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City of Keene

New Hampshire

KEENE CITY COUNCIL
Council Chambers, Keene City Hall
June 3, 2021
7:00 PM

Roll Call
Pledge of Allegiance

MINUTES FROM PRECEDING MEETING

- May 20, 2021 Minutes

A. HEARINGS / PRESENTATIONS / PROCLAMATIONS

1. Public Hearing - Proposed Operating Budget

B. ELECTIONS / NOMINATIONS / APPOINTMENTS / CONFIRMATIONS

1. Confirmation
2. Nomination

C. COMMUNICATIONS

1. Leslie Kelton - In Support of Machina Arts Request for Parklet
2. Councilor Williams - Renaming of the North Bridge

D. REPORTS - COUNCIL COMMITTEES

1. Acceptance of Public Art – Parks, Recreation and Facilities Director
2. Eugenia Snyder/Eversource Energy – Request to Access Old Gilsum Road – Transmission Pole Replacement in Power Line Right of Way
3. Eric George/National Grid – Request to Access Old Gilsum Road for Tree and Brush Clearing of Power Line Right of Way
4. Acceptance of a Drainage Easement – Old Walpole Road – City Engineer
5. Madeline Ullrich/Keene Downtown Group – Request to Use City Property – Art Walk
6. Georgia Cassimatis/Friends of Public Art – Request to Use City Property – Outdoor Art Market - Railroad Square
7. General Discussion – Parklets - Public Works Director
8. Acceptance of the 2020 Homeland Security Grant Award - HazMat Allocation - Fire Department
9. Use of Airport Personnel Funds - Airport Director
10. Acceptance of Grant Funds – NH Division of Historical Resources Certified Local Government Grant - Senior Planner

11. Funding for Pool Improvements - Parks, Recreation and Facilities Director
12. Capital Project Transfer for Body Worn Cameras - Police Chief
13. Councilors Remy, Workman, and Madison - Council and Standing Committees and Meeting Cycles, Agenda Deadlines and Packet Distribution Timelines - City Clerk
14. Councilor Ormerod - Budget Priority for Maintenance and Replacement of Sidewalks

E. CITY MANAGER COMMENTS

F. REPORTS - CITY OFFICERS AND DEPARTMENTS

G. REPORTS - BOARDS AND COMMISSIONS

H. REPORTS - MORE TIME

1. Presentation – Sidewalk Asset Management Plan – Public Works Director
2. Kevin Watterson/Swamp Bats – Request to Discharge Fireworks
3. Danya Landis/Machina Arts – Requesting Permission to Erect a Parklet in Parallel Parking Spaces – Outdoor Dining
4. James Murphy – In Support of the Improved Medicare Act of 2021

I. ORDINANCES FOR FIRST READING

J. ORDINANCES FOR SECOND READING

1. Relating to the Powers and Duties of the Assessor's Board
Ordinance O-2021-05-A
2. Relating to Class Allocation and Salary Schedule
Ordinance O-2021-08-A

K. RESOLUTIONS

1. Relating to Blind Exemption; Relating to an Exemption for Deaf or Severely Hearing Impaired Persons and an Exemption for Improvements to Assist Persons Who are Deaf or Severely Hearing Impaired; Relating to Veterans' Tax Credits; Relating to Exemption for the Disabled; Relating to Elderly Exemption Qualifications
Resolution R-2021-25
Resolution R-2021-26
Resolution R-2021-27
Resolution R-2021-29
Resolution R-2021-30
2. Relating to the FY 2021-2022 Operating Budget
Resolution R-2021-22
3. Relating to the Appropriation of Funds for the Flood Management Project; Relating to the Appropriation of Funds for the Patricia T. Russell Park improvement Project; Relating to the Appropriation of Funds for the Road Rehabilitation Project
Resolution R-2021-15
Resolution R-2021-16
Resolution R-2021-17

Non Public Session

Adjournment

A regular meeting of the Keene City Council was held on Thursday, May 20, 2021. The Honorable Mayor George S. Hansel called the meeting to order at 7:02 PM. Mayor Hansel read into the record the Emergency Order #12, issued by the Governor of the State of New Hampshire pursuant to Executive Order #2020-04. He continued that the members of the City Council would be participating remotely. The Mayor asked that during the roll call for attendance, each Councilor identify their online presence and whether there are others with them in the room. Roll called: Stephen L. Hooper, Michael J. Remy, Janis O. Manwaring, Michael Giacomo, Randy L. Filiault, Robert C. Williams, Philip M. Jones, Gladys Johnsen, Andrew M. Madison, Raleigh C. Ormerod, Bettina A. Chadbourne, Catherine I. Workman, Mitchell H. Greenwald, Kate M. Bosley, and Thomas F. Powers. A motion by Councilor Powers to accept the minutes from the May 6, 2021 regular meeting was duly seconded by Councilor Bosley and the motion passed on a roll call vote with 15 Councilors present and voting in favor. The Mayor led the Pledge of Allegiance.

ANNOUNCEMENTS

Mayor Hansel announced that Councilor Greenwald celebrated a birthday on May 18.

RESOLUTIONS – IN APPRECIATION OF GARY W. CROTEAU UPON HIS RETIREMENT; AND IN APPRECIATION OF CHRISTOPHER W. SIMINO UPON HIS RETIREMENT; AND IN APPRECIATION OF GARRETT J. GREELEY UPON HIS RETIREMENT

Mayor Hansel read Resolutions R-2021-08, R-2022-11, and R-2021-13 into the record, recognizing the retirements of Gary Croteau, Christopher Simino, and Garrett Greeley, respectively. A motion by Councilor Powers to adopt Resolutions R-2021-08, R-2021-11, and R-2021-13 was duly seconded by Councilor Bosley and the motion passed unanimously on a roll call vote with 15 Councilor present and voting in favor.

RECOGNITION – KEENE HIGH SCHOOL AND MONADNOCK REGIONAL HIGH SCHOOL

Mayor Hansel recognized the efforts of the Keene High School and the Monadnock Regional High School's Interact Club, which because of Covid-19, were not able to do their international service project and instead focused their efforts on the local Ashuelot River Park. The Mayor recognized Andy Bohannon, Director of Parks, Recreation, and Facilities, to share a brief video of the efforts, depicting photos of their more than 1,500 hours of work to plant nine new pollinator-friendly plant species, install a new pergola, and remove invasive species under the supervision of the Friends of the Arboretum at Ashuelot River Park. Mayor Hansel thanked all volunteers for their efforts.

PUBLIC HEARING – CDBG GRANT AMENDMENT – SOUTHWESTERN COMMUNITY SERVICES' SHELTERS

Mayor Hansel explained that the public hearing would occur in two parts. Due to the timeline for requesting these funds and specific State requirements, the Mayor said that a Suspension of the Rules of Order would be requested to allow the Council to vote on the proposed amendment on the same day as the public hearing.

Mayor Hansel opened the public hearing for the Southwestern Community Services' Shelters CDBG Grant Amendment at 7:23 PM, and upon his request, the City Clerk read the notice of hearing.

The Mayor recognized James Weatherly, Planning Technician with Southwest Regional Planning Commission, to address this request with a brief presentation on the background and reasoning for the application. Mr. Weatherly said he was happy to be present on behalf of a great organization, Southwestern Community Services. He described the Community Development Block Grant (CDBG) program and this specific request. CDBG funds are awarded on a competitive basis to municipalities and counties in the State of New Hampshire for projects that have primary benefit for low-income people. The maximum grant award is \$500,000 for housing, public facilities, economic development, and microenterprise technical assistance projects; each year \$25,000 is available for planning feasibility studies. The request at hand was for the Southwestern Community Services project. The City of Keene was awarded \$500,000 in Federal CDBG funds in March 2020 for this project, the majority of which was a granted to Southwestern Community Services. The project had two parts. Acquisition had occurred already, meaning that Southwestern Community Services now owns and operates the three shelters in this project, and they hope to move forward with the second part of the project, which is rehabilitating those shelters. When the project held a bid opening in February 2021, there were significant cost overruns due to Covid-19. Therefore, when the New Hampshire Community Development Finance Authority released \$900,000 statewide for all projects to help address Covid-19 cost overruns, this project was a great candidate and was currently requesting \$185,091 from the CDBG Fund. This request would allow for critical items to be retained in the construction budget, which is important because these shelters operate at nearly 100% capacity year-round, and this project represents the only major opportunity to make these capital improvements to the shelter facilities. Therefore, Mr. Weatherly said this request was very much needed. He welcomed questions.

Mayor Hansel opened floor to public comment and questions.

Keith Thibeault of Swanzey, representing Southwestern Community Services, agreed with the high construction costs that resulted in important improvements left on the table. He said these additional funds would allow for accomplishing everything intended in the plan originally and he thanked the Council for the opportunity to garner more funds.

With no further comments, Mayor Hansel closed public hearing for the Southwestern Community Services' Shelters CDBG Grant Amendment, request at 7:29 PM.

A true record attest:



City Clerk

A motion by Councilor Powers to suspend Section 27 of the Rules of Order to act upon the amendment to the CDBG grant for the shelter facility improvements, which was the subject of

tonight's public hearing, was duly seconded by Councilor Hooper and the motion passed on unanimous roll call vote with 15 Councilors present and voting in favor.

The Rules of Order were suspended.

Mayor Hansel brought forward agenda item D.5, which would authorize the amendment requesting additional funding.

FOP REPORT – JAMES WEATHERLY/SWRPC – CDBG AMENDMENT – SHELTER FACILITY IMPROVEMENTS

Finance, Organization, and Personnel Committee report read recommending that the City Council authorize the City Manager to do all things necessary to authorize CDBG funds in the amount of \$185,091 through an amendment and to support the application to move forward. Mayor Hansel filed the report as informational.

Councilor Powers moved to recommend that the City Council support the application for \$185,091 in additional funds through the federal CDBG program for improvements to two shelter facilities operated by Southwester Community Services, and to authorize the submittal of the amendment requesting additional funds from the CDBG Grant Gap Fund. Councilor Hooper duly seconded the motion, which passed on a roll call vote with 14 Councilor present and voting in favor. Councilor Bosley abstained the vote.

APPOINTMENT

Mayor Hansel appointed Councilor Robert Williams as the City Council liaison to the Library Board of Trustees, with a term to expire December 31, 2021. This appointment does not come with voting power. A motion by Councilor Powers to confirm the appointment was duly seconded by Councilor Bosley and the motion passed on a unanimous roll call vote with 15 Councilors voting in favor.

CONFIRMATION

Mayor Hansel nominated Gregory Kleiner to serve on the Partner City Committee, with a term to expire December 31, 2022. A motion by Councilor Powers to confirm the nomination was duly seconded by Councilor Bosley and the motion passed on a unanimous roll call vote with 15 Councilors present and voting in favor.

NOMINATION

Mayor Hansel nominated Hillary Ballantine to serve as an alternate to the Energy and Climate Committee, with a term to expire December 31, 2023. The Mayor tabled the nomination until the next regular meeting.

COMMUNICATION – JAMES MURPHY – IN SUPPORT OF THE IMPROVED MEDICARE ACT OF 2021

05/20/2021

A communication was received from James Murphy, submitting an online petition containing 101 signatures encouraging the City Council to support the Federal Improved Medicare Act. Mayor Hansel referred the communication to the Planning, Licenses, and Development Committee.

COMMUNICATION – KEVIN WATTERSON/SWAMPBATS – REQUEST TO DISCHARGE FIREWORKS

A communication was received from Kevin Watterson, President of the Keene Swampbats, with an annual request for the July 3rd Independence Eve Fireworks Display on Alumni Field. The Petitioner applied for continued Community Funded Event status for FY 22. Mayor Hansel referred the communication to the Planning, Licenses, and Development Committee.

COMMUNICATION – EUGENIA SNYDER/EVERSOURCE ENERGY – REQUEST TO ACCESS OLD GILSUM ROAD – TRANSMISSION POLE REPLACEMENT IN POWER LINE RIGHT-OF-WAY

A communication was received from Eugenia Snyder, on behalf of Eversource Energy, requesting access to the Old Gilsum Road for the replacement of four wood transmission poles. The work will occur between early June and November 30, 2021. Mayor Hansel referred the communication to the Municipal Services, Facilities, and Infrastructure Committee.

