about 44.5% of Keene's dwelling units are renter occupied. Ms. Kessler went on to display a graph representing the increase in gross monthly rent over time, using data from the previously mentioned NH Housing survey. Ms. Kessler also displayed a pie graph demonstrating the diversity of Keene's housing stock. She went on to share statistics regarding the proximity of housing units to goods and services in Keene, noting that most dwellings are located within a mile of goods and services. Finally, Ms. Kessler shared information demonstrating how Keene's regulations provide reasonable opportunities for housing, particularly diverse types of housing and more dense housing. Almost 79.5% of buildings that have housing units are within zoning districts that allow for minimum lot sizes between 6,000 and 10,000 square feet. If we look at Keene as one of 35 communities in the Monadnock Region, we by far offer greater opportunities for denser housing stock and diversity in housing. She ended that this was intended to give a brief overview of the report, which was a starting point to determining Keene's housing supply. Housing quality will be part of a future study to determine where reinvestment is needed.

The City Manager thanked Ms. Kessler for her efforts on this project, noting her limited availability while also working on the Unified Development Code Project. One of the driving forces behind this was that the State is looking at incentives and changes in regulations to deal with housing. Unfortunately, what happens with State regulations is that they tend to paint with a broad brush and we are lumped in with everyone else. The situation that we have here in Keene is very different because we do have regulations that allow for a variety of housing. We do meet the State definition of workforce housing. We used the state's language because we need to have the statistics to be able to have these types of conversations as bills come forward. The Manager continued the next piece we are looking at is trying to make some sort of determination as to how we can get a handle on condition in some of our neighborhoods. The Mayor has been talking about programs to assist with revitalizing neighborhoods, and looking at different incentives to make that happen. To make smart decisions we need to understand that better, so the first step was to understand what we have for housing make-up, what is our zoning and how does it compare with the state's definition of workforce housing. Then next would be to get a handle on conditions in our neighborhoods to create an incentive package for redevelopment so we are able to do it wisely. That was really the intent of this report, and in a very short amount of time Ms. Kessler, in coordination with the Assessor, was able to bring this together along with Mr. Kopczynski, and the Director of Community Development, Rhett Lamb. She greatly appreciates all their efforts.

The Mayor echoed those sentiments, said this is an exciting conversation, and will lead to consensus around the current state of affairs and what needs to happen to proactively take care of this situation surrounding the availability of affordable housing in Keene.

CONFIRMATIONS

A motion was made by Councilor Powers and duly seconded by Councilor Jones to confirm the following nominations: Meaghan Rafferty to serve as a regular member on the Energy and Climate Committee with a term to expire December 31, 2020; Paul Roth to serve as an alternate

on the Energy and Climate Committee with a term to expire December 31, 2020; Christopher Brehme to serve as an alternate member on the Bicycle Pedestrian Path Advisory Committee with a term to expire on December 31, 2022; Emily Lavigne-Bernier to serve as an alternate member on the Planning Board with a term to expire on December 31, 2022; and Tia Hockett to serve as an alternate member on the Historic District Committee with a term to expire on December 31, 2021. On a roll call vote, with 12 Councilors present and voting in favor, the nomination was confirmed. Councilors Manwaring, Johnsen and Chadbourne were absent.

COMMUNICATION – RESIGNATION – IRENE DAVIS – PARTNER CITY COMMITTEE

A communication was received from Irene Davis resigning from her position on the Partner City Committee. A motion by Councilor Powers to accept the resignation with regret and gratitude for Ms. Davis' service on the board was duly seconded by Councilor Jones. The motion passed with a unanimous vote in favor.

COMMUNICATION – WESTON LIU/NEW ENGLAND AEROBATIC CLUB – REQUEST TO USE CITY PROPERTY – DILLANT HOPKINS AIRPORT

A communication was received from Weston Liu of the New England Aerobic Club with their annual request for the use of City property at the Dillant-Hopkins Airport to conduct aerobic activities on specified dates during calendar year 2020. The communication was referred to the Planning, Licenses and Development Committee.

COMMUNICATION – ALBERT GRAUER – APPLICATION FOR LODGING HOUSE LICENSE – 85 WINCHESTER STREET

A communication was received from Albert Grauer of Fairfield, Connecticut, requesting the renewal of a Lodging House License for property located at 85 Winchester Street. The communication was referred to the Planning, Licenses and Development Committee.

COMMUNICATION – JAN MANWARING/PATHWAYS FOR KEENE – REQUEST TO USE CITY PROPERTY – 4 ON THE 4TH ROAD RACE

A communication was received from Jan Manwaring of Pathways for Keene, requesting the annual license to hold the 4 on the 4th Road Race on July 4, 2020. The communication was referred to the Planning, Licenses and Development Committee.

COMMUNICATION – COUNCILOR CLARK – ESTABLISHMENT OF COUNCIL GOALS

A communication was received from Councilor Clark suggesting that the City Council act as a "Committee of the Whole" to identify City Council goals. The communication was referred to the Mayor's Office.

MSFI REPORT – ENCOURAGING THE CITY TO BECOME A "BEE CITY"

Municipal Services, Facilities and Infrastructure Committee report read recommending that the request that the City of Keene become a "Bee City" be referred to the Conservation Commission. A motion by Councilor Giacomo to carry out the intent of the report was duly seconded by Councilor Filiault. The motion passed with a unanimous vote in favor.

MSFI REPORT – HARRIS CENTER FOR CONSERVATION EDUCATION – TEMPORARY ROAD CLOSURE – JORDAN ROAD

Municipal Services, Facilities and Infrastructure Committee report read recommending that the City Manager be authorized to do all things necessary to coordinate with the petitioner for the temporary closure of Jordan Road to through traffic for several hours per night on the nights requested by the petitioner to allow for volunteers to assist with salamander crossings, and that the petitioner comply with the recommendations of the City Manager with respect to the safety of the volunteers. A motion by Councilor Giacomo to carry out the intent of the report was duly seconded by Councilor Filiault. The motion passed with a unanimous vote in favor.

PLD REPORT – USE OF CITY PROPERTY – GREATER MONADNOCK PUBLIC HEALTH NETWORK AND AMERICAN RED CROSS

Planning, Licenses and Development Committee report read recommending that the City Manager be authorized to do all things necessary to negotiate and execute agreements with the Greater Monadnock Public Health Network to park two 20-foot preparedness trailers and with the American National Red Cross to park an Emergency Response Vehicle (pickup) and a 6' by 12' trailer on City property, subject to compliance with any recommendations of City staff. A motion by Councilor Bosley to carry out the intent of the report was duly seconded by Councilor Greenwald. The motion passed with a unanimous vote in favor.

PLD REPORT – RELATING TO SMALL CELL WIRELESS FACILITY DEPLOYMENTS IN THE PUBLIC RIGHT-OF-WAY – ORDINANCE O-2019-18

Planning, Licenses and Development Committee report read recommending that the City Manager prepare and submit for further consideration by the City Council a revised Small Cell Wireless Ordinance based on comments obtained from the Public Hearing, and incorporating any other revisions deemed necessary or appropriate by the City Manager; and that if the Small Cell Wireless Ordinance is adopted by the City Council, the City Manager or her designee be directed to accept only applications for antenna and transmission equipment of up to a maximum of 4G until January 2, 2021. The Chair divided the questions.

A motion was made by Councilor Bosley that the City Manager prepare and submit for further consideration by the City Council a revised Small Cell Wireless Ordinance based on comments obtained from the Public Hearing, and incorporating any other revisions deemed necessary or appropriate by the City Manager. The motion was duly seconded by Councilor Greenwald. The motion passed with a unanimous vote in favor.

A motion was made by Councilor Bosley that if the Small Cell Wireless Ordinance is adopted by the City Council, the City Manager or her designee be directed to accept only applications for

antenna and transmission equipment of up to a maximum of 4G until January 2, 2021. The motion was duly seconded by Councilor Greenwald. The motion passed with 10 voting in favor and Councilors Giacomo and Remy opposed.