COMMUNICATION – ERIC GEORGE/NATIONAL GRID – REQUEST TO ACCESS OLD GILSUM ROAD FOR TREE AND BRUSH CLEARING OF POWER LINE RIGHT-OF-WAY

A communication was received from Eric George, on behalf of the National Grid, requesting access to the Old Gilsum Road for their cycle of maintenance to control the trees and brush growing on the powerline right-of-way. The specific access is through the gate at the corner of Old Gilsum Road and Timberlane Drive from June 4 to June 18, 2021. Mayor Hansel referred the communication to the Municipal Services, Facilities, and Infrastructure Committee.

COMMUNICATION – COUNCILORS REMY, WORKMAN, AND MADISON – COUNCIL AND STANDING COMMITTEES

A communication was received from Councilors Remy, Workman, and Madison, asking that the City Council conduct a thorough review and discussion of its meeting structure. Specifically, the communication is suggesting a review of the days of the week for meetings, the frequency of meetings, whether more Council business could be handled administratively and whether a consent agenda should be included in the Council's Rules of Order. Mayor Hansel referred the communication to the Finance, Organization, and Personnel Committee.

PLD REPORT – AMENDMENTS TO THE LAND DEVELOPMENT CODE – HISTORIC DISTRICT COMMISSION

Planning, Licenses, and Development Committee report read accepting the amendments to the Land Development Code as informational. Mayor Hansel filed the report as informational.

FOP REPORTS – 2018 HOMELAND SECURITY GRANT – KEENE POLICE DEPARTMENT; AND 2019 HOMELAND SECURITY GRANT – KEENE POLICE DEPARTMENT

Finance, Organization, and Personnel Committee report read recommending that the City Council authorizes the City Manager to do all things necessary to accept a 2018 Homeland Security Grant Program Award in the amount of \$4,501.01.

A second Finance, Organization, and Personnel Committee report read recommending that the City Council authorize the City Manager to do all things necessary to accept a 2019 Homeland Security Grant Program Award in the amount of \$30,515.

A motion by Councilor Powers to carry out the intent of both reports was duly seconded by Councilor Hooper. The motion passed on a unanimous roll call vote with 15 Councilors present and voting in favor.

FOP REPORT – ACCEPTANCE OF DONATIONS – KEENE POLICE DEPARTMENT; PARKS, RECREATION & FACILITIES DEPARTMENT; FIRE DEPARTMENT

Finance, Organization, and Personnel Committee report read recommending that the City Council authorize the City Manager to do all things necessary to accept the discussed donations by various departments. A motion by Councilor Powers to carry out the intent of the report encompassing five donations was duly seconded by Councilor Hooper. The motion passed on a unanimous roll call vote with 15 Councilors present and voting in favor.

FOP REPORT – REPURPOSE OF COMPLETED AIRPORT CAPITAL PROJECT FUNDS – AIRPORT DIRECTOR

Finance, Organization, and Personnel Committee report read recommending that the City Council authorize the City Manager to repurpose funds remaining in completed airport capital projects to be used to fund a portion of the airport fuel farm replacement project. A motion by Councilor Powers to carry out the intent of the report was duly seconded by Councilor Hooper. The motion passed on a unanimous roll call vote with 15 Councilors present and voting in favor.

FOP REPORT – ENVIROTRAC CHANGE ORDER FOR LANDFILL MONITORING – ASST. PUBLIC WORKS DIRECTOR/SOLID WASTE MANAGER

Finance, Organization, and Personnel Committee report read recommending that the City Council authorize the City Manager to do all things necessary to negotiate and execute Change Order 1 for Envirotrac for technical services associated with additional monitoring services for an amount not to exceed \$15,277 for a revised contract total of \$38,952. A motion by Councilor Powers to carry out the intent of the report was duly seconded by Councilor Hooper. The motion passed on a unanimous roll call vote with 15 Councilors present and voting in favor.

FOP REPORT – CAPITAL PROJECT FOR FINANCIAL SOFTWARE PACKAGE – FINANCE DIRECTOR

Finance, Organization, and Personnel Committee report read recommending that the City Council authorize the capital transfer of \$520,000 from the 2020-2021 operating budget to the Financial Software capital project #90008. In addition, that the City Manager be authorized to do all things necessary to negotiate and execute an agreement with Tyler Technologies for the purchase of a financial software package and conversion of the City's current financial system. A motion by Councilor Powers to carry out the intent of the report was duly seconded by Councilor Hooper. The motion passed on a unanimous roll call vote with 15 Councilors present and voting in favor.

FOP REPORT – PROPERTY TAX EXEMPTIONS AND CREDITS – CITY ASSESSOR

Finance, Organization, and Personnel Committee report read recommending that the City Council direct the City Manager to prepare Resolutions updating the exemptions for the Elderly, Deaf, Disabled, and Blind, and resolutions for both the Veteran and All Veteran tax credits. A motion by Councilor Powers to carry out the intent of the report was duly seconded by Councilor Hooper. The motion passed on a unanimous roll call vote with 15 Councilors present and voting in favor.

FOP REPORT – CONSTRUCTION OVERSIGHT CHANGE ORDER – WOODWARD DAM IMPROVEMENTS – CITY ENGINEER

Finance, Organization, and Personnel Committee report read recommending that the City Manager be authorized to do all things necessary to negotiate and execute a change order with Gannett-Fleming, Inc. for professional services associated with the Woodward Dam Improvements Project, in an amount not to exceed \$79,000. A motion by Councilor Powers to carry out the intent of the report was duly seconded by Councilor Hooper. The motion passed on a unanimous roll call vote with 15 Councilors present and voting in favor.

CITY MANAGER COMMENTS

This week, the City Manager reported that Staff had been focused on getting projects to Senator Shaheen's office to be considered for earmarked funding. Requests were submitted for Body worn camera equipment, cybersecurity project, sidewalk project on Optical Avenue, Thompson Road improvements, and a potential water/sewer project. Several weeks ago, multiple projects were submitted to Kuster's office and they selected a portion of our Cheshire Rail Trail project to move forward in the community project funding round. Wilson Street improvements and the Beaver Street Bridge were also submitted for Norther Borders funding. Keene still awaited additional grant opportunities related to the American Rescue Plan transportation initiatives. The City Manager recognized the City Departments for very quickly pulling together all these applications, Med Kopczynski for shepherding the process along with our Federal Delegation, and special recognition to Don Lussier, City Engineer, who had an enormous amount of work thrust on him to meet these deadlines while simultaneously handling projects related to the beginning of our construction season here in the City. If there is funding to be had, the City Manager assured the Council that Staff had been out there trying to get it. She was hopeful that one or more these project applications would be successful.

Good news for two City Departments. The Recreation Department had seven successful lifeguard certifications the first weekend in May, which means Wheelock Pool could open for the summer

on June 22, with a staff of 10. At the Fire Department, Firefighter/AEMT, Chris DeLaVergne, completed the NHTI Paramedic Degree Program with his graduation this week, ending an aggressive two-year program of classroom, clinicals, and ride time. This week also marked National EMS Week.

The City Manager continued providing her Covid-19 update. The meeting schedule with our partners had changed from every week to every other week. Keene State College (KSC) had two positive Covid-19 tests on May 17 and zero on the May 18. The spike that occurred recently was traced back to some Greek events and off-campus parties. KSC graduation is May 29. They lessened their restrictions to allow two guests per graduate if they provide proof of vaccination or a negative Covid-19 test. June 1 the College would go to once weekly testing for those remaining on campus thru the summer (between 300-400 people). KSC gave 110 vaccinations onsite this week to students. The City Manager continued reporting that Cheshire County was evaluating when to lessen their mask regulations. The State was showing a 1.7% positivity rate for Cheshire County as of this meeting. Cheshire Medical Center had a 7.7% positivity rate last week, which aligned with the spike KSC saw. The hospital was working on a plan to transition vaccinations from the State-run site on Krif Road to a hospital-run site at their newly acquired property on Maple Ave, likely by July 1. The manager concluded her Covid-19 report stating that there was still no easy way to track vaccinations by town/city/county.

The City Manager concluded her report sharing upcoming events. She thanked all our businesses and non-profit groups as they begin to open and schedule events. Our downtown Keene events agenda, and Keene in general, had become remarkably busy as can be seen on most afternoons. In addition to the Keene Farmers Market, other upcoming events include:

- May 28-31 All Weekend – Grand Opening Festivities for Chaos and Kindness Store
- Memorial Day Weekend – KSC Commencement
- June 5 and June 12 – Sidewalk Sales and other activities downtown associated with Art Walk
- June 5, 12:00-5:00 PM – Keene Food Festival sponsored by the Keene Young Professionals Network
- June 5, 8:00 AM-2:00 PM – Art Market on RR Square organized by Friends of Public Art
- June 5, 3:30 PM – The Keene Chorale- Messiah at the Keene Ice Arena
- July 3 – Independence Eve Fireworks on Alumni Field sponsored by Keene Swampbats
- July 4 – 4 on the 4th Road Race sponsored by Pathways for Keene

PLD REPORT – MORE TIME – REQUESTS TO USE CITY PROPERTY – MUSIC FEST, ART WALK, TREE LIGHTING, ART MARKET

A Planning, Licenses, and Development Committee report read on a roll call vote of 5-0 placing these four items on more time to allow protocol meetings to occur. The Mayor granted more time.

FOP REPORT – MORE TIME – POWER DUTIES OF THE ASSESSORS BOARD – CITY ASSESSOR; AND RELATING TO THE FY 2021-2022 OPERATING BUDGET; AND PETITION TO ACQUIRE PROPERTY BY EMINENT DOMAIN FOR HIGHWAY

PURPOSES – CITY ENGINEER; AND PETITION TO ACQUIRE PROPERTY BY EMINENT DOMAIN FOR HIGHWAY PURPOSES – CITY ENGINEER

More time was granted by Mayor Hansel for the following items in Committee: Requests to Use City Property – Keene Music Festival, Art Walk, Tree Lighting and Art Market on Railroad Square; Ordinance O-2021-05 Relating to Powers and Duties of the Assessors Board; Resolution R-2021-22 Relating to the FY 2021-2022 Operating Budget; and, Resolution R-2021-19 Petition to Acquire Property by Eminent Domain for Highway Purposes.

ORDINANCE FOR FIRST READING – RELATING TO CLASS ALLOCATION AND SALARY SCHEDULE – ORDINANCE O-2021-08

Memorandum received from the ACM/Human Resources Director along with Ordinance O-2021-08 Relating to Class Allocation and Salary Schedule. Memorandum filed as informational. Mayor Hansel referred Ordinance O-2021-08 to the Finance, Organization, and Personnel Committee for first reading.

PLD REPORT – ORDINANCE FOR SECOND READING – RELATING TO THE WEARING OF FACE COVERINGS – ORDINANCE O-2021-07 AND CONTINUED DISCUSSION – KEENE ORDINANCE – WEARING OF FACE COVERINGS

Planning, Licenses, and Development Committee report read recommending to amend Section 66-171 (1) of Ordinance O-2021-07 by deleting the paragraph and inserting the following: *This Ordinance shall automatically terminate, without the necessity of further action by the City Council for the City Of Keene, on July 1, 2021.* The report further recommended accepting agenda item 5), Continued Discussion - Keene Ordinance – Wearing of Face Coverings, as informational. Mayor Hansel filed the report as informational.

A motion by Councilor Bosley to adopt Ordinance O-2021-07-A was duly seconded by Councilor Greenwald.

Councilor Bosley explained that the PLD Committee heard several weeks of testimony from the public on this topic. PLD had originally placed this on more time, with a compromise to our Ordinance doing away with the outdoor wearing of facemasks as of the vote intended for this evening, and to end the indoor wearing a face masks as of July 1, but there had been a lot of changes happening very rapidly with CDC recommendations. As such, Councilor Bosley yielded the rest of her time to Councilor Greenwald for an amendment.

Councilor Greenwald moved to amend Section 1 of Ordinance O-2021-07A to rescind the Ordinance entirely effective June 1, 2021. Councilor Filiault seconded the motion.