FOP REPORT – MADELINE ULRICH – REQUEST FOR FREE “COMPLIMENTARY” PARKING – ART WALK

Finance, Organization and Personnel Committee report read recommending that the request from the Keene Art Walk for free “complimentary” parking be granted for Saturday, May 30 and Saturday, June 6. A motion by Councilor Powers to carry out the intent of the report was duly seconded by Councilor Hooper. The motion passed with a unanimous vote in favor.

FOP REPORT – ACCEPTANCE OF DONATION – PARKS, RECREATION AND FACILITIES DEPARTMENT

Finance, Organization and Personnel Committee report read recommending that the City Manager be authorized to do all things necessary to accept the donation of \$300.00 from the Monadnock Squares and that the money is used for any improvements needed at the Keene Recreation Center. A motion by Councilor Powers to carry out the intent of the report was duly seconded by Councilor Hooper. The motion passed with a unanimous vote in favor.

FOP REPORT – ACCEPTANCE OF NH HOMELAND SECURITY GRANT – POLICE DEPARTMENT

Finance, Organization and Personnel Committee report read recommending that the City Manager be authorized to do all things necessary to accept grant funding of up to \$11,378.37 from the FY 2018 and 2019 Law Enforcement Terrorism Prevention Program and the NH Homeland Security Grant Program. A motion by Councilor Powers to carry out the intent of the report was duly seconded by Councilor Hooper. The motion passed with a unanimous vote in favor.

FOP REPORT – ACCEPTANCE OF FORFEITED FUNDS – POLICE DEPARTMENT

Finance, Organization and Personnel Committee report read recommending that the City Manager be authorized to do all things necessary to accept criminally forfeited funds for \$8,059.73. A motion by Councilor Powers to carry out the intent of the report was duly seconded by Councilor Hooper. The motion passed with a unanimous vote in favor.

CITY MANAGER COMMENTS

The City Manager stated that she wanted to talk a bit about the corona virus or COVID-19 because she has received many questions. The information shared this evening is likely the same information that has been on television. She noted she will also cover is how the City of Keene fits into the overall emergency management system in the State in terms of our role and how we respond. Mr. Dragon stated the City maintains plans for preparing for and responding to natural and manmade events. Many of the Councilors were here when we had major flooding events, or

they witnessed similar health related issues over the years such as SARS and Zika, H1N1 and Ebola. COVID-19 is different, but our response is the same. We work within a framework of federal, state and local agencies. For this most recent COVID-19 outbreak, the Governor has designated the NH Department of Health and Human Services Division of Public Health Services (DPHS) as the designated agency for response. The DPHS is monitoring and managing the response to COVID-19. They are coordinating with healthcare facilities and hospitals throughout the state. The State of NH is following recommendations of the Centers for Disease Control (CDC), and have made available through the DPHS website information for individuals, businesses and schools. The City Manager continued that the State has broad powers for declaration of health emergencies and any restrictions of public gatherings, etc. The City of Keene does not have those same powers. The City's role would be one of support if requested by the State and we would work through our public health network system. The City's support would be coordinated through the City Manager, the Emergency Management team, and the Health Officer. She continued that the City has taken several steps to-date. The City's Emergency Management team is participating in weekly calls with the State Department of Safety Division of Homeland Security and Emergency Management, where we are updated with the most recent information and provided the State's responses and actions. The Emergency Management team has made contact with the emergency preparedness staff and Cheshire Medical Center and the Greater Monadnock Public Health Network. Information has been received from the Keene School District, Keene State College and the Cheshire Hospital. Our Human Resources Department is reviewing our sick leave and work-from-home policies to see if any changes are needed. Department Heads have been asked to review staffing protocols in the event that we needed to reduce staffing levels and still maintain essential functions and operations during any type of emergency. The City will be providing information to the public through local media outlets and the City's social media accounts. In our Emergency Management Plan, the IT Department is designated as out communications coordinator. They have access to all social media accounts across all departments to send blanket, uniform messages, as necessary. In addition, we have used out network to reach out to food establishments that we inspect, to provide helpful information and tips that have come to us from the CDC. The City has also increased our routine surface cleaning in all facilities, as we would do for a normal flu season. We've also added additional hand sanitizer locations and sent reminders to employees about good hygiene practices and posted these reminders in our various public facilities. These are all common sense steps you would take at home if you had a sick child or partner.

The Manager went on to review what individuals could do. The CDC has recommended that people avoid touching their face, perform personal hygiene – including washing hands often, wash frequently touched surfaces with disinfectant – the simplest of which is a combination of chlorine bleach and water, cover coughs and sneezes, and avoid close contact with sick people. If it is a non-life threatening situation and you want to consult with a health professional, the CDC recommends calling ahead your primary care office, the hospital or emergency room. They may have specific guidelines for you. If you are sick, stay at home and minimize contact with others. Ms. Dragon then spoke about what businesses can do. She stated the CDC recommends businesses review their sick leave policies to ensure they are consistent with public health guidelines and are flexible. Ensure employees are aware of these policies. Review work-from-

home policies. Review travel and travel policies to see if it is consistent with public health guidelines. Encourage sick employees to stay home.

Lastly, the City Manager provided answers to some questions she had received. The first was what someone should do if they have been exposed to COVID-19 and do not have health insurance. The CDC and NH Department Health and Human Services have suggested that patients that present with cough, fever, shortness of breath and have been to one of the listed at risk countries call their primary doctor first. If they don't have a primary doctor they should call the ER. For all events, meetings etc...the CDC has listed basic recommended practices and we have been sharing those recommendations. Regardless of COVID-19, if anyone is sick with flu like symptoms they should stay home. Surfaces should be wiped down on a regular basis, hand sanitizers should be made available, and you should properly cover your face when sneezing, keeping your hands away from face and mouth unless you have washed your hands for 20 seconds or longer with soap and water. If people present with flu like symptoms, limit exposure time to the person and maintain a distance of six feet if possible.

We are sharing widely health and hygiene instructions with the public, while stepping up our coordination with other agencies and other levels of government, as well as our immediate neighbors. The City Manager ended that the message she wants to leave everyone with is that we are prepared and able to respond in a flexible way as situations evolve – as we have done many times over the last several years. She ended that she hoped that this information was helpful to both the Council and our viewers at home.

MEMORANDUM – CITY CLERK AND ORDINANCE O-2020-03: RELATING TO LODGING HOUSE LICENSES

A memorandum was received from the City Clerk along with Ordinance O-2020-03. The memorandum recommended that Ordinance O-2020-03 be referred to the Planning, Licenses and Development Committee for consideration. The memorandum was filed into the record. Ordinance O-2020-03 was referred to the Planning, Licenses and Development Committee.

MEMORANDUM – MAYOR HANSEL AND ORDINANCE O-2020-05: RELATING TO ALTERNATES TO BOARDS AND COMMISSIONS

A memorandum was received from the Mayor along with Ordinance O-2020-05. The memorandum recommended that Ordinance O-2020-05 be referred to the Planning, Licenses and Development Committee for consideration. The memorandum was filed into the record. Ordinance O-2020-05 was referred to the Finance, Organization and Personnel Committee.

COMMUNICATION – FIELDSTONE LAND USE CONSULTANTS ON BEHALF OF AMERCO REAL ESTATE COMPANY – ORDINANCE O-2020-04: RELATING TO ZONE CHANGE – KRIF ROAD AND WINCHESTER STREET – INDUSTRIAL TO COMMERCE LIMITED

A communication was received from Chad E. Branon of Fieldstone Land Consultants PLLC, representing AMERCO Real Estate Company. Accompanying the communication was an

application to amend the Zoning Map and Ordinance O-2020-04: Relating to Zone Change – 0 Krif Road and 472 Winchester Street. Ordinance O-2020-04 read for the first time. The communication, accompanying application and Ordinance O-2020-04 were referred to the Joint Planning Board and Planning, Licenses and Development Committee.

MEMORANDUM – WASTE WATER TREATMENT PLANT OPERATIONS MANAGER AND INDUSTRIAL PRETREATMENT COORDINATOR AND ORDINANCE O-2020-02: RELATING TO SEPTAGE AND HOLDING TANK DISPOSAL RATES

A memorandum was received from the Waste Water Treatment Plant Operations Manager and the Industrial Pretreatment Coordinator along with Ordinance O-2020-02. The memorandum recommended that Ordinance O-2020-02 be referred to the Finance, Organization and Personnel Committee. The memorandum was filed as informational. Ordinance O-2020-02 was referred to the Finance, Organization and Personnel Committee.

FOP REPORT AND RESOLUTION R-2020-03: RELATING TO INDIGENOUS PEOPLE'S DAY

Finance, Organization and Personnel Committee report read recommending the adoption of Resolution R-2020-03. The report was filed as informational. Resolution R-2020-03 was read for the second time. A motion by Councilor Powers for adoption of the Resolution was duly seconded by Councilor Hooper. On showing of hands, with 12 Councilors present and voting in favor the motion passed. Resolution R-2020-03 declared adopted.

MEMORANDUM – FINANCE DIRECTOR AND RESOLUTION R-2020-04: RELATING TO GENERAL OBLIGATION COURTHOUSE BONDS OF 2013 SERIES B PARTIAL REDEMPTION

A memorandum was received from the Finance Director along with Resolution R-2020-04. The memorandum recommended that Resolution R-2020-04 be referred to the Finance, Organization and Personnel Committee. The memorandum was filed as informational. Resolution R-2020-04 was referred to the Finance, Organization and Personnel Committee.

NON-PUBLIC SESSION

At 8:30 PM Councilor Powers moved to go into non-public session to discuss a personnel matter under RSA 91-A:3 (II) b. The motion was duly seconded by Councilor Filiault. On roll call vote, 12 Councilors were present and voting in favor. Councilors Manwaring, Johnsen and Chadbourne were absent. Discussion was limited to the subject matter. At 8:40 PM the session concluded. A motion by Councilor Powers to keep the minutes, in non-public session was seconded by Councilor Filiault. On roll call vote, 12 Councilors were present and voting in favor. Councilors Manwaring, Johnsen and Chadbourne were absent.

MOTION OUT OF NON-PUBLIC SESSION – CITY MANAGER CONTRACT

03/05/2020

Councilor Powers moved that the City Council exercise the option to extend the City Manager's employment agreement for an additional 2-year term from the effective date, and amending the effective date of the contract renewal to align with the City Manager's actual employment start date of September 25th. All other existing terms and conditions of the contract shall remain the same. The motion was duly seconded by Councilor Filiault. The motion passed with a unanimous vote in favor.

A true record, attest:

A handwritten signature in dark ink, appearing to read "Will [unclear]", written over the printed title of the Deputy City Clerk.

Deputy City Clerk



City of Keene, N.H.
Transmittal Form

March 17, 2020

TO: Mayor and Keene City Council

FROM: Mayor George S. Hansel

ITEM: A.1.

SUBJECT: Nominations

COUNCIL ACTION:

In City Council March 19, 2020.

Tabled until the next regular meeting.

RECOMMENDATION:

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

Historic District Commission

Catherine Workman, ex-officio
32 Colorado Street

Term to expire Dec. 31, 2021

Heritage Commission

Gladys Johnsen, ex-officio
417 Pako Avenue

Term to expire Dec. 31, 2021



City of Keene, N.H.
Transmittal Form

March 12, 2020

TO: Mayor and Keene City Council

FROM: Linda Mangones, Executive Director

THROUGH: Patricia A. Little, City Clerk

ITEM: C.1.

SUBJECT: Cheshire Housing Trust - Application for a Lodging House License

COUNCIL ACTION:

In City Council March 19, 2020.

Referred to the Planning, Licenses and Development Committee.

ATTACHMENTS:

Description

Cheshire Housing Trust

BACKGROUND:

The dwelling at 86 Winter Street has been identified by City staff as meeting the definition of a lodging house. The property owner was contacted and they submitted the application for licensing. They were advised to arrange inspections with the Fire Department and the Code Division of the Community Development Department.

MAR 10 2020

OFFICE OF
CITY CLERK**APPLICATION FOR OPERATION OF A LODGINGHOUSE**

(Please print or type)

Date 2/28/20 Location of Lodginghouse 86 Winter St.Identify local or national Fraternity or Sorority
that members are pledged to (if applicable) N/AProperty Owner Cheshire Housing Trust Business Phone 603 357-7603Address 168 Castle St Home Phone NAOperator/Resident Agent Cheshire Housing Trust Business Phone 357-7603Address 86 Winter St Home Phone 358-5377Number of Persons Authorized to reside on premises 18 in rooms + 2 in manager's apt**I hereby certify that the information listed above is complete and accurate:**[Signature]
Signature of Property OwnerLinda Margones, Executive Director
Name (Printed or Typed)[Signature]
Signature of Operator/Resident AgentCONNIE ANDREWS, ADMIN ASSISTANT
Name (Printed or Typed)**I hereby certify that the above named Sorority or Fraternity is duly recognized by Keene State College, and is in good standing with the College:**NA
Signature of College RepresentativeNA
Name and Title (Printed or Typed)**(For Office Use Only)**

Date Received _____ Action Taken _____

Recommendations/Requirements

Police _____

Fire _____

Code Enforcement _____

In City Council March 19, 2020.
Referred to the Planning, Licenses
and Development Committee.[Signature]

City Clerk

City Clerk



City of Keene, N.H.
Transmittal Form

March 17, 2020

TO: Mayor and Keene City Council

FROM: Robert DiLuzio, Sr./SCI Corp.

THROUGH: Patricia A. Little, City Clerk

ITEM: C.2.

SUBJECT: Robert DiLuzio, Sr./SCI Corp. - Release of Right-of-Way

COUNCIL ACTION:

In City Council March 19, 2020.

Referred to the Finance, Organization and Personnel Committee.

ATTACHMENTS:

Description

Communication_Foley

BACKGROUND:

Robert DiLuzio, General Manager of SCI Corp. is negotiating the sale of a piece of property on which the City of Keene has a right-of-way to "pass and repass." Mr. DiLuzio is seeking the release of that right-of-way.

**DiLuzio FOLEY and Fletcher
Funeral Homes and Cremation Services**

Robert J. DiLuzio, Sr., Director and General Manager

Susan Simonds, Director and Area Manager

Cassandra E. McKinney, Director

49 Court Street, (PO Box 692) Keene, NH 03431

(603) 352-0341 www.foleyfuneralhome.com

Keene's oldest family operated funeral home

Serving the community since 1885

Dignity®
MEMORIAL

 LIFE WELL CELEBRATED® 

March 16, 2020

To the Honorable Mayor

City of Keene, NH

3 Washington Street

Keene, NH 03431

The SCI Corp. owners of the Foley Funeral Home, 49 Court Street, Keene, NH is in negotiation with Eversource Energy, formerly Public Service Company of NH to purchase a small parcel of land adjacent our property.

During a deed search it was discovered that the City of Keene had permission to use the drive way which is part of the purchase to use that drive way to "pass and re-pass" at any time.

We are requesting that the City of Keene release this right of way to allow the purchase to move forward.

A set of documents was sent to the city Attorney for review.

Please feel free to contact me with any questions or concerns.

Thank you,



Robert J. DiLuzio, Sr.

General Manager for SCI Corp.

49 Court Street

Keene, NH 03431

(603) 352-0341

In City Council March 19, 2020.

Referred to the Finance, Organization
and Personnel Committee.



City Clerk



City of Keene, N.H.
Transmittal Form

March 11, 2020

TO: Mayor and Keene City Council

FROM: Planning, Licenses and Development Committee

ITEM: D.1.

SUBJECT: New England Aerobatic Club – Request to Use City Property – Dillant Hopkins Airport

COUNCIL ACTION:

In City Council March 19, 2020.