Councilor Greenwald said that the PLD Committee heard testimony from many individuals, both members of the public and experts with specific knowledge. Councilors had received a lot of communications on the issue, more than Councilor Greenwald heard on any matter in recent history. He said the amendment would allow the full Council to discuss the matter, given that the CDC was now in agreement with ending the mask Ordinance. The Councilor stressed that ending this Ordinance did not mean the need to wear masks was ending but that masks would be no

longer mandatory. It becomes an issue of personal responsibility, and it is advisable to wear masks in appropriate situations. He added that businesses would still have the choice to require masks. Vaccines are now widely available as well. Councilor Greenwald said this was the time for government to step back and rely on the public's personal responsibility. With the suggested effective date, businesses and others will have an opportunity to regroup and make changes.

Upon the Mayor's request, Councilor Greenwald confirmed that the intent of the amendment was to modify Part L, changing the date therein to sunset the Mask Ordinance from July 1, 2021 to June 1, 2021, while keeping the rest of the Ordinance language. Councilor Filiault, confirmed this was the intent of his second to the motion.

Lengthy discussion followed. Councilor Filiault said that the businesses he spoke with supported ending the Ordinance, but they thought June 1 would be an acceptable date to allow for transition – physically and mentally – to what could be confusion for many after one year with this Ordinance in place. He said this was all based on science and the vaccination rates.

Councilor Remy stated that he appreciated the interest in giving businesses time to adjust but thought making this amendment effective the day after this meeting would provide everyone more than one day to decide how they would handle the change and put a sign in the window. While he was in support of the amendment, he would likely offer a further amendment to determine support for sun-setting the Ordinance effective immediately.

Councilor Williams suggested suspending the Ordinance rather than ending it so that if Covid-19 rates spike again sometime this year it could be reinstated. He added that before this Ordinance sunsets, he hoped for a vaccine clinic at the high school so everyone over age 12 would really have had the chance to vaccinate. Otherwise, this would mean children going to school and passing unvaccinated children in crowded hallways. When the Ordinance sunsets, Councilor Williams said he expected there to be a rise in positivity rates, which concerned him, and made him feel June 1 was too aggressive. He would be more comfortable waiting until July 1.

Councilor Jones questioned how sunsetting the Ordinance would impact City employees and the public visiting City buildings. The City Manager said that she planned to follow the cues of the City Council on the Mask Ordinance, ending the mask requirements for City Departments, posting updated CDC recommendations in buildings, and would request that Staff carry masks with them when entering public spaces should someone from the public or Staff prefer to interact with masks on while people transition.

Councilor Bosley did not believe that the City's Mask Ordinance impacted the school district, which had a mask requirement before the City did, and she did not believe that would end with the Ordinance sunsetting. Further, Councilor Bosley agreed with Councilor Remy that keeping the Ordinance in effect any longer than necessary would create public confusion between CDC, State, and City guidelines; she already saw people without masks, assuming they were doing the right thing. Councilor Bosley supported sunsetting the Ordinance June 1 if not sooner through another amendment.

Councilor Ormerod agreed with Councilor Greenwald that a June 1 date would allow businesses and City services an opportunity to transition. He asked what sunseting the Ordinance would mean for City Council meetings. Mayor Hansel replied that the only thing holding him back from in-person meetings was the Mask Ordinance and therefore if the Ordinance were lifted, he would work hard to have an in-person Council meeting on June 3, though he was not announcing that officially.

Councilor Madison agreed with Councilor Greenwald, stating that sunseting on June 1 provides a good transition period for businesses City services. He said this would remind the public that they have a level of responsibility in caring for their own health but provides a safety margin of waiting until KSC students have moved out before removing masks in public.

Councilor Workman agreed with Councilor Williams. She said that yes, the CDC and State had suggested no more masks, but that the Dr. Chen expressed concern for the CDC suggestion and Governors easing of the mandate. She it was clear during the PLD discussions that there were firm reasons for choosing July 1 and she did not believe those reasons had changed at all. She said the Covid-19 incubation period was still two weeks and while Memorial Day and KSC graduation would have passed by June 1, and a spike during the following two weeks was expected. She said the PLD Committee also suggested July 1 to allow the elementary, middle, and high schools to end their terms. She supported the July 1 sunset clause with the outdoor portion ending immediately.

Councilor Greenwald said by his logic, the worst confusion would be that someone wears a mask accidentally, which would be better for them. He said he would keep repeating that everyone should continue wearing masks in the appropriate situations. Regarding schools, he cited Councilor Ormerod as potentially having knowledge on the issues. Councilor Greenwald said that he hoped the school board would continue having children wear masks in hallways, citing that as an appropriate situation to continue wearing masks, with a lot of people in a close environment. He thought it was important to give businesses an opportunity to choose their future and he anticipated many businesses had already given this transition much thought. He added that Councilor Williams was not wrong about kids only recently being allowed to vaccinate and he hoped the school board would offer vaccine clinics soon.

Councilor Giacomo said that Council Greenwald made a lot of good points that he agreed with. Councilor Giacomo said it was important to remember why the Mask Ordinance was implemented initially, which was to flatten the curve. He said the curve was well-flattened and that the risk of overloading health care systems had passed with the high-risk receiving vaccines. He understood the risk of contracting Covid-19 was still real, but he did not believe the role of government was to mitigate Covid-19 risk to zero; that was unreasonable. Councilor Giacomo concluded that the Mask Ordinance had done its job and he would support a June 1 sunset, or sooner if so moved.

Councilor Johnsen agreed with Councilor Williams regarding the school aged population. Councilor Johnsen wondered if there was a way for the City Council to communicate with the school board to encourage masks in the hallways. She was concerned with eliminating masks in

schools. Like Councilor Williams, Councilor Johnsen did not like the rush. Councilor Johnsen had been contacted by constituents with every perspective, but she cares about the young people and all Keene citizens.

Councilor Remy clarified that the confusion he referred to earlier was the June 1 date. He cited a recent example of an event that drew visitors from out-of-town, stating that 70-80% of the people arrived to the business without masks that they needed to enter the establishment. He said that was the sort of confusion arising for out-of-town customers who are unfamiliar with the local ordinances, which Councilor Remy said was creating confrontations. He said that was the important confusion, not for someone who wears a mask they do not need to.

Councilor Ormerod said that the school board held its monthly meeting on May 19 and said no mask policy changes would occur in the schools sooner than the next school board meeting in June. Councilor Ormerod reassured the Council that there were no plans to change the conservative school mask policies.

Councilor Madison asked whether lifting the Mask Ordinance would prohibit any business from requiring that their patrons wear masks. He also asked whether a business could deny service to a customer for wearing a mask. To the Councilor's first question, Mayor Hansel said that sunseting the Ordinance would not prohibit any entity from enacting their own mask regulations. To the Councilor's second question, the City Attorney said that it was the flip-side of the same question, stating that businesses have the right to control their premises, at least at the moment. Whether there are legislation changes is another question as there is no legislation now to require vaccinations, for which a human rights statute was under consideration to make it illegal to require that someone have a vaccination to provide them goods and services, but masks had not been incorporated with that statute.

Councilor Filiault said this was a healthy debate. He said that nine months ago 15 Councilors, with as many opinions, debated this Ordinance and came together allowing the City Attorney to write the compromise. In much the same fashion and despite not being his preference, Councilor Filiault thought June 1 was a good compromise to the present debate, for which there was no perfect solution. He hoped to see a vote on Councilor Greenwald's amendment to keep the discussion moving.

Councilor Johnsen stated that one of her major concerns was Keene students being in school through the month of June. She asked whether Councilor Ormerod would be comfortable addressing concerns presented at this meeting to the school board at their next meeting. Mayor Hansel said that Councilor Ormerod expressed earlier in the meeting that the school district would remain conservative on masks in their facilities, likely through the end of the school year.

Councilor Williams spoke of the school board, stating that he was pleased they had a mask mandate. He went on to cite concerns for children being more susceptible to the new Covid-19 variants that were spreading. He stated that he was impressed with the excellent work the schools did adjusting during the pandemic. Councilor Williams thought it was still important to continue taking steps to help prevent Covid-19 spread. There had been a spike in cases in Keene recently

and the City was the second highest Covid-19 rate in the state as of this meeting, which supported the July 1 date.

Councilor Workman echoed Councilor Williams, stating that local professionals, including Dr. Chen, were urging decisions based on the local Covid-19 levels. One local school was just closed for two days because of cases. She understood everyone was tired but did not understand the significant difference between June and July 1, stating that July 1 was just chosen unanimously at the PLD meeting the preceding week.

Councilor Giacomo reiterated that masks would not stop a Covid-19 spread. He said getting rid of the Mask Ordinance was not going to cause an appreciable spike in hospitalizations because the most vulnerable population, the elderly, healthcare workers, and educational workers had largely been vaccinated or were choosing willfully not to.

Councilor Ormerod supported July 1 to help elderly, healthcare, and education professionals. He was in favor of lifting the outdoor mandate immediately, citing challenges for sports players.

Councilor Jones said he debated the effective date, originally aligning with Councilor Remy, and then considered Councilor Workman's comments, stating that the public only had the opportunity to comment on the June 1 date under consideration and not this amendment. Therefore, Councilor Jones believed the City Council should approve the PLD decision.

On a roll call vote of 10 Councilors voting in favor, and Councilors Williams, Jones, Johnsen, Ormerod, and Workman in opposition, the Keene City Council unanimously amended language in the Mask Ordinance to terminate automatically on June 1, 2021.

A motion by Councilor Remy to change the date to in Section L of the Mask Ordinance to reflect the outdoor mask mandate to end effective immediately and the remainder of the Ordinance to sunset effective midnight on May 21, 2021 was duly seconded by Councilor Bosley.

Because substantial discussion had ensued already, Councilor Filiault moved the Question. Mayor Hansel asked for Councilor Ormerod to be allowed to speak.

Councilor Ormerod pointed out how the science of herd immunity works, stating that it depends on people getting vaccinated and some people were choosing not to, had not been yet due to accessibility, or could not for medical reasons, all of which he said still impacted the whole community. Councilor Ormerod said the argument that everyone had a chance to be vaccinated was fine but that did not make it safe.

Councilor Filiault made a point of order to the City Attorney to clarify whether the amendment on the table was to the original motion to approve the Ordinance or Councilor Greenwald's amendment, which Councilor Filiault thought was disallowed because a vote on the amendment passed already. The City Attorney replied that the Council voted on Councilor Greenwald's amendment but not the original vote to adopt the Ordinance. This was another amendment to the Ordinance that still pended adoption.

On a roll call vote of with 11 Councilors voting in opposition and Councilors Remy, Giacomo, Jones, and Bosley voting in the affirmative, the motion to amend failed.

05/20/2021

A motion by Councilor Filiault to adopt Ordinance O-2021-07-A as amended was duly seconded by Councilor Greenwald. On a roll call vote with 13 Councilors voting in favor and Councilors Williams and Workman voting in opposition, the Keene City Council unanimously adopted Ordinance O-2021-07-A.

Councilor Bosley exited the meeting at 9:00 PM.

PLD REPORT – ORDINANCE FOR SECOND READING – LAND DEVELOPMENT CODE AND DOWNTOWN ZONING – ORDINANCE O-2020-10B AND ORDINANCE O-2020-11A

Planning, Licenses, and Development Committee report read amending Ordinance O-2020-10A as proposed in the memorandum dated May 10, 2021 from Tara Kessler. The report further recommended that the City Council vote to adopt Ordinance O-2020-11A and O-2020-10B with an effective date of September 1, 2021. Mayor Hansel filed the report.

A motion by Councilor Greenwald to adopt Ordinance O-2021-11A with an effective date of September 1, 2021 was duly seconded by Councilor Jones.

A motion by Councilor Greenwald to adopt Ordinance O-2021-10B with an effective date of September 1, 2021 was duly seconded by Councilor Jones.

Councilor Greenwald reported that this major project and effort by Community Development Department Staff had been ongoing longer than some Councilors had been serving. The Community Development Department Staff had facilitated numerous presentations for Staff, City Council, and the public to address concerns and amend accordingly. Time would tell whether this would simplify development, but Councilor Greenwald said this was a major improvement that was reviewed extensively by the joint Planning Board/PLD Committee. September 1, 2021 was proposed as the effective date to allow Staff and the community time to transition.