Voted unanimously to carry out the intent of the report.

RECOMMENDATION:

On a vote of 5-0, the Planning, Licenses, and Development Committee recommends that the City Council authorize the use of the Dillant-Hopkins Airport by Chapter 35 of the International Aerobatic Club from the date of issuance through December 31, 2020, subject to the execution of a Revocable License and Indemnification Agreement, the receipt of an insurance certificate in the amount of at least \$1 million naming the City as an additional insured and all other requirements of City staff including but not limited to the following restrictions: compliance with any requirements of the FAA, limit practice sessions to not more than five for the year, there will be no Sunday practice sessions, aerobatic activity shall not occur below 1,500 MSL, limit aerobatic activity to the southern portion of the aerobatic box established by the FAA, restrict use of the aerobatics box until after 10:00 AM, and invite neighbors to the mandatory safety briefings held on practice days.

BACKGROUND:

Chair Bosley asked Mr. Liu to speak to his request. Weston Liu, of Brookline, NH, stated that for the past eight years he and the New England Aerobatic Club (NEAC) have been coming to the Keene airport to practice aerobatics, about once a month in the summer. He continued that they want to do it this year, too, hence the application.

Chair Bosley asked if staff have comments. The City Manager replied that staff have put the same conditions on as in the past. She continued that what they try to improve on each year is giving the neighbors as much notice as possible. They have worked on that. The Airport Director is sensitive to that.

Chair Bosley asked for confirmation that the dates are weather dependent. Mr. Liu replied yes. He continued that they want their first day of flying this year to be May 30.

Councilor Jones thanked Mr. Liu. He stated that they like the idea of professional pilots coming to the Keene airport. He continued that the NEAC has made some concessions for the City over the past three years, to help keep the neighbors happy, and the City thanks the NEAC for that. Last year, they showed that it worked. The decibel level was not bothersome at all, and they did a great job. They will be keeping that same footprint. He thinks it is great to have Mr. Liu and the other pilots from the NEAC help with promoting the airport.

Councilor Jones asked, for the benefit of the new City Councilors who might not already know, if it is correct that the NEAC is not allowed (by FAA rules) to advertise their practice sessions at the Keene airport. Mr. Liu replied that is correct. He continued that if they advertised it, their activity would fall into the category of “air show,” and the FAA would expect more of the general public to attend and would insist that there be crowd control, emergency services, and so on and so forth. Instead the activity falls under the “sporting event” category. They can announce in the paper that there will be noise at the airport but they cannot say, for instance, “Come and enjoy.”

Chair Bosley asked for comments from the public. Hearing none, she asked for a motion.

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

On a vote of 5-0, the Planning, Licenses, and Development Committee recommends that the City Council authorize the use of the Dillant-Hopkins Airport by Chapter 35 of the International Aerobatic Club from the date of issuance through December 31, 2020, subject to the execution of a Revocable License and Indemnification Agreement, the receipt of an insurance certificate in the amount of at least \$1 million naming the City as an additional insured and all other requirements of City staff including but not limited to the following restrictions: compliance with any requirements of the FAA, limit practice sessions to not more than five for the year, there will be no Sunday practice sessions, aerobatic activity shall not occur below 1,500 MSL, limit aerobatic activity to the southern portion of the aerobatic box established by the FAA, restrict use of the aerobatics box until after 10:00 AM, and invite neighbors to the mandatory safety briefings held on practice days.



City of Keene, N.H.
Transmittal Form

March 11, 2020

TO: Mayor and Keene City Council

FROM: Planning, Licenses and Development Committee

ITEM: D.2.

SUBJECT: Albert Grauer – Application for a Lodging House License – 85 Winchester Street

COUNCIL ACTION:

In City Council March 19, 2020.

Voted with 14 in favor to carry out the intent of the report.

RECOMMENDATION:

By a vote of 5-0, the Planning, Licenses, and Development Committee recommends that a lodging license be issued to Mr. Albert Grauer for property located at 85 Winchester Street for a period of one year from the date of issuance. Said license is conditional upon the following:

1. No more than 8 persons may reside on the premises.
2. No less than 4 vehicular parking spaces must be provided on the premises.
3. Compliance with all applicable laws, ordinances, codes, and rules and regulations.
4. The continuation of license is subject to and conditioned upon the successful passage of two inspections to be conducted by the City.
5. Owner shall notify City staff of any change in building operator; failure to do so may be grounds for suspension or revocation of this license.

This license expires on the 19th day of March, 2021, and may be revoked by the City Council in accordance with Sec. 46-590 “Suspension or Revocation.”

BACKGROUND:

Chair Bosley asked the petitioner to speak. Trevor Grauer, of 25 Winchester Street, introduced himself. Mr. Grauer stated that he is here to request a renewal of the Lodging House License at 85 Winchester Street.

Councilor Jones asked if the committee should address agenda item 4. before item 3. The City Manager replied no, it is okay like this.

John Rogers, Building and Health Official, stated that the Housing Inspector and Fire Prevention Officer inspected the property last week. He continued that the Fire Prevention Officer found minor issues to address, which Mr. Grauer has already taken care of. Staff recommends granting the license.

Chair Bosley asked if anyone from the public or committee wanted to speak. Hearing none, she asked for a motion.

Councilor Jones made the following motion, which was seconded by Councilor Johnson.

By a vote of 5-0, the Planning, Licenses, and Development Committee recommends that a lodging license be issued to Mr. Albert Grauer for property located at 85 Winchester Street for a period of one year from the date of issuance. Said license is conditional upon the following:

1. No more than 8 persons may reside on the premises.
2. No less than 4 vehicular parking spaces must be provided on the premises.
3. Compliance with all applicable laws, ordinances, codes, and rules and regulations.
4. The continuation of license is subject to and conditioned upon the successful passage of two inspections to be conducted by the City.
5. Owner shall notify City staff of any change in building operator; failure to do so may be grounds for suspension or revocation of this license.

This license expires on the 19th day of March, 2021, and may be revoked by the City Council in accordance with Sec. 46-590 "Suspension or Revocation."



City of Keene, N.H.
Transmittal Form

March 12, 2020

TO: Mayor and Keene City Council

FROM: Finance, Organization and Personnel Committee

ITEM: D.3.

SUBJECT: Request for Approval to Solicit Donations to be Used as Prizes - Fourth Grade Water Science Fairs - Public Works Department

COUNCIL ACTION:

In City Council March 19, 2020.

Voted with unanimously to carry out the intent of the report.

RECOMMENDATION:

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to solicit and accept donations to be used as awards and prizes for the 2020 City Fourth Grade Water Science Fair.

BACKGROUND:

Eric Swope, Industrial Pre Treatment Coordinator was the first to address the committee and talked about the fourth Grade Water Science Fairs. This event started in 1997 and is well supported in the community. The top project from each school advance to the City Fair and the top project from the City move on to the State Science Fair. Mr. Swope noted prizes are awarded for each level and stated he was before the committee to solicit donations for prizes from organizations in the community.

Councilor Hooper commended Mr. Swope's efforts with this event.

Councilor Remy made the following motion which was seconded by Councilor Clark.

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to solicit and accept donations to be used as awards and prizes for the 2020 City Fourth Grade Water Science Fair.



City of Keene, N.H.
Transmittal Form

March 12, 2020

TO: Mayor and Keene City Council

FROM: Finance, Organization and Personnel Committee

ITEM: D.4.

SUBJECT: Acceptance of Donation - Fire Department

COUNCIL ACTION:

In City Council March 19, 2020.

Voted unanimously to carry out the intent of the report.

RECOMMENDATION:

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept a donation of \$100.00.

BACKGROUND:

Fire Chief Mark Howard stated he was before the Committee regarding a \$100 donation from Frank and Victoria Reeder in appreciation for rescuing their horse Buttercup on February 6, 2020. The donation will be used to purchase equipment and provide training for large animal rescue.

Councilor Clark made the following motion which was seconded by Councilor Remy.

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept a donation of \$100.00.