Councilor Jones stated that this had been ongoing a long time and development questions that would have taken six documents previously to answer were now easily accessible in one document. He said this would simplify Keene's ordinances and that many communities would likely follow the example. He thought Keene's would be better than some. He imagined there would be times and places to amend parts of the Ordinance, but said that the Council goal that prompted this undertaking was to create a more business/user friendly regulatory environment, which was accomplished through this more flexible and streamlined process. Councilor Jones stated that this was one of the most important ordinances since he had begun on the City Council and he thanked the Staff for the tireless effort in addition to Councilors and Planning Board members past and present who worked on this.

Mayor Hansel said this was a multi-year effort that nearly everyone in the City had touched and could claim in some way. He said this was a big deal that placed Keene ahead of other NH communities with the first unified development ordinance in the state and it would set Keene on the right track toward its community vision.

On a roll call vote with 14 Councilors present and voting in favor, the Keene City Council adopted Ordinance O-2021-11A with an effective date of September 1, 2021. Councilor Bosley was absent the vote.

On a roll call vote with 14 Councilors present and voting in favor, the Keene City Council adopted Ordinance O-2021-10B with an effective date of September 1, 2021. Councilor Bosley was absent the vote.

ORDINANCE FOR SECOND READING – RELATING TO CHAPTER 46 LICENSES AND PERMITS – SOCIAL SERVICES AND CONGREGATE CARE USES LICENSE –
ORDINANCE O-2021-04

Planning, Licenses, and Development Committee report read recommending that the City Council vote to adopt Ordinance O-2021-04 with an effective date of September 1, 2021. Mayor Hansel filed the report. A motion by Councilor Greenwald to carry out to adopt with effective date of September 1, 2021 was duly seconded by Councilor Jones. The motion passed unanimously on a roll call vote with 14 Councilor present and voting in favor. Councilor Bosley was absent the vote.

PLD REPORT – ORDINANCE FOR SECOND READING – RELATING TO SOCIAL SERVICES AND CONGREGATE CARE USES AND LICENSE – ORDINANCE O-2019-13 AND ORDINANCE O-2019-14

Planning, Licenses, and Development Committee report read recommending that the City Council vote to defeat Ordinance O-2019-13 and Ordinance O-2019-14. Mayor Hansel filed the report. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded by Councilor Jones.

The City Attorney clarified that these ordinances were never on the books and so with a unanimous yes vote, there would be no changes.

The motion to defeat Ordinances O-2019-13 and O-2019-14 passed unanimously on a roll call vote with 14 Councilor present and voting in favor. Councilor Bosley was absent the vote.

FOP REPORT – ORDINANCE FOR SECOND READING – RELATING TO THE DUTIES OF THE CITY ATTORNEY

Finance, Organization, and Personnel Committee report read recommending the adoption of Ordinance O-2021-06. Mayor Hansel filed the report. A motion by Councilor Powers to adopt Ordinance O-2021-06 was duly seconded by Councilor Hooper. The motion passed unanimously on a roll call vote with 14 Councilor present and voting in favor. Councilor Bosley was absent the vote.

RESOLUTIONS – FY 2021-2022 BUDGET – BOND RESOLUTIONS

A memorandum was received from the Finance Director recommending Resolutions R-2021-15, R-2021-16, and R-2021-17 relating to appropriation of funds for the Flood Management, Patricia T. Russell Park Improvements, and Road Rehabilitation Projects be introduced and read at the

05/20/2021

May 20, 2021 meeting of the City Council and be referred to the Finance, Organization, and Personnel Committee for consideration, discussion, and a recommendation back to City Council. Mayor Hansel referred the Resolutions to the Finance, Organization, and Personnel Committee.

FOP REPORT – CHESHIRE RAIL TRAIL PHASE III – APPROPRIATION OF FUNDS – CITY ENGINEER AND CHESHIRE RAIL TRAIL PHASE III – REALLOCATION OF PROJECT BALANCE – CITY ENGINEER

Finance, Organization, and Personnel Committee report read recommending the reallocation of unspent project funds from the Cheshire Rail Trail Phase II project to the Cheshire Rail Trail Phase III project. A motion by Councilor Powers to reallocate unspent funds from the Cheshire Rail Trail Phase II project to the Cheshire Rail Trail Phase III project was duly seconded by Councilor Hooper. The motion passed unanimously on a roll call vote with 14 Councilor present and voting in favor. Councilor Bosley was absent the vote.

The report further recommended the adoption of Resolution R-2021-24. A motion by Councilor Powers to adopt Resolution R-2021-24 was duly seconded by Councilor Hooper. The motion passed unanimously on a roll call vote with 14 Councilor present and voting in favor. Councilor Bosley was absent the vote.

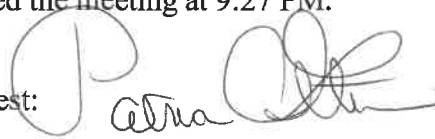
FOP REPORT – CHESHIRE RAIL TRAIL PHASE III – CONSULTANT SELECTION – CITY ENGINEER

Finance, Organization, and Personnel Committee report read recommending that the City Manager be authorized to do all things necessary to negotiate and execute a professional services contract with Greenman-Pedersen, Inc., in an amount not to exceed \$80,000, for Construction Engineering Services required for the Cheshire Rail Trail Phase III project. A motion by Councilor Powers to carry out the intent of the report was duly seconded by Councilor Hooper. The motion passed on a roll call vote with 14 Councilors present and voting in favor. Councilor Bosley was absent the vote.

ADJOURNMENT

There being no further business, Mayor Hansel adjourned the meeting at 9:27 PM.

A true record attest:



City Clerk



CITY OF KEENE
PUBLIC HEARING

Notice is hereby given that a Public Hearing will be held before the Keene City Council relative to Resolution R-2021-22, which, at the time of the printing of this notice, would require that the sum of \$27,045,542 be raised by taxation during the current year which together with \$36,349,154 for estimated operating revenues aggregating \$63,394,696 is hereby appropriated for the use of the several departments of the City Government, and further that the sum of \$6,293,363 be appropriated for capital expenditures and capital reserve appropriations in the City proprietary funds, funded by the use of capital reserves, fund balance and current revenues, for the fiscal year beginning July 1, 2021.

Due to the COVID-19 State of Emergency, the City Council will be holding this public hearing remotely. Members of the public will be able to access this public hearing through the following link: <https://us02web.zoom.us/j/82827464839>. To listen via telephone, call toll free 1-877-853-5257 and enter the meeting ID # 828 2746 4839. When the meeting is open for public comments, callers may press *9 if interested in commenting or asking questions. To report a technical issue, call 1-603-757-0622 during the meeting. The budget document is available on the City of Keene website at <http://www.ci.keene.nh.us/home> under the "Public Notices" section.

Hearing Date: June 3, 2021
Hearing Time: 7:00 PM

Per order of the Mayor and Councilors of the City of Keene, this 6th day of May, two thousand and twenty one.

Attest: 
City Clerk



City of Keene, N.H.
Transmittal Form

May 17, 2021

TO: Mayor and Keene City Council

FROM: Mayor George S. Hansel

ITEM: B.1.

SUBJECT: Confirmation

COUNCIL ACTION:

In City Council May 20, 2021.

Tabled until the next regular meeting.

RECOMMENDATION:

I hereby appoint the following individual to serve on the designated Board or Commission:

Energy & Climate Committee

Hillary Ballantine, alternate slot 12

57 Washington Street, apt. 2

Term to expire Dec. 31, 2023

ATTACHMENTS:

Description

Background_Ballantine

Patty Little

From: helpdesk@ci.keene.nh.us on behalf of City of Keene <helpdesk@ci.keene.nh.us>
Sent: Wednesday, April 7, 2021 4:55 PM
To: Helen Mattson
Cc: Patty Little; Terri Hood
Subject: Interested in serving on a City Board or Commission

<p>Submitted on Wed, 04/07/2021 - 16:49</p>

<p>Submitted values are:</p>

First Name:

Hillary

Last Name:

Ballantine

Address

57 Washington St, Apt 2

Email:

Cell Phone:

7404030779

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

Energy and Climate Committee, Conservation Commission

Employer:

Community College System of New Hampshire

Occupation:

Lab Assistant II/Adjunct Faculty

Education:

Master of Science in Environmental Studies, Antioch University New England

Have you ever served on a public body before?

Yes

If you answered yes above, please provide what public body you served on and where.

Currently a Delegate at Large for the Keene Democrats

Please provide some references:

Bobby Williams

References #2:

Julie Robinson
jrobinson@ccsnh.edu
6036801799

If you would like to share any attachments, please upload them here.
[Ballantine Resume.pdf](#)

EDUCATION

Antioch University New England • 2017

- Master of Science in Environmental Studies

Coastal Carolina University • 2013

- Bachelor of Science in Marine Science
- Bachelor of Science in Biology

PROFESSIONAL EXPERIENCE

Franklin Pierce University • 2018 – Present

Adjunct Faculty

- Instruct Oceans and Weather/Climate labs, supervise students during field work

River Valley Community College • 2017 – Present

Adjunct Faculty

- Create, develop, implement, instruct, and assess Environmental Science lecture and lab, supervising students in the field

Lab Assistant II

- Prepare and generate all materials for science labs, including Microbiology, Anatomy & Physiology, Chemistry, Biology, and Environmental Science
- Manage lab space, maintain cleanliness, organization of all materials, inventory all supplies to meet class deadlines

Cape Ann Whale Watch • 2015 – 2016

Naturalist

- Collected quantitative and qualitative data, photographed and identified individual whales
- Instructed and evaluated interns on presentation of lessons
- Engaged and educated passengers during whale watching tour, fielded questions, kept records of all data

Myrtle Beach State Park • 2014

Naturalist

- Collaborated with park rangers on presenting creative and innovative programs on forest and marine life to school field trips and large events, completed general maintenance work
- Developed and implemented educational programs, assisted in implementation of events, supervised interns

VOLUNTEER EXPERIENCE

Elizabeth Warren for President • 2019 – 2020

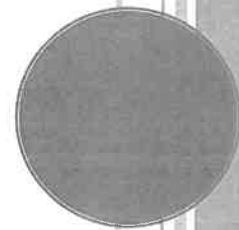
Community Organizer

- Participated in community outreach through canvassing and phone banking
- Planned small policy pop-ups to discuss policies with voters
- Trained new volunteers and lead canvass launches

OrganizeNH • 2020

Staging Location Director

- Trained new volunteers and lead literature drop launches





City of Keene, N.H.
Transmittal Form

June 1, 2021

TO: Mayor and Keene City Council

FROM: Mayor George S. Hansel

ITEM: B.2.

SUBJECT: Nomination

RECOMMENDATION:

I hereby nominate the following individual to serve on the designated Board or Commission:

Southwest Region Planning Commission

Chris Cusack, slot 1

153 Baker Street

Term to expire Dec. 31, 2024



City of Keene, N.H.
Transmittal Form

June 1, 2021

TO: Mayor and Keene City Council

FROM: Leslie A. Kelton

THROUGH: Patricia A. Little, City Clerk

ITEM: C.1.

SUBJECT: Leslie Kelton - In Support of Machina Arts Request for Parklet

ATTACHMENTS:

Description

Communicaiton_Kelton

BACKGROUND:

Ms. Kelton is expressing her support for the request by Machina Arts to build a parklet in front of their establishment on Court Street.

Leslie Athena Kelton
37 Central Square, Apt #2
Keene, NH 03741
Leslie.A.Kelton@Dartmouth.Edu

May 28, 2021

Honorable Mayor George S. Hansel and City Council
3 Washington Street
Keene, NH 03431

Dear Mayor and City Council Members,

I would like to address Machina Arts request to build a parklet in front of their establishment as reviewed during the May 5th City Council Meeting.

Over the past year, during a time of instability and absolute unknown Machina Arts did not just talk about their love for their community but they showed it through thoughtful, kind, and generous actions. They run their business with the ethos of "community first", it is time for the City of Keene to respond in kind.

I encourage you to grant them access to build their parklet, use them as a beta site. Gather data and use that data to make a truly informed decision. Do not shut it down before you have had a chance to try it. To quote the Mission Statement "...to provide services and amenities that enhance the quality of life for those who live, learn and work in as well as enjoy the City of Keene". It seems to me that granting them the chance build a parklet supports our Mission Statement to the full intent.

I would also like to address the number of ludicrous comments from other local small business about the "safety" and they "lack of parking" in Keene, really if you are against another small local business doing something to better their business because it creates competition for your business just say it do not hide behind fabricated issues, that is cowardly.