City of Keene, N.H.
Transmittal Form

March 12, 2020

TO: Mayor and Keene City Council

FROM: Finance, Organization and Personnel Committee

ITEM: D.5.

SUBJECT: Avon Street Water and Sewer Replacement Project - Public Works Department

COUNCIL ACTION:

In City Council March 19, 2020.

Voted unanimously to carry out the intent of the report.

RECOMMENDATION:

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to replace the water and sewer utilities on Avon Street. Further, authorize the City Manager to do all things necessary to use \$65,000 from the project balance of the Sewer Main Improvement Capital Project (08055) and \$70,000 of unspent personnel and operating funds in the FY20 Water Fund Operating Budget for this work.

BACKGROUND:

Public Works Director Kurt Blomquist addressed the Committee next. He indicated this item is in reference to replacing a water and sewer main near the Antioch facility on Avon Street. The failure of these pipes caused significant damage to university facilities. In 2016, there was another failure, which also caused significant damage.

Mr. Blomquist stated the existing main dates back to 1914. Staff reviewed options how this main could be replaced. There is an existing 12-inch main installed in 1957, which runs parallel down Avon Street. The plan is to remove the services from the 1914 main and move them to the 1957 main – it will be discontinued in place. The estimated cost for this work is approximately \$70,000. Staff has also raised concern regarding the 1928 sewer main that exists at this location and the concern about disturbing this main while work is being done on the other main. The suggestion is for replacement of this main as well.

Mr. Blomquist went on to say the condition of Avon Street is poor because of the large cuts done in this area. Recommendation is once the main work is complete is to place new pavement, which is at an approximate cost of \$30,000. Total project cost between water, sewer and pavement work is \$135,000.

As far as where funding can be obtained, the city has a sewer main capital improvement project program and prior project work balance remain in this fund. There is sufficient funds to support the \$65,000 sewer work. As far as the waterside, the funding is a little more difficult. For the FY20 budget there will however, be funds left over from the personnel budget (contract position) to rewrite the code for the Unified Development Ordinance project. This work is currently been done by existing staff (\$27,000 is available from this fund). The remainder would be obtained from a few other areas and feel the work can be supported.

Chair Powers noted these funds are from the water and sewer fund and is not part of the tax rate.

Mary Granger Associate University Counsel for Antioch University thanked the Public Works Director and City Manager for putting forth this request. She noted to damages their property had sustained: May 2016 water main break caused \$58,000 in damages; January 2020 water main break causing \$850,000 in damages so far, they are not sure what the reconstruction cost will be. She added this has caused significant disruption to their programming.

Sean Fitzgerald Provost and CEO stated this institution serves 850 to 1,000 graduate students, who frequent local businesses and restaurants. He noted the university also employs 125 full time employees, majority of who live in Keene. He felt there is a strong relationship that exists between the university and the City. He noted the psychological clinic Antioch operates serves the City and County. Mr. Fitzgerald stated they would appreciate the City's support with these losses.

Councilor Hooper made the following motion which was seconded by Councilor Clark.

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to replace the water and sewer utilities on Avon Street. Further, authorize the City Manager to do all things necessary to use \$65,000 from the project balance of the Sewer Main Improvement Capital Project (08055) and \$70,000 of unspent personnel and operating funds in the FY20 Water Fund Operating Budget for this work.



City of Keene, N.H.
Transmittal Form

March 12, 2020

TO: Mayor and Keene City Council

FROM: Finance, Organization and Personnel Committee

ITEM: D.6.

SUBJECT: Sale of City Owned Property - Tax Deeded Properties - Assessing Department

COUNCIL ACTION:

In City Council March 19, 2020.

Voted unanimously to carry out the intent of the report.

RECOMMENDATION:

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to sell the following tax deeded properties by sealed bid: 9 Marshall Street Map 521 Lot 22 and 366 Roxbury Street Map 571 Lot 5.

BACKGROUND:

City Assessor Dan Langille stated he was before the committee regarding the sale of two properties taken by tax deed; 9 Marshall Street and 366 Roxbury Street. He noted 9 Marshall Street property is a three-bedroom, one bath, 874 square foot single-family home with .2 acres of land. 366 Roxbury Street is a two-story 1,352 square foot single-family home with three bedrooms, 1 bath and has .47 acres of land.

Mr. Langille stated there is no reason for the city to retain these properties but before they can be sold, the city is required to let the prior owners know and see if they have an interest in purchasing the properties. That time period is 90 days and this time frame has past. He noted staff would be working with the purchasing office on the sale.

Councilor Clark noted the tax bill for one of these properties is approaching the assessed value of the property, if the property was in good condition, but it is not and asked how the city handles such an issue. Mr. Langille stated the city cannot profit from the sale of any property, the profit has to be returned to the owner and if the city does not recuperate what is owed, an abatement would be put in place to clear the books.

Chair Powers asked Mr. Langille to explain how long this process has gone on. Mr. Langille stated it takes three years before the city can take any property by tax deed and during this time, the tax collector works very diligently with the property owner to try to get these taxes paid, as the city does not want to take any property.

Councilor Ormerod made the following motion which was seconded by Councilor Clark.

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to sell the following tax deeded properties by sealed bid: 9 Marshall Street Map 521 Lot 22 and 366 Roxbury Street Map 571 Lot 5.



City of Keene, N.H.
Transmittal Form

March 12, 2020

TO: Mayor and Keene City Council

FROM: Finance, Organization and Personnel Committee

ITEM: D.7.

SUBJECT: Acceptance of Land Donation – 0 Off Maple Ave. - Assessing Department

COUNCIL ACTION:

In City Council March 19, 2020.
Voted unanimously to carry out the intent of the report.

RECOMMENDATION:

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to accept the donation of land from Douglas P. Croteau and William M. Johnson located at 0 Off Maple Ave, identified as tax map 508 Lot 15.

BACKGROUND:

Mr. Langille was also the next speaker. Mr. Langille stated this is property is about .46 acres located off Maple Avenue (land locked) with no real frontage. The taxes on this property have not been paid and in the very near future, the Council will have to look at taking it by tax deed.

He indicated staff has been in conversation with the owners who have no interest in paying the taxes. Rather than going through the tax deed process, it is a much cleaner process to take the property by donation.

Councilor Clark asked how a piece of property becomes land locked. Mr. Langille stated it could be because it was sub-divided or was perhaps never developed.

Councilor Ormerod asked what use this property would provide for the City and whether an easement could be obtained for it. Mr. Langille stated there is no access to this property and an abutter purchasing the property to expand their backyard would be the best use. He added the property would then be sold to an abutter.

Councilor Remy made the following motion which was seconded by Councilor Clark.

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to accept the donation of land from Douglas P. Croteau and William M. Johnson located at 0 Off Maple Ave, identified as tax map 508 Lot 15.



City of Keene, N.H.
Transmittal Form

March 12, 2020

TO: Mayor and Keene City Council

FROM: Finance, Organization and Personnel Committee

ITEM: D.8.

SUBJECT: Roxbury Street Bridge over Beaver Brook Project - Increase in Project Budget – Public Works Department

COUNCIL ACTION:

In City Council March 19, 2020.

Voted unanimously to carry out the intent of the report.

RECOMMENDATION:

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to transfer \$65,643.78 to the Roxbury Street Bridge over Beaver Brook project account (90186-A) from: 1. The unspent balance of \$10,465.50 from the Emergency Bridge Repairs account (90024-18). 2. The balance of \$7,868.98 from the Undesignated Bridges interest account (T0617-J). 3. The unspent project balance of \$47,309.30 from the Main Street Bridge replacement project (90151).

BACKGROUND:

City Engineer Don Lussier stated the Roxbury Street Bridge over Beaver Brook is one of the city's red listed bridges. The design for completion was done last year. The council has appropriated \$264,000 for the city's match. The bridge is part of the state aid bridge program (City pays 20% and the state pays 80%)

Mr. Lussier noted the \$264,000 allowed the city to match a total project cost of about 1.3 million dollars. He indicated last spring the project was put out to bid and received one bid for 1.6 million dollars. It was recommended this bid be rejected.

Since that time, certain changes were made to the design to resolve some of the concerns raised during the bid process. It was rebid this winter, a number of bids were received, and the low bid came in within budget. Mr. Lussier stated staff has had conversations with DOT and they have advised it is likely the budget would come in more than what has been budgeted for this project; DOT approved a total budget of 1.7 million, however, the project is likely going to come in lower than that (it is over the 1.3 million originally budgeted for). As a result, staff is looking to move funds from others account for a total budget of 1.6 million dollars, which would be slightly over what the city needs, which now is close to 1.5 million dollars.

Mr. Lussier went over the funds to make up the shortfall: unspent balance of \$10,465.50 from the Emergency Bridge Repairs account. \$55,000 was approved for this project for emergency repairs on three bridges; Whitcombs Mill Road (guardrail work), Baker Street over Beaver Brook Bridge for a collapsed pipe (work done in house), emergency guardrail work the Winchester Street Brook over Ash Swamp Brook. Balance of \$7,868.98 from the Undesignated Bridges interest account. Unspent project balance of \$47,309.30 from the

Main Street Bridge replacement project completed a couple of years ago.

The Chairman asked who the contractor for this project was. Mr. Lussier stated it was Kingsbury Corporation.

Councilor Clark made the following motion which was seconded by Councilor Remy.

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to transfer \$65,643.78 to the Roxbury Street Bridge over Beaver Brook project account (90186-A) from: 1. The unspent balance of \$10,465.50 from the Emergency Bridge Repairs account (90024-18). 2. The balance of \$7,868.98 from the Undesignated Bridges interest account (T0617-J). 3. The unspent project balance of \$47,309.30 from the Main Street Bridge replacement project (90151).



City of Keene, N.H.
Transmittal Form

March 12, 2020

TO: Mayor and Keene City Council

FROM: Finance, Organization and Personnel Committee

ITEM: D.9.

SUBJECT: 12 Gilbo Avenue - Parks, Recreation and Facilities Department

COUNCIL ACTION:

In City Council March 19, 2020.

Voted unanimously to carry out the intent of the report.

RECOMMENDATION:

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to negotiate and execute a lease with John Brown for the space located at the 12 Gilbo Avenue.

BACKGROUND:

Parks, Recreation and Facilities Director Andy Bohannon was the next speaker. He stated the city has found a tenant to take over the lease for the vacant location at 12 Gilbo Avenue. Mr. John Brown has expressed interest in opening a barbershop at this location. He currently works at Keene Barber but is interested in owning his own space. Mr. Bohannon stated Mr. Brown has been made aware of the public restroom issue, the Arts and Culture Corridor issue and these items have been made part of the lease.

Councilor Hooper asked for the lease term. Mr. Bohannon stated it is a two-year lease with options for additional years. Councilor Clark asked whom the kitchen equipment belongs. Mr. Bohannon stated this belongs to the previous tenant.

Councilor Chadbourne stated Mr. Brown is her neighbor, a father of two young children, a talented barber and is a good businessperson. She stated he is committed to this community and has a strong following. She urged the committee to support this request.

Councilor Ormerod made the following motion which was seconded by Councilor Clark.

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to negotiate and execute a lease with John Brown for the space located at the 12 Gilbo Avenue.



City of Keene, N.H.
Transmittal Form

March 12, 2020

TO: Mayor and Keene City Council

FROM: Finance, Organization and Personnel Committee

ITEM: D.10.

SUBJECT: Capital Improvement Program - FY 2021-2027

COUNCIL ACTION:

In City Council March 19, 2020.

Voted unanimously to carry out the intent of the report.

RECOMMENDATION:

On 5-0 vote, the Finance, Organization and Personnel Committee recommends the adoption of the Capital Improvement Program FY 2021-2027.

BACKGROUND:

Councilor Ormerod suggested moving up the item related to consoles for the Police Department, which is at the end of its useful. The Manager stated her recommendation would be to leave it as is in the plan. She stated the last conversation staff had was that even though the maintenance agreement was expiring the equipment was still in good condition. If there is, an issue with this equipment staff can always come forward and move the item up at that time.

Councilor Clark felt all items were vetted well. Councilor Remy stated he would like to see the City getting to a flat budget, but the City is following its fiscal policies and the budget is structured around those policies.

Councilor Hooper made the following motion, which was seconded by Councilor Clark.

On 5-0 vote, the Finance, Organization and Personnel Committee recommends the adoption of the Capital Improvement Program FY 2021-2027.



City of Keene, N.H.
Transmittal Form

March 11, 2020

TO: Mayor and Keene City Council

FROM: Planning, Licenses and Development Committee

ITEM: H.1.

SUBJECT: Pathways for Keene - Request to Use City Property – 4 on the 4th Race

COUNCIL ACTION:

In City Council March 19, 2020.
More time granted.

RECOMMENDATION:

On a vote of 5-0, the Planning, Licenses, and Development Committee recommends that the request from Pathways for Keene to hold the annual 4 on the 4th Road Race be placed on more time to allow City staff to hold protocol meetings with the petitioner.

BACKGROUND:

Chair Bosley stated that Pathways for Keene is requesting to use City property for the 4 on the 4th Race, and her understanding is that there are still protocol meetings that need to happen. The City Manager replied yes, and staff is asking for this item to be placed on more time to allow for those protocol meetings to happen.

Chair Bosley asked for comment from the committee or public. Hearing none, she asked for a motion.

Councilor Greenwald made the following motion, which was seconded by Councilor Jones.

On a vote of 5-0, the Planning, Licenses, and Development Committee recommends that the request from Pathways for Keene to hold the annual 4 on the 4th Road Race be placed on more time to allow City staff to hold protocol meetings with the petitioner.

Councilor Johnsen asked if this will be after the salamander crossing. Chair Bosley replied yes, the race is in July.



City of Keene, N.H.
Transmittal Form

March 12, 2020

TO: Mayor and Keene City Council

FROM: Finance, Organization and Personnel Committee

ITEM: J.1.

SUBJECT: Relating to Alternates to Boards and Commissions

COUNCIL ACTION:

In City Council March 19, 2020.

Report filed as informational. Voted unanimously for the adoption of Ordinance O-2020-05.

RECOMMENDATION:

On 5-0 vote, the Finance, Organization and Personnel Committee recommends adoption of Ordinance O-2020-05.

ATTACHMENTS:

Description

Ordinance O-2020-05

BACKGROUND:

Mayor Hansel stated this item has to do with Alternates for Boards and Commission for the City. He indicated there were various provisions in the Code relating to the number of alternates that were permitted on Boards and Commissions. He indicated has had more interest from people wanting to serve on Boards and Commissions than alternate positions available and stated it was important to increase citizen participation. The Mayor stated having five Alternates across the board, provides the flexibility he needs.

Councilor Ormerod felt this is a good way to streamline operations but asked how this would affect quorums on committees. Mayor Hansel stated alternates are not regular members unless they are seated in place of a regular member not in attendance. He did not feel this would have any impact on quorums.

Councilor Ormerod made the following motion which was seconded by Councilor Clark.

On 5-0 vote, the Finance, Organization and Personnel Committee recommends adoption of Ordinance O-2020-05.



CITY OF KEENE

Ordinance O-2020-05

Twenty

In the Year of Our Lord Two Thousand and

AN ORDINANCE
Relating to Alternates 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 deleting the stricken text and inserting the bolded text in Section 2-579 "Alternates" of Division 1 "Generally" of Article X "Boards and Commissions" of Chapter 2 entitled "Administration," and further that Section 2-712 "Membership" of Division 5 "Bicycle Pedestrian Path Advisory Board," and Section 2-1089 "Membership" of Division 19 "Energy and Climate Committee" be amended by deleting the stricken text, as follows:

Sec. 2-579. - Alternates.