Thank you for your time and consideration, I really hope you do the right thing. My trust in government has been tested over the past year please help me to regain it by approving their request.

Thank you.

Leslie Athena Kelton





City of Keene, N.H.
Transmittal Form

June 1, 2021

TO: Mayor and Keene City Council

FROM: Councilor Robert Williams

THROUGH: Patricia A. Little, City Clerk

ITEM: C.2.

SUBJECT: Councilor Williams - Renaming of the North Bridge

ATTACHMENTS:

Description

Communication_Williams

BACKGROUND:

Councilor Williams is recommending the North Bridge be named after former Mayor, Philip (Dale) Pregent.

1 June 2021

Bobby Williams
66 North Lincoln Street
Keene, New Hampshire
03431

Keene City Council
3 Washington Street
Keene, New Hampshire 03431

To the Honorable Mayor and City Council,

In honor of our late former Mayor, I propose that North Bridge be renamed the Philip 'Dale' Pregent Bridge.

Sincerely,

A handwritten signature in blue ink, appearing to read "Robert Crane Williams". The signature is fluid and cursive, with a large, stylized initial "R" and "W".

Robert Crane Williams
City Councilor, Ward 2



City of Keene, N.H.
Transmittal Form

May 26, 2021

TO: Mayor and Keene City Council

FROM: Municipal Services, Facilities and Infrastructure Committee

ITEM: D.1.

SUBJECT: Acceptance of Public Art – Parks, Recreation and Facilities Director

RECOMMENDATION:

On a vote of 5-0, the Municipal Services, Facilities and Infrastructure Committee recommends the City Manager be authorized to do all things necessary to accept and install the proposed public art piece by Martina Muller, to be placed at the Dillant-Hopkins Airport in accordance with Resolution R-2018-22.

BACKGROUND:

Andy Bohannon, Parks, Recreation and Facilities Director presented Katie Schwerin's third installment at this location, which also includes the Monadnock Labyrinth by Katie Schwerin and the dynamic sculpture by Adam Schepker. He explained that the piece, which is set to be installed at the Dillant-Hopkins Airport, is called Lift, by Martina Muller. He referred to the packet where there was an example of the piece, mentioning that he reviewed the resolution criteria and all were met, as well as reviewed the location with the Airport Director.

Mr. Bohannon went on to state that this would be the third and final installment in a process that began several years ago with the Friends of Public Art. He expressed that Ms. Schwerin did a great job creating synergy throughout the labyrinth and airport components and kicking off their Public Arts Policy. He felt the piece was beautiful and encouraged the City to accept it.

Mr. Bohannon then reviewed the resolution criteria:

- 1) *Whether the Public Art reflect aspects of the City's history, unique environment, cultural identity, or community at-large* - Mr. Bohannon stated the piece has synergy between the airport and labyrinth. He further explained that it is called Lift and has wings, fitting right into the area and simulating airplanes lifting off and people experiencing that spiritual connectivity in the labyrinth area.
- 2) *Whether the Public Art aesthetically enhances public spaces or environments to which it relates or interacts* – The piece will sit up above the Mount Monadnock labyrinth and act almost like a bird already lifted in the air so you can look up and see it.
- 3) *Whether the Public Art is commensurate in scale with its surroundings* – The piece is to scale with everything there and will fit nicely.
- 4) *Whether the Public Art is technically feasible to produce and to display* - Ms. Muller is a professional sculptor and has several pieces in Massachusetts, which Mr. Bohannon viewed online and noted as exceptional, mentioning that the City of Keene was lucky to acquire such a piece of art.
- 5) *Whether the Public Art is unique and original and not mass produced or standardized* - Ms. Muller is a professional and the piece is definitely unique.
- 6) *Whether the Public Art is durable, constructed of materials that will survive in the environment in which it will be placed, and reasonable to maintain in terms of time and expense* – The piece was sculpted out of metal and will last. The finish may change slightly over time.

7) *Whether the artist(s) and/or organization(s) submitting a proposal for Public Art can demonstrate that the artist(s) and/or organization(s) is (are) recognized by critics and peers as one who produces works of art* - Ms. Muller is well acclaimed and nationally recognized as a sculptor, with her own displays throughout the New England area.

8) *Whether the Public Art is in a location that allows for necessary maintenance* – The piece is in a location up above the labyrinth at the edge of the woods, near a trail with picnic tables and peace pole nearby.

9) *Whether the Public Art is designed to be reasonable protected from environmental degradation, damage, vandalism, or theft* - The piece is well constructed and will be in place long-term.

10) *Whether the Public Art is affixed to a structure or building and whether the structure or building is expected to remain in good condition for twenty (20) years* – The piece will be self-standing and is expected to remain in good condition.

11) *Whether the Public Art creates a public safety, health, or security concern* – The piece does not create a health or safety concern.

Rebecca Landry showed a photo of the sculpture to the committee.

Chair Manwaring invited Ms. Schwerin to speak.

Katie Schwerin expressed her excitement for the project coming together and noted that Ms. Muller had been working on the design for quite some time, as original ideas for it came even before the labyrinth installment.

Vice Chair Giacomo asked about the depth in the ground which was listed as 2.5ft, noting that would not be below frost line. He wondered if they were worried about heaving. Ms. Schwerin stated that the installer, Peter Barrett from Great Barrington, has worked 30 years in steel and felt it would be adequate. She added that she could ask for further details if necessary.

There were no further questions from the committee or the public.

The following motion by Vice Chair Giacomo was duly seconded by Councilor Filiault:

On a vote of 5-0, the Municipal Services, Facilities and Infrastructure Committee recommends the City Manager be authorized to do all things necessary to accept and install the proposed public art piece by Martina Muller, to be placed at the Dillant-Hopkins Airport in accordance with Resolution R2018-22.

Chair Manwaring stated they are grateful to Ms. Schwerin and hopeful that Council will take their recommendation.



City of Keene, N.H.
Transmittal Form

May 26, 2021

TO: Mayor and Keene City Council

FROM: Municipal Services, Facilities and Infrastructure Committee

ITEM: D.2.

SUBJECT: Eugenia Snyder/Eversource Energy – Request to Access Old Gilsum Road – Transmission Pole Replacement in Power Line Right of Way

RECOMMENDATION:

On a vote of 5-0, the Municipal Services, Facilities and Infrastructure Committee recommends per Section 94-238 of the City Code of Ordinances that Eversource Energy be permitted to use motorized vehicles on the Class 6 portion of the Old Gilsum Road from the date of approval through November 30, 2021, for the purpose of transporting in and out equipment needed to replace existing wood transmission poles in the power line Right of Way. This access is to be coordinated with City staff and subject to compliance with any conditions set by staff.

BACKGROUND:

Eugenia Snyder, a Right-of-Way agent with Eversource, requested access to power lines via Old Gilsum Road to upgrade 4 wooden structures. She introduced their project manager Alfred Maki, Jennifer Codispoti from their outreach group, and Connor Jennings from Community Relations.

Chair Manwaring asked how long the project will last. Ms. Snyder replied that the idea is to complete it by the end of November 2021, noting that it will take place in phases.

Jennifer Codispoti explained that they are replacing structures from Keene to Antrim and the project will occur in multiple stages, starting with site work and followed by crews who prepare the holes and then install the new poles, transfer the wire to the new poles and then remove the old poles. She added that they also have an optical ground wire, a communications cable, which will be installed along the line afterwards, and this is why their request to access the road is for such a long duration. Ms. Codispoti reiterated that they won't be working on site and accessing the road every single day.

Councilor Williams asked if the fiber optic communication wire would be for public internet communications or for private use. Ms. Codispoti replied that its purpose is for communication between substations, which enhances reliability. It will not be for internet use.

Director of Public Works/Emergency Management Director, Kurt Blomquist, stated that Old Gilsum Road is a Class 6 road which was closed by Council in approximately 1954. Restrictions were later placed on the road and include no use of motorized vehicles unless permission is requested and granted by Council. He recommended that the committee grant permission for the use of motorized vehicles on the roadway out through November 30, 2021. Mr. Blomquist reiterated that the project will not require continuous access of the road. Additionally, if any work on Old Gilsum Road is needed, such as the need for gravel to be put down, Eversource would be required to receive an excavation permit from the Public Works Department. He

mentioned that Mr. Bohannon would work with them as well because a lot of surrounding areas are recreational trails, which he stated Eversource is aware of and has worked around in the past.

Vice Chair Giacomo reminded everyone of a recent request they covered from a private citizen asking to utilize the aforementioned road, noting the resulting questions would be applicable for the present request as well. He asked what type of vehicles would be used and if there should be a concern for degradation to the road. He recognized telecommunications and power lines as critical for the City but noted his concern with regards to the vehicles potentially damaging the road.

Mr. Blomquist stated there had been property owners who had done logging along the Old Gilsum Road in years past, noting that the road has seen large vehicles proceeding up and down it. He reiterated that the excavation permitting process is in place for situations where improvements on the road are needed and certain conditions can be set.

Ms. Codispoti stated they will be bringing in different types of equipment, including bucket trucks and trailers, and don't intend to have any improvements made to the road. She added that they will work with Mr. Blomquist and Mr. Bohannon throughout the entire process and have a pre and post review of the road to make sure any damage is monitored and repaired. She noted that they typically video the road before work begins as well.

There were no further questions or comments from the committee or the public.

The following motion by Vice Chair Giacomo was duly seconded by Councilor Filiault.

On a vote of 5-0, the Municipal Services, Facilities and Infrastructure Committee recommends per Section 94-238 of the City Code of Ordinances that Eversource Energy be permitted to use motorized vehicles on the Class 6 portion of the Old Gilsum Road from the date of approval through November 30, 2021, for the purpose of transporting in and out equipment needed to replace existing wood transmission poles in the power line Right of Way. This access is to be coordinated with City staff and subject to compliance with any conditions set by staff.

Councilor Williams added that he was in support but felt it was unfortunate that they have a right-of-way going through the forest that's dedicated for the transmission of electricity and is not also providing broadband to the people of Keene.



City of Keene, N.H.
Transmittal Form

May 26, 2021

TO: Mayor and Keene City Council

FROM: Municipal Services, Facilities and Infrastructure Committee

ITEM: D.3.

SUBJECT: Eric George/National Grid – Request to Access Old Gilsum Road for Tree and Brush Clearing of Power Line Right of Way

RECOMMENDATION:

On a vote of 5-0, the Municipal Services, Facilities and Infrastructure Committee recommends per Section 94-238 of the City Code of Ordinances, the National Grid be permitted to use motorized vehicles on the Class 6 portion of the Old Gilsum Road from June 4 through June 18, 2021, for the purpose of transporting in and out the equipment needed to perform maintenance to control trees and brush on the power line Right of Way. This access is to be coordinated with City staff and subject to compliance with any conditions set by staff.

BACKGROUND:

Eric George was not present. Chair Manwaring tabled the item to the end of the meeting. Chair Manwaring moved to item number 4.

At 6:09 pm Eric George was present; however, technical difficulties occurred and Chair Manwaring again tabled the item until later in the meeting and directed the committee to item number 5.

The City Clerk advised that the item was a time sensitive issue and requested that the Chair and committee consider making the motion to have the item go before council next week, perhaps reading the letter into the record.

Mr. Blomquist agreed and stated the request was similar to previous requests and noted that they have a specific timeframe, between June 4 and June 18, 2021, within which they must have the work completed. He added that the work is not on the Old Gilsum Road but off on their Right of Ways and lines, and they will primarily be focusing on vegetation control. The motion will allow them to utilize the Old Gilsum Road to move their equipment and, again, they will have to comply with staff requirements.

At 6:14pm Eric George was present via phone. He stated that the work they are doing is IVM, Integrated Vegetation Management, and they will not be clearing or widening the Right of Way. He further explained they will be controlling the brush and trees that grow on the floor of the Right of Way, which is a low impact approach and mostly done by hand. The only trucks used would be pick up style trucks and possibly a crew cab style van. He stated no bucket trucks or chippers would be used since the work will be done using chainsaws and by hand. Lastly, he mentioned that they won't be in there doing work for the entire two weeks but wanted to give a window of time because they are doing the entire line from the MA state line up to Walpole.

Councilor Williams asked which species they'd be clearing.