Except as otherwise provided by this Code or state law, the mayor shall appoint, subject to confirmation by the city council, one or more alternates to each of the boards and commissions, but not more than **five** ~~a number equal to the number of members of the particular board or commission~~ who will be asked by the chair of the board or commission to sit for absence, illness, conflict of interest, or absence for any good reason in the place of members of such board or commission. Any member's term as an alternate shall not be counted towards the maximum number of consecutive terms served.

Sec. 2-712. - Membership.

The bicycle/pedestrian path advisory committee shall consist of seven regular members. ~~and two alternate members.~~ All appointed citizens to the committee must represent a cross section of bicycling clubs, organizations and interests in the region. Members shall be appointed by the mayor as provided in the Charter, section 29.

Sec. 2-1089. - Membership.

The energy and climate committee shall consist of 11 regular voting members, one of whom shall be a member of the city council, all of whom represent a cross section of organizations, institutions, businesses and interests in the city. ~~Three alternates may be appointed to the committee.~~ Membership shall not be restricted to residents of the city.



 George S. Hansel, Mayor

 PASSED
 March 19, 2020

A true copy;

Attest:


 City Clerk

In City Council March 5, 2020.

Referred to the Finance, Organization and
Personnel Committee.

 Deputy City Clerk



City of Keene, N.H.
Transmittal Form

March 11, 2020

TO: Mayor and Keene City Council

FROM: Planning, Licenses and Development Committee

ITEM: J.2.

SUBJECT: Relating to Lodginghouse Licenses

COUNCIL ACTION:

In City Council March 19, 2020.

Report filed as informational. Voted unanimously for the adoption of Ordinance O-2020-03.

RECOMMENDATION:

On a vote of 5-0, the Planning, Licenses, and Development Committee recommends the adoption of Ordinance O-2020-03 with an effective date of July 2, 2020.

ATTACHMENTS:

Description

Ordinance O-2020-03

BACKGROUND:

Chair Bosley recognized the City Clerk to speak on the proposed ordinance. City Clerk Patty Little stated that she is here regarding Ordinance O-2020-03, which establishes a standard term of expiration for lodging house licenses. She continued that currently they expire exactly one year from the date granted. As the license requests come through the City Council, they establish the expiration date by looking ahead to the next Council meeting and going one year from that. So the dates fluctuate year to year and fluctuate for each lodging house. For example, Mr. Grauer's lodging house license will expire during the Council's second cycle in March, which would not be the same exact date in 2022. Lodging house owners do not have a definitive date that they can remember, which leads to the problem of untimely applications coming in. People just forget. The fluctuating date is problematic for lots of reasons, including the fact that people do not remember the date to return to request a renewal. Code and Fire have to rearrange their schedules to perform the necessary inspection, when an expiration/renewal date is looming. This leads to the potential for the City Council to have to suspend rules of order to deal with these so there is not as much lapse in the term of the license. This ordinance establishes a standard expiration date. City staff picked July 1 for that date. The ordinance also provides allowance for the expiration to be postponed for some reason as long as the applicant had actually filed the renewal application. Recently they had a situation with a lodging house that led to Councilor Jones asking for the expiration to be postponed, but the current Code does not allow for that. The language in this ordinance would.

The City Clerk continued that she spoke with most of the lodging house license holders, and there is unanimous support of this ordinance from all of them. One Hundred Nights asked that the date avoid the holiday season, and the United Church of Christ said the same thing. They said that annually the church decides whether there would be an overflow shelter. So they will not be ready to apply July 1 but City staff said that is okay. The

United Church of Christ can apply another time. But the license would still expire July 1 and not be prorated. The church is okay with that. They only operate the shelter a few months of the year anyway. She spoke briefly to Mr. Grauer about this and he was fine with it, too. It works well for the 85 Winchester Street lodging house because June is when they do building improvements.

She continued that in order to transition everyone over to the July 1 expiration date, she is recommending the ordinance not be effective until July 2. If they went with the normal process of having it go into effect upon adoption, that would mean Mr. Grauer and everyone else with a lodging house license would immediately have to reapply and that does not sound fair. They would be extending everyone's licenses to July 1, 2021.

Chair Bosley asked if that means Mr. Grauer's lodging house license would expire July 1, 2021, instead of March 19, 2021. The City Clerk replied yes. She continued that the City Clerk's Office will be in a position to facilitate this process for the Council. For the longest time the City only had two lodging houses. The Code says it is the responsibility of the license-holder to timely file the reapplications. With the expiration dates varying and never being the same, the City has never sent out reminders to license-holders that the time to reapply is coming. But with a consistent expiration date, the City Clerk's Office would be happy to do that, to expedite this process.

Councilor Jones thanked the City Clerk. He continued that this is good for the City Clerk's Office, and for petitioners. He does not like having to suspend the rules at the City Council meetings, and this should put an end to that. This ordinance is proactive and he is thankful.

Chair Bosley asked if there are any other comments from the committee or the public. Hearing none, she asked for a motion.

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

On a vote of 5-0, the Planning, Licenses, and Development Committee recommends the adoption of Ordinance O-2020-03 with an effective date of July 2, 2020.

ORDINANCE



CITY OF KEENE

Ordinance O-2020-03

Twenty

In the Year of Our Lord Two Thousand and

Relating to Lodginghouse Licenses

AN ORDINANCE

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

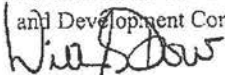
That the Ordinances of the City of Keene, as amended, are hereby further amended by deleting the stricken text and inserting the bolded text in Section 46-588 "Expiration" of Division 2 "License" of Article X "Lodginghouses" of Chapter 46 entitled "Licenses and Permits," as follows:

Sec. 46-588. - Expiration.

~~Each license issued under this division shall expire one year from its effective date. No renewals or postponements of the effective date shall be granted, but each license shall be a new license each year.~~

Each license issued under this article shall expire on July 1 of the year subsequent to its issuance date notwithstanding the date of the initial issuance. No postponements of the expiration date shall be granted except for good cause shown and as determined by the licensing authority provided that the license has been applied for prior to the annual expiration date.

In City Council March 5, 2020.
Referred to the Planning, Licenses
and Development Committee.


Deputy City Clerk


George S. Mansel, Mayor

A true copy

Attest:


City Clerk

March 19, 2020

PASSED



City of Keene, N.H.
Transmittal Form

March 12, 2020

TO: Mayor and Keene City Council

FROM: Finance, Organization and Personnel Committee

ITEM: J.3.

SUBJECT: Relating to Septage and Holding Tank Disposal Rates

COUNCIL ACTION:

In City Council March 19, 2020.

Report filed as informational. Voted unanimously for the adoption of Ordinance O-2020-02.

RECOMMENDATION:

On 5-0 vote, the Finance, Organization and Personnel Committee recommends adoption of Ordinance O-2020-02.

ATTACHMENTS:

Description

Ordinance O-2020-02

BACKGROUND:

Operations Manager Aaron Costa and Pre Treatment Coordinator Eric Swope were the next two speakers. Mr. Costa stated the Wastewater Plant opened 1985 and shortly after that started accepting septage and holding tank waste. He stated the city charges \$85 for 1,000 gallon of septage and \$45 for 1,000 gallons of holding tank waste. He added the city's minimum charge is \$85 for septage and \$45 for holding tank waste.

Mr. Costa noted septage haulers like Bells and Stone had their own septic lagoons, which the State overtime did not allow, which made the city's site a large receiving facility. Over a ten-year period, the city's volume has increased from 400,000 to 4 million gallons. In 2012, the city adjusted its rates and since that time Winchester, Jaffrey and Peterborough have come online.

He indicated from October 2018 to November 2019 the city received close to six million gallons of septage which brought in close to \$450,000 in revenue.

Mr. Costa stated staff feels the minimum charge is detrimental to these haulers. Staff feel if a hauler comes in just before closing with 500 gallons it does not seem fair to bill them for 1,000 gallons. He indicated they are trying to make this operation friendlier to the haulers by keeping the facility open later, weekends and during holidays. He indicated staff's proposal is to lower the minimum weight from 1,000 gallons to 100 gallons. Mr. Swope added over the course of the year there are of traditional loads of septage that is brought which is less than 1,000 gallons.