Mr. George replied that typical target species are most hardwoods, maples, birches, oaks, white pines, sugar maples, and any typical tall growing trees in New England that they need to avoid growing on the floor of the Right of Way. He added that they don't touch native low growing brush.

Councilor Williams asked about Autumn Auburn or species that could spread invasively through the forest.

Mr. George stated invasive species are a huge nuisance but most of the time they are "compatible" and don't cause line interruptions; however, they will clear those types of species along access roads and structures. He added that they would like to control more invasive species but they would have to apply for a permit to do so and be very specific about what would occur.

Vice Chair Giacomo stated he had past experience with the work they do and could attest that it is low impact. He thanked Mr. George for his presentation.

There were no further questions or comments.

The following motion by Vice Chair Giacomo was duly seconded by Councilor Filiault.

On a vote of 5-0, the Municipal Services, Facilities and Infrastructure Committee recommends per Section 94-238 of the City Code of Ordinances, the National Grid be permitted to use motorized vehicles on the Class 6 portion of the Old Gilsum Road from June 4 through June 18, 2021, for the purpose of transporting in and out the equipment needed to perform maintenance to control trees and brush on the power line Right of Way. This access is to be coordinated with City staff and subject to compliance with any conditions set by staff.



City of Keene, N.H.
Transmittal Form

May 26, 2021

TO: Mayor and Keene City Council

FROM: Municipal Services, Facilities and Infrastructure Committee

ITEM: D.4.

SUBJECT: Acceptance of a Drainage Easement – Old Walpole Road – City Engineer

RECOMMENDATION:

On a vote of 5-0, the Municipal Services, Facilities and Infrastructure Committee recommends the City Manager be authorized to do all things necessary to negotiate and accept a drainage easement over portions of parcel #506-065.

BACKGROUND:

City Engineer, Don Lussier, reported on a small section of enclosed drainage system that the City owns and maintains on Old Walpole Road. He stated the system is isolated but accepts drainage from Hilltop Drive and a small portion of Old Walpole Road. It directs the drainage northwest, crossing under Old Walpole Road and into Black Brook. Mr. Lussier went on to state that they don't have good records about when it was initially installed, but at some point the City installed a 12 inch corrugated metal pipe diagonally across a private parcel in the aforementioned area. He stated that the pipe appears to have been designed for overflow during extremely heavy rain events to take the overflow and discharge it in the rear of the parcel. He further explained that in 1990 better records show that the property owner asked the City to relocate the drain in order to build a two-car garage. Mr. Lussier stated a proposed drainage easement plan was prepared but it appears it was never followed up on or executed.

In the last few years the property owner has expressed concerns that the flow from the pipe is causing the back lawn area and ground underneath and around a tool shed to stay wet. Mr. Lussier reported that they came up with a short-term plan to extend the existing drainage pipe approximately 110 feet so it goes past the owner's shed and towards the wooded area, allowing the flow to dissipate naturally through the wooden portion of the parcel. They have asked the property owner to grant them a drainage easement to install and maintain the system. He added that the easement will be written so that if, in the future, the drainage pipe is no longer needed to serve the public right-of-way, the drainage easement will automatically extinguish and requirements for the City to properly terminate and restore the owner's property will be provided.

Councilor Filiault stated the property owner asked him to walk his property with him and provided him with the long-standing history. He mentioned that the owner alerted him to major flooding caused by recent heavy rain and requested that the approval go through as soon as possible.

There were no further comments or questions from the committee or public.

The following motion by Vice Chair Giacomo was duly seconded by Councilor Filiault.

On a vote of 5-0, the Municipal Services, Facilities and Infrastructure Committee recommends the City

Manager be authorized to do all things necessary to negotiate and accept a drainage easement over portions of parcel #506-065.



City of Keene, N.H.
Transmittal Form

May 26, 2021

TO: Mayor and Keene City Council
FROM: Planning, Licenses and Development Committee
ITEM: D.5.

SUBJECT: Madeline Ullrich/Keene Downtown Group – Request to Use City Property – Art Walk

RECOMMENDATION:

On a vote of 4-0, the Planning, Licenses, and Development Committee recommends that the Keene Downtown Group be granted a street fair license to use downtown City property in conjunction with the annual Art Walk. Said permission is extended to use downtown City sidewalks on June 5, 2021 and June 12, 2021, for art demonstrations in front of various businesses from 10:00 AM to 4:00 PM. Further, permission is extended for the shared use of Railroad Square on June 5, 2021 to accommodate the Art Market sponsored by the Friends of Public Art and use of Railroad Square on June 12, 2021 for related event activities. Said license is granted subject to the following provisions: the furnishing of a certificate of liability insurance in the amount of \$1 million; listing the City of Keene as an additional insured; the signing of a revocable license and indemnification agreement; the maintenance of a 6-foot clearance on the sidewalk for pedestrian traffic; and compliance with any recommendations from City staff. The Petitioner agrees to absorb the costs for any special City services provided.

BACKGROUND:

Chair Bosley asked to hear from Karen Lyle or Madeline Ullrich.

Karen Lyle of 383 Main St. stated that for Keene Art Walk, art from the Monadnock region will be displayed in downtown business windows. She continued that it has run for 30 years, even during COVID-19, although in a simpler form. This year they are expanding Art Walk and requesting a sidewalk sale license so that folks can be on the street. If businesses want to come on the street they may. They are also asking for free parking for the two Saturdays, following the footprint of downtown and going one block off of downtown in each direction on Emerald St., Gilbo Ave., Washington St., and Roxbury St. They are also looking for electricity to go into four places downtown, because they will have tents containing artist demonstrations and music, on both Saturdays from 11:00 AM to 4:00 PM.

Mr. Blomquist stated that staff held a protocol meeting with Ms. Lyle and representatives from the Keene Downtown Group for the Art Walk. He continued that this is his 28th time coordinating the City support for this, and it is one of his favorite events. As Ms. Lyle explained, they are doing a few things differently this year, which staff thinks is great. Staff has worked with them to go over their various protocol items. Staff is not recommending that the Committee grant the request for free parking around the downtown and that Med Kopczynski, Economic Development Director/Director of Parking Services was here tonight to speak to the parking fund balance. One of staff's concerns is that the Parking Fund is not healthy this year. Also, the two-hour parking limit is not lifted. Residents would not necessarily be paying the fee for the two-hour limit, but the two-hour limit is still enforced. The Keene Downtown Group did not want to have folks get parking tickets, but theoretically, if someone is remaining in a two-hour parking space for more than two hours then they

certainly will. Staff also wants to encourage the use of the long-term lots, which are in the immediate areas of the downtown, such as Wells St., Commercial St., and Gilbo Ave. This event is in the heart of the city and specifically in the heart of the downtown, and staff recommends that the Committee move forward and grant the license.

Councilor Jones stated that he looks forward to this. He continued that he wants to thank Ms. Lyle and all of Art Walk volunteers, and wish them a happy 30th anniversary. For many years, he was a school chaperone, bringing students down to see the Art Walk. It was great to see students inspired by it.

Chair Bosley asked if there were any further questions. Hearing none, she asked if members of the public had any questions. Hearing none, she turned to the Committee for discussion. She stated that she would like to hear Committee members' opinions about the request for free parking. The standard license for Art Walk has not included that in the past. Does the Committee feel comfortable including it this time? What do they think about Mr. Blomquist's comments about the Parking Fund being in the negative?

Councilor Jones stated that as long as the Petitioner has heard what Mr. Blomquist said, the Committee should go with Mr. Blomquist's recommendation, unless the Petitioner has something else to add.

Chair Bosley asked Mr. Blomquist if he has a recommendation on whether to grant the free parking. Mr. Blomquist replied that staff's recommendation is to not grant the free parking. He continued that it does not necessarily affect the event and how the Keene Downtown Group runs the event. The purpose of their request was the Keene Downtown Group's belief that free parking may bring more people to the event or have them stay longer.

Councilor Jones stated that the recommended motion does not talk about that, so he thinks they are fine with the prepared recommended motion.

Chair Bosley asked if members of the public had any questions. Hearing none, she asked for a motion.

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

On a vote of 4-0, the Planning, Licenses, and Development Committee recommends that the Keene Downtown Group be granted a street fair license to use downtown City property in conjunction with the annual Art Walk. Said permission is extended to use downtown City sidewalks on June 5, 2021 and June 12, 2021, for art demonstrations in front of various businesses from 10:00 AM to 4:00 PM. Further, permission is extended for the shared use of Railroad Square on June 5, 2021 to accommodate the Art Market sponsored by the Friends of Public Art and use of Railroad Square on June 12, 2021 for related event activities. Said license is granted subject to the following provisions: the furnishing of a certificate of liability insurance in the amount of \$1 million; listing the City of Keene as an additional insured; the signing of a revocable license and indemnification agreement; the maintenance of a 6-foot clearance on the sidewalk for pedestrian traffic; and compliance with any recommendations from City staff. The Petitioner agrees to absorb the costs for any special City services provided.



City of Keene, N.H.
Transmittal Form

May 26, 2021

TO: Mayor and Keene City Council
FROM: Planning, Licenses and Development Committee
ITEM: D.6.

SUBJECT: Georgia Cassimatis/Friends of Public Art – Request to Use City Property – Outdoor Art Market - Railroad Square

RECOMMENDATION:

On a vote of 4-0, the Planning, Licenses, and Development Committee recommends that Friends of Public Art be granted a General Use of City Property license for the shared use of Railroad Square on June 5, 2021, from 11:00 AM to 4:00 PM to accommodate activities associated with the Art Walk sponsored by the Keene Downtown Group; and the use of Railroad Square on July 30, September 4, and October 2, 2021, from 8:00 AM to 2:00 PM to hold an outdoor Art Market. Said license is granted subject to the following provisions: the furnishing of a certificate of liability insurance in the amount of \$1 million, listing the City of Keene as an additional insured; the signing of a revocable license and indemnification agreement; and compliance with any recommendations from City staff. Petitioner agrees to absorb the cost for any additional City services provided.

BACKGROUND:

Chair Bosley asked to hear from Georgia Cassimatis.

Georgia Cassimatis of 46 Centennial Rd., Gilsum, stated that she submitted an application about hosting a periodic artisan market throughout the summer in Railroad Square. She continued that the application proposes four dates. The first event will fall within the Art Walk event. The proposed time coincides with the Farmer's Market, the idea being that the Farmer's Market is for farmers and the Artist's Market will be for artisans. The Farmer's Market's capacity for artisans is full and there is a lack of space to host the art there. She hopes that Railroad Square could be an opportunity for this type of use. She would like to amend the proposed time for June 5, to match the Art Walk's hours of 11:00 AM to 4:00 PM, if possible, but she would like to keep the proposed hours of 9:00 AM to 1:00 PM for the remainder of the Art Market dates.

Ms. Cassimatis continued that she submitted a picture of Railroad Square and wanted to talk about the space available. She and Madeline (Ulrich) are in conversation and will make sure they accommodate each other instead of crowding each other, regarding the placement of Art Walk activities and Artist's Market activities. She would like the Artist's Market to be able to spill out into the grass area if possible. She has many artisans who want to participate but she has not given a final count or an okay to the people who responded, because she was waiting for this PLD Committee meeting to happen.

Chair Bosley thanked Ms. Cassimatis for that background and asked to hear from City staff.

Andy Bohannon, Parks, Recreation, and Facilities Director, stated that he and Ms. Cassimatis have been working on this event. He continued that this is similar to an event that happened a few years ago. One reason

this came before the PLD Committee is there is commercial activity as part of the market. Staff thought it was appropriate to not just do a standard Railroad Square use permission from the Recreation Center, but to instead do a Use of City Property application and go through this process, provide insurance, and so on and so forth. By doing this type of license, staff can work with Ms. Cassimatis to extend into the grass area if needed, depending on how many artisans there are.

Councilor Greenwald stated that the Trax Club has outdoor seating. He continued that he wanted to make sure Trax still had the ability to be outdoors during this event. Mr. Bohannon replied that City staff could certainly work with Trax. He continued that at this time the Trax Club still has not gotten its license through the City Clerk's Office, but staff will be working with Club related to these type of events.

Chair Bosley stated that she drove by the area this evening to look at the space, and she thinks the Trax Club and the Artist's Market can co-exist.

Chair Bosley asked if there were any further questions from the Committee. Hearing none, she asked if members of the public had any questions. Hearing none, she asked for a motion.

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

On a vote of 4-0, the Planning, Licenses, and Development Committee recommends that Friends of Public Art be granted a General Use of City Property license for the shared use of Railroad Square on June 5, 2021, from 11:00 AM to 4:00 PM to accommodate activities associated with the Art Walk sponsored by the Keene Downtown Group; and the use of Railroad Square on July 30, September 4, and October 2, 2021, from 8:00 AM to 2:00 PM to hold an outdoor Art Market. Said license is granted subject to the following provisions: the furnishing of a certificate of liability insurance in the amount of \$1 million, listing the City of Keene as an additional insured; the signing of a revocable license and indemnification agreement; and compliance with any recommendations from City staff. Petitioner agrees to absorb the cost for any additional City services provided.



May 26, 2021

TO: Mayor and Keene City Council
FROM: Planning, Licenses and Development Committee
ITEM: D.7.

SUBJECT: General Discussion – Parklets - Public Works Director

RECOMMENDATION:

On 4-0 roll call vote, the Planning, Licenses and Development Committee recommends to amend Chapter 46 to create a provision for parklet requests to come to the PLD Committee for initial review.

BACKGROUND:

Chair Bosley asked to hear from City staff.

Kürt Blomquist stated that the Committee received a communication from Danya Landis, requesting the ability to erect a parklet in front of her business located on Court St. He continued that “parklet” is a relatively new term that has come up over the past 5 to 8 years. Parklets are generally in the more built-up areas of a community. The idea is to repurpose parking areas that have been traditionally utilized by vehicles, to provide additional seating, possibly provide green/park space, and potentially provide additional dining or gathering spaces. These can be permanent spaces, but in many cases, parklets are temporary. Temporary construction blocks off the area for vehicle parking but provides the amenities for these other activities. Cities such as Manchester and Concord have parklets.

Mr. Blomquist continued that staff got together to look at this, including folks from the Community Development Department, Parking Services, and Public Works. They looked at where parklets may be appropriate in the downtown area. They looked through the design guidance that is out there with a number of communities having issued specific guidelines for the construction, maintenance, and operation of parklets. They looked at communities across the country, but he was most interested in those in more tepid climates than those in southern California or Florida. They looked at the criteria for where parklets could be located and potential facilities that the City would provide, because this would be a partnership. They also talked about fees, and identified some general expectations that the City would be issuing as part of a license for the business or property owner who is doing a parklet.

Mr. Blomquist continued that Mr. Kopczyński and John Rogers, Code Enforcement, looked at the downtown sidewalks, primarily from Central Square to about Emerald St. They looked at the different widths of sidewalks, which vary from about 6 feet to 12 feet. They looked at areas of outdoor dining that exist today through the café licenses, and how much space those were using, and how that relates to the sidewalk configuration. They identified that approximately 8 feet of space or more would provide sufficient room for a property owner or a merchant to have activity in front of their business and also provide sufficient space for the public to move through the area. That is important; the sidewalks are there to allow the public to move around downtown and be able to visit all the different areas. They also identified areas where there are parking meters; medians with landscaping, where the areas narrow down; or have less than 8 feet of sidewalk width.

Mr. Blomquist continued that parking in the downtown serves multiple purposes. It does not necessarily just provide parking for the businesses on the ground floor; it also provides parking for businesses on the second and third floors, such as lawyers, hairdressers, and health providers. Staff considered this and wants to minimize the loss of parking. A parallel parking space is 18 feet long along the curb. A 60-degree-angled space, which most parking spaces in the downtown area are, is about 10 feet wide. For every parallel space there are two angled spaces. They wanted to try to minimize the loss of spaces. That brought their focus to looking at the downtown areas that did have more parallel parking along the street versus the angled parking.

Mr. Blomquist continued that after staff looked at all of that, and went through and applied the criteria they had developed, they identified a number of areas in the downtown that could accommodate a parklets. Areas where sidewalks are less than 8 feet wide, or have less than 8 feet available due to restrictions, primarily parallel parking was along those, to minimize the loss of spaces. The areas they identified are: the east side of Court St., from Central Square to Vernon St.; the south side of Roxbury St. from approximately Central Square, the first entrance on the east side, to the Hannah Grimes parking lot area; the north side of Railroad St. between Main St. and the entrance to 42 Main (just west of the carriage house); and the south side of Winter St. between Court St. and the Cheshire County parking lot entrance. Those areas staff sees as having met the criteria of not having sufficient space on the sidewalk, and having parallel parking.

Mr. Blomquist continued that staff then discussed how the City would participate in parklets. As the Public Works Director, one of his concerns is the general safety of anyone who is close to the travel way. Staff recommends the City provide some type of block structure for protection. Some staff members feel jersey barriers are ugly. They looked at potentially some decorative block structures that they could reuse in some other work, such as when they close downtown. The blocks would be about 1.5' wide by 3' tall by 4' long. They weigh 500 to 700 lbs. Depending on location, they could use as few as two blocks or upwards of four.

Mr. Blomquist continued that staff talked about expectations and criteria they would establish for the parklet users. A business would be potentially licensed to use one or two parking spaces in front of their area, and if they want to use more space than that, they would need concurrence from the adjacent property owner. That is similar to how it works with café licenses. Other expectations are to not block gutter flow, so it does not cause flooding; and the construction proposals need to comply with accessibility and with other City regulations, such as insurance indemnifications. Mr. Rogers is looking at expectations for compliance with City Code, regarding construction, to ensure general safety. In addition, businesses would be required to already have a café license in order to have a parklet license, because the café license sets up expectations for the sale of alcohol and those requirements would pass over to the parklet space.

Mr. Blomquist continued that regarding how to license parklets, they identified under the City's Code of Ordinances, a General License for Use of City Property. Section 46-23 provides the ability through the City Clerk's Office. However, this license would be part of a review team; it will not solely be the City Clerk's Office issuing these licenses. The City Clerk's Office has the ability to issue licenses for use of City property, including but not limited to City parking spaces, sidewalks, rights-of-way, and so on and so forth. That same section, 46-24, also deals with the sale of alcohol, which requires anyone doing this on City property to comply with the recommendations of the NH Liquor Commission.

Mr. Blomquist continued that lastly, staff discussed what the fee for this license should be. They looked at the basic cost for City staff to review and issue the license, following City Council's fiscal policy, Section 3C, which talks about how much license fees should be. They did not look at full cost recovery, but they looked at the fact that there would be several hours from the Code Enforcement Office and Public Works Department. They settled on \$100 to cover those hours. The other component is the rental for the parking spaces. As Mr. Kopczynski talks about, there is always a concern to continue the revenue for parking, which pays for the maintenance and upkeep of the parking spaces. Thus, there is a quarterly cost to rent a parking space. Since they are looking at allowing parklets from April 15 to November 15, which is about 8 months, part of the fee

would be two quarters of the rental cost for the parking spaces.

Mr. Blomquist concluded that concludes the staff's presentation on parklets. He appreciates the assistance from the Community Development Department and the Parking Operations Officer in assessing the potential for parklet locations and developing the guidelines.

Chair Bosley asked if the fee for the replacement of the lost revenue from the parking meter applies for each space. For instance, if a business wants two parking spaces for a parklet, would the cost be twice the 50% of the cost of the full? Mr. Blomquist replied yes, if a business used one parking space it would be the cost of one space, and if they used two parking spaces it would be the cost of two spaces.

Chair Bosley asked if there was any consideration given to businesses that are not restaurants. She continued that she sees that staff is tying parklet licenses to sidewalk café licenses, but some of the locations Mr. Blomquist suggested as appropriate for parklets may not have a restaurant that would be utilizing it like that and maybe another business would be interested.

Mr. Blomquist replied they did start talking about the other businesses. He continued that he does not see a problem with that; they do not necessarily need to tie it to a café license. The connection there was regarding serving alcohol. However, if another type of business just wanted to provide seating, coffee, snacks, and so on and so forth, staff was talking about being able to eliminate the requirement for a café license.

Councilor Johnsen stated that it is exciting to make such good use of the space. She continued that her question is about people with physical challenges. They do not want to discourage people who need the accessible parking from coming to the restaurants. Has that been figured into these conversations?

Mr. Blomquist replied absolutely. He continued that it is important for the space to be accessible to all modes. When a property owner or business owner comes with a proposal, they need to demonstrate that they have a plan for how to provide their service for everyone. Services can be provided in multiple ways, but staff would be looking for a business owner to demonstrate, for example, if they are going to have their activity down on the pavement, how they would get someone with a mobility concern from the sidewalk down to the pavement. If they are going to have a parklet level with the sidewalk, they need to demonstrate how they are going to make sure there is not a lip or something there that would hinder accessibility. With any use of the right-of-ways, they have to demonstrate a clear path through the area so that anyone with mobility issues would be able to move through the area, even if they are not stopping at that particular site.

Councilor Greenwald stated that he is shocked at this whole discussion. He continued that the agenda lists this item as "general discussion." He realizes that the City Manager has the power to organize a committee to do some work, but he has never seen a staff comment come out as an advocate for a program with no City Council backing. He has never seen Mr. Blomquist be such an advocate for anything in such a positive way.

Elizabeth Dragon, City Manager, stated that to clarify, this was put on the agenda as a general discussion, but in reality, the work that was done was in response to Machina Arts's request to have a parklet. She continued that staff did a great deal of work to prepare a response to that request.

Councilor Greenwald stated that he has a conflict of interest regarding Machina Arts's request, specifically, but this discussion with this agenda item is about a city-wide issue, and just like roads, sewers, and so on and so forth, he does not have a conflict of interest with that. He continued that he needs to separate himself and call the whole thing a conflict of interest, when appropriate, but if they are having a general discussion on parklets, he does not think it is going anywhere this evening, but he is up for discussing it.

Chair Bosley stated that they recognized at the last PLD Committee meeting that Councilor Greenwald has a conflict of interest on file for that area and they want to honor that. She continued that Councilor Greenwald is

welcome to include his comments in the general discussion and when the agenda moves to the Machina Arts request, Councilor Greenwald will be considered an “attendee.”

Councilor Greenwald stated that regarding the general discussion of parklets, he has a number of issues with the concept. He saw parklets in Connecticut and understands what they are. He saw a restaurant using three to four diagonal parking spaces as a parklet and businesses on either side, second story residents, got no benefit from that. There was no parking. He was not looking to go to the restaurant, he wanted to go to a nearby store, could not get in, and drove by. That is something that needs to be maintained as a strong concept. Parking in Keene is in short supply, particularly in Central Square. Going back in time, there was to be a parking deck built somewhere near the Fire Station to try to alleviate it, and that did not happen. He does not think it will ever happen. They need to be aware that it is more than just food service. Numerous businesses on the second and third floors and apartments need these parking spaces. Thus, before the City Council goes running down the road to create criteria to justify the parklet request that is coming up, they need to be aware that there is a severe parking shortage.

Councilor Greenwald continued that parklets are interesting. Jersey barriers were used in the CT parklets he saw. They may be ugly, but at least they stop people from driving into the tables. He strongly urges a review process. In speaking with the City Attorney he understands that the Planning Board only deals with private property. However, when the City is doing any kind of development, such as the ice arena, it does go through the Planning Board process. There needs to be public discussion about whether a parklet would be a good thing or not, in each specific location. We are through the COVID-19 emergency now, and we need to be thinking further. If the PLD Committee recommends approving something, and if there is an Ordinance about this, there needs to be an annual review by the City Council, not just administratively. He knows most of the licenses now are just validated by the City Clerk. This needs review by the City Council because it has implications beyond just the operation of these specific businesses. As Chair Bosley pointed out, it should not just be limited to restaurants. If a retail business wants to have displays outside, or if another business wants outdoor activity, they should be allowed if restaurants are. Everyone should have the same ability. This creates the problem of lack of parking. He has been an advocate for saving the parking. Councilor Greenwald encouraged the Council not to give away any kind of parking in any downtown redesign.