Councilor Remy asked how the city rates compare to other communities that have come online. Mr. Costa stated Keene is the same as Winchester, Jaffrey has a sliding scale for its residents and outside of Jaffrey, and

the rate is comparable to Keene.

Councilor Clark asked whether the profit from this operation pays for the wear and tear of equipment. Mr. Costa stated it is not all profit and added the plant has to be in operation 24 hour a day seven days a week regardless and the city does not quite have a handle on what the profit margin is but felt it is still worth the while to keep accepting septage.

The Chairman asked how this rate change would affect RV owners. Mr. Costa stated RV's are free.

Councilor Remy made the following motion which was seconded by Councilor Clark.

On 5-0 vote, the Finance, Organization and Personnel Committee recommends adoption of Ordinance O-2020-02.

ORDINANCE



CITY OF KEENE

O-2020-02

In the Year of Our Lord Two Thousand and Twenty
AN ORDINANCE Relating to Septage and Holding Tank Discharge Charges

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

That the City Code of the City of Keene, New Hampshire, as amended is hereby further amended by deleting the stricken text and adding the bolded text to the following provisions of Appendix B, "Fee Schedule", as authorized through Article VII, "Water and Sewer Rates, Billings and Abatements," of Chapter 98, entitled "UTILITIES" as follows;

APPENDIX B - FEE SCHEDULE

98-512(b) Septage and holding tank charges:
Septage, per gallon 0.085

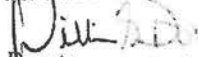
Minimum fee for each load of septic waste ~~85.00~~ **\$8.50**

Holding tank waste, per gallon 0.045

Minimum fee for each load of holding tank waste ~~45.00~~ **\$4.50**


Mayor George S. Hansel

In City Council March 5, 2020.
Referred to the Finance, Organization
and Personnel Committee.


Deputy City Clerk

A true copy:

Attest:

City Clerk



March 19, 2020

PASSED



City of Keene, N.H.
Transmittal Form

March 12, 2020

TO: Mayor and Keene City Council

FROM: Finance, Organization and Personnel Committee

ITEM: K.1.

SUBJECT: Relating to General Obligation Courthouse Bonds of 2013 Series B Partial Redemption

COUNCIL ACTION:

In City Council March 19, 2020.

Report filed as informational. Voted unanimously for the adoption of Resolution R-2020-04.

RECOMMENDATION:

On 5-0 vote, the Finance, Organization and Personnel Committee recommends adoption of Resolution R-2020-04.

ATTACHMENTS:

Description

Resolution R-2020-04

BACKGROUND:

Finance Director Merri Howe stated R-2020-04 relates to authorization of partial redemption of \$720,000 of the City of Keene 1,629,000 General Obligation Courthouse Bonds of 2013, Series B dated May 2, 2003. Because of the unwinding of the new market tax credit, which happened on February 21, 2020, the city received \$724,000 at closing of which \$720,000 will fund the partial redemption Courthouse Bonds of 2013. Since these bonds are issued in \$5,000 lots, the remaining \$4,000 will be applied to the next principal payment for the new bond schedule.

On or before March 25, 2020 the City will instruct US Bank NA, the paying agent for the city to redeem and provide notice to each registered owner. Redemption date for these bonds is May 1, 2020 and the redemption price 100% of each of the lots.

Councilor Remy clarified nothing has changed on this issue. The Manager agreed and added the Council authorized for unwinding of this project but the Bond Counsel is requiring the Resolution to actually apply the funds for this partial redemption.

Councilor Clark made the following motion which was seconded by Councilor Hooper.

On 5-0 vote, the Finance, Organization and Personnel Committee recommends adoption of Resolution R-2020-04.



CITY OF KEENE

R-2020-04

Twenty

In the Year of Our Lord Two Thousand and
Authorizing the Partial Redemption of the City of Keene \$1,629,000 General
A RESOLUTION Obligation Courthouse Bonds of 2013, Series B dated May 2, 2013

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

WHEREAS, the City of Keene, New Hampshire (the "City") issued its \$1,629,000 General Obligation Courthouse Bonds of 2013, Series B (the "Bonds") dated May 2, 2013; and

WHEREAS, the Bonds maturing on and after May 1, 2021 are subject to redemption prior to maturity, at the option of the City, on or after May 1, 2020, either in whole or in part on any interest payment dated, and if in part, by lot within a maturity, at the par amount of the Bonds to be redeemed, plus accrued interest to the date set for redemption; and

WHEREAS, the redemption date of the Bonds shall be May 1, 2020 (the "Redemption Date") and at a redemption price of 100%; and

WHEREAS, the outstanding principal balance of the Bonds on the Redemption Date will be \$1,040,000; and

WHEREAS, the City is in receipt of Seven Hundred and Twenty Four Thousand Dollars (\$724,000), resulting from the unwinding of the New Market Tax Credit financing of the Courthouse project; and

WHEREAS, the City will apply Seven Hundred and Twenty Thousand Dollars (\$720,000) to partially redeem on a pro-rata basis or in such other order as directed by the City Finance Director the maturities of the Bonds coming due May 1, 2021 through and including May 1, 2033, which maturities were issued as Term Bonds with final maturities on May 1, 2027 and May 1, 2033;

Now, Therefore, Be It Resolved by the City Council of the City of Keene, as follows:

- 1) That the City, acting by and through its City Council, hereby authorizes the Partial Redemption of the Bonds on a pro-rata basis or in such other order as directed by the City Finance Director the maturities of the Bonds coming due May 1, 2021 through and including May 1, 2033, which maturities were issued as Term Bonds with final maturities on May 1, 2027 and May 1, 2033 in the amount of Seven Hundred and Twenty Thousand Dollars (\$720,000); and

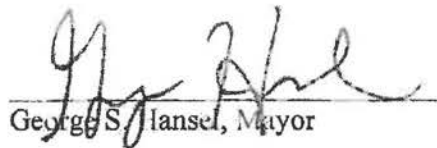
- 2) That on the Redemption Date, the City shall redeem the following callable Term Bond maturities, in the stated amounts below, or in such other amounts on a pro-rata basis or in such other order as directed by the City Finance Director and to provide proper notice of such redemption to the registered owners thereof; and

<u>Maturity Date</u>	<u>Principal Called</u>	<u>Cusip</u>	<u>Non-Called Portion</u>
5/1/2021	\$55,000	487350K82	\$25,000
5/1/2022	\$55,000	487350K82	\$25,000
5/1/2023	\$55,000	487350K82	\$25,000
5/1/2024	\$55,000	487350K82	\$25,000
5/1/2025	\$55,000	487350K82	\$25,000
5/1/2026	\$55,000	487350K82	\$25,000
5/1/2027*	\$55,000	487350K82	\$25,000
5/1/2028	\$55,000	487350L65	\$25,000
5/1/2029	\$55,000	487350L65	\$25,000
5/1/2030	\$55,000	487350L65	\$25,000
5/1/2031	\$55,000	487350L65	\$25,000
5/1/2032	\$55,000	487350L65	\$25,000
5/1/2033**	\$60,000	487350L65	\$20,000

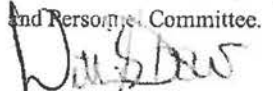
*Term Bond

** Term Bond - Final Maturity


- 3) That the redemption price is 100%; and
- 4) That notice of the partial redemption of the Bonds prior to their maturities, specifying the Bonds to be redeemed, shall be sent to the registered owners of such Bonds not less than 30 days prior to the Redemption Date; and
- 5) That such notice shall be given no later than April 1, 2020.


George S. Hansel, Mayor

In City Council March 5, 2020.
Referred to the Finance, Organization
and Personnel Committee.


Deputy City Clerk

PASSED March 19, 2020


A true copy;
Attest:
City Clerk