Councilor Jones stated that he is wholeheartedly opposed to this Ordinance. He continued that he thinks they should address it just like they are doing in agenda item 5, one at a time, when someone comes forward with a petition to do something. If they had an Ordinance, they would be inviting this type of activity. For many of the reasons Councilor Greenwald stated, he does not think they should be inviting this type of activity. At the last meeting, he spoke about how nice parklets are in Plattsburgh, NY. They use jersey barriers in an artsy way. The parklets in Amherst and Northampton, MA, look ugly. Restaurants there are allowed to display political and social messages outside, which is creating conflict. There are many reasons why Keene should not be inviting this type of activity. If someone comes forward to the City Council, like Machina Arts did, and has a plan for the PLD Committee to discuss, he is all for that. However, he does not think they should be creating new zones for this activity to happen. He thinks they should accept this discussion as informational.

Chair Bosley asked if there were any further questions or comments from the committee. Hearing none, she asked for public comment.

Jaclin Headings of 15 Ashuelot Ct. stated that she joined the meeting to support Machina Arts’s request for a parklet. She continued that as she has listens this evening she sees that there is a larger scope to that, with perhaps expanding parklets to other areas. On that topic, she encourages the PLD Committee and the City Council to be creative. She understands the concerns, but at the same time, the community is coming out of COVID and downtown businesses need the peak spring, summer, and early fall seasons to attract residents, people from the Monadnock region, and people from out of state. The economy needs that. If Keene creates and expands the inviting spaces downtown, people will come. People will find a way to find a parking spot. She understands sometimes people get concerned about that, but she asks the Committee to be open to the

parking concept.

Ms. Headings continued that she strongly supports Machina Arts getting approval for a parklet. They have been good stewards to their attractive building, and they have done a great business here. They not only take care of their staff, but are also great contributing members to the community. Jordan Scott, co-owner and chef, is involved with several non-profits that count on his support, such as the Monadnock Farm Share, Community Kitchen, Culinary Journeys, and Rise...For Baby and Family. Danya Landis will be a co-chair for Monadnock United Way's annual campaign. She mentions this to put a wider lens on Machina Arts's request. They need this parklet space to help them remain financially viable so they can, in turn, provide jobs for their staff and continue to support the community at large. They also allow Archway Farm to use their kitchen space when Machina Arts is closed. This is a good business with strong community leaders. They have an unusual spot in that they do not benefit from the other restaurants downtown and have limited sidewalk space. She encourages the Committee to support them. If nothing else, try the parklet for the spring and summer and then revisit these requests in the following year. Now is the time to support the downtown businesses by being flexible and creative.

Councilor Jones stated that he agrees with everything Ms. Headings says. He continued that it is just that an Ordinance is not necessary in order for Machina Arts or another entity to come forward and request a parklet. He has no problem with Machina Arts's request and looks forward to talking about it.

Chair Bosley stated that she thinks Councilor Jones's perspective is interesting. She continued that she listened to Mr. Blomquist's presentation and thought of a few restaurants that could benefit from a parklet situation and may only take two spaces, and not necessarily parallel ones. Limiting it to certain areas is something she is interested in looking at on a case-by-case basis, instead of creating, as Councilor Jones said, an entire zone for parklets.

Chair Bosley asked if anyone wants to weigh in on the parklets conversation as a whole, not necessarily Machina Arts's request, and about whether they want to see an Ordinance or whether they want to look at requests individually.

Dorrie Masten, of 326 Matthews Rd., Swanzey, stated that recently the City has adopted new rules for the downtown, including the rule that any new apartments built in the City must provide one parking space for each apartment. She continued that right now if every landlord redid their office space into an apartment that is a demand people cannot meet because the City does not have enough to offer. After she sat with City staff for about an hour, staff described the reason for requiring every new apartment to have a parking spot: because there is such a shortage. There is a terrible need for parking in the downtown. Her bigger concern is knowing what foundation the City is standing on. Are they standing on the foundation that they do not have enough parking and they are going to tell landowners and investors that for new apartment they need a parking space? Or are they going to stand on the foundation of, "We have plenty of parking spaces, so let's give three to this one, and three to this one"?

Ms. Masten continued that the four proposed locations where parklets would be allowed have a total of 12 parking spaces. That is a lot. Think about what it would be like if they allowed every restaurant to have a parklet. That is over 60 parking spaces. Court St. and Winter St. have heavy traffic. Winter St. has the courthouse, apartments, law offices, hair salons, and more. Court St. has approximately 16 tenants in the building, and above The Stage there are offices. She does not think it is fair to take three parking spaces and allow a single business to use them. She understands that this is made to enhance patios and get people out and about, but when people rent apartments downtown, they do so knowing what parking spaces they may utilize. For example, her space used to be The Chambers, on Winter St. She owns the building and the space is currently vacant. If she rented to a tenant, they would love to have a parklet right there. But she, as the landlord, would hate it, because her tenants renting apartment spaces upstairs would have no place to park.

Ms. Masten continued that in addition to what is fair and what is not, and the need for downtown parking, there is a huge safety issue. The three parking spaces proposed for a parklet on Court St. would enclose the entrance to that building. She would guess that the Fire Department and EMS go to that building at least once every two months. Most recently, there was a fire there. Emergency responders would have to walk all the way around the parklet to get upstairs to the apartment. It would also cause a traffic jam. There is a driveway there for deliveries for The Stage and China Wok. China Wok would not have parking available, since the first three parking spaces would be for that one restaurant.

Ms. Masten concluded her remarks by stating there should be a study, on the impact of parklets. It seems like people are so excited about doing something new that they are forgetting that there is a lot to this, such as location, safety, and other issues. She wants the City Council to think more about this before allowing a parklet on a heavily traveled road.

Georgia Cassimatis stated that she is speaking on behalf of a community member of Keene. She continued that she spends a lot of time in Keene and she has never has trouble parking in Keene. She is a 34-year-old active person who likes to participate in the downtown. If they want to attract more people like her, they need to think about how to make the city more attractive. She agrees that jersey barriers can look ugly, and they need to figure out a way to accommodate the aesthetics of the downtown. That can be taken into consideration via the Historic District and their opinions on the way things look. She thinks it is interesting that a direct competitor of Machina Arts is speaking out against this when they have their entire parklet really well done. It looks great and it is a living example of what success can be in Keene. The downtown obviously needs a lot of work. Over the time she has been here, she has heard people talking about downtown being expanded, or shrunken, or pedestrian (centered), or not; and talking about having a parking garage here, and how no one wants to pay for it, and how it should be privatized, and so on and so forth. She hears City Councilors saying there is not a parking issue. The Southwest Regional Planning Commission (SWRPC) did a parking study on this. This topic is a big conflict, and everyone should be aware of that.

Ms. Cassimatis continued that everyone should have the opportunity to participate in this type of experience, and she agrees that it should be temporary for a year to show everyone what we are willing to do for our downtown businesses. It will invigorate Keene's downtown in ways they do not even understand. They need to take this opportunity. Because of COVID-19 restaurants are not able to be at capacity. Because COVID-19 is probably not going away, restaurants are always going to be under pressure for people to sit outside, so the City needs to provide the opportunity for outdoor seating more often, moving forward. She does not think this is going to be a one and done issue. She thinks this is going to come up more and more. There is parking all over the city, within a quarter mile. In other cities in NH you are guaranteed to walk a quarter mile in general, just enjoying yourself. It is not necessary to have a parking space in front of every shop on Main St. to provide the experience of downtown Keene. She does not want Keene to fall to the bottom of the list as a destination.

She wants Keene to be in the top rankings when people consider NH and which cities to visit. She wants Keene to be a place people have heard about and say "I had such a great time." Parklets are an important part of this potential future for Keene. Keene will be left in the dust if they do not take advantage of these opportunities. What kind of city do they want? What kind of people is the City Council trying to attract? It is clear to her that they need to attract her generation. Through experiences like parklets, they will see more people from her generation coming to Keene. She really supports this and she hopes that through discussion they can figure out the best, most coherent, and safest way to make parklets accessible for everyone in the city.

Councilor Madison stated that in 2015, the SWRPC concluded a Complete Streets project along Marlboro St., and the demonstration included parklets. He continued that all of that was received with high acclaim. Thus, Keene has already looked at the concept of parklets and there was a lot of positive energy around it. He asked Mr. Lamb to clarify: in the new Zoning Ordinance, are apartments required to have two spaces provided by the property owner, or two spaces provided by the City by means of metered parking? Otherwise, he thinks they do need an Ordinance on parklets. He does not think it invites this kind of development or activity; he thinks it creates a framework for it to be permitted and for it to be permitted in a fair and equitable way.

Councilor Jones stated that he listened carefully as Ms. Cassimatis spoke, and she was right about everything. However, once again, they do not need an Ordinance to do all of that. The PLD Committee can address things the same way they are going to address the request from Machina Arts. They do not want to create certain zones. There might be people who are not within those proposed areas who might come up with a creative idea, and the City would have to say, “No, you’re not within that licensed area.” He does not think that is fair. They should give everyone an opportunity to be considered one at a time. He thinks they should not have an Ordinance and should just deal with each petition individually.

The City Manager stated that she does not have an opinion about whether or not an Ordinance is required, but she believes that if an Ordinance is not in place they need a policy and framework. She continued that the framework should allow some flexibility and make it clear why they are doing a parklet and what a parklet is, and have guidelines as to where parklets would actually work. Otherwise, it becomes a political conversation, and without some sort of criteria for them to use, at least initially when evaluating this, it becomes very difficult.

Councilor Jones stated that he agrees that they should have a framework. He continued that he thinks they are starting to do that, by what they are doing with Machina Arts. He looks forward to that framework. And they can adopt policies without having an Ordinance, and he would look forward to that. He thanks the City Manager for her words.

Councilor Greenwald stated that the discussion should not be political or personal, and he has concerns about that. He is happy they are having an open discussion and that this was not just handled under the emergency COVID flexibility that the City Manager has. He agrees with Councilor Jones that they should discuss each request the City Council receives, and if some other downtown entity has some creative ideas, they are open to hearing them. Chair Bosley stated that she agrees.

Mr. Lamb stated that he thinks it is important to check in with Mr. Blomquist one more time. He continued that in his memo, Mr. Blomquist implies that the Chapter 46 section indicates that this is a license issued by the City Clerk’s Office, and it seems like the discussion happening tonight assumes that the City Council plays a role. He wants the Committee to be clear that this is a license issued by the City Clerk’s Office, not the City Council.

Chair Bosley asked if the City Clerk’s Office could issue these licenses without these individual items coming before the PLD Committee, because they have authority over the right-of-way and parking, and parklets are not on sidewalks. Mr. Lamb replied that is the existing language.

Councilor Jones stated that that is another reason why he does not want to have this Ordinance. Chair Bosley replied that without this Ordinance, the PLD Committee would not have the authority to review any plans for these parklets. The licenses would come straight from the City, is what is being indicated, and she heard that Councilor Jones’s wishes are that the license requests be reviewed one by one. That complicates it, if they are not moving forward with some sort of policy. Councilor Jones replied that it would be fine to have a policy and procedures.

Chair Bosley asked the City Manager if a policy would allow them to create a framework where each parklet request would come before the PLD Committee for initial review, or if that would immediately give framework for the City Clerk’s Office to automatically issue licenses. The City Manager replied that a policy would give framework for the City Clerk’s Office to issue licenses; however, she thinks that these are unique enough that she does recommend they have a policy and a framework to go through. She thinks they can include a City Council review process in that so there is a public process. She agrees that it is not easy balancing the needs of everyone, and sometimes having these conversations brings forward something that maybe they had not thought of. She does not think the City Clerk’s Office would have an issue with the City Council being part of the initial review process, but she could talk with the City Clerk about that.

Chair Bosley asked if Mr. Blomquist had anything to add. Mr. Blomquist replied no, as Mr. Lamb stated, he was pointing out that currently there is that provision for use of City property, and whether it is a parklet or anything else, there is authority for staff to grant it. Part of the reason they looked into that was they also know that the City Council is concerned about how long it takes to do things. This is a way in which something can be moved through. He is concerned if the expectation is that if a request comes in at one City Council meeting they will be ready by the next one, particularly if staff has to evaluate individual requests every single time. It could take a month for them to get through the process to get a license issued.

Chair Bosley replied that she thinks that would just be for the initial license. She thinks once it has been issued, it renews on a regular basis as a normal sidewalk café license would.

Councilor Greenwald stated that he now has even more concern after hearing that the City Clerk's Office would be the mediator. Imagine that the new merchant coming downtown that everyone is thrilled to see, Chaos and Kindness, wants the two parking spaces in front of their business for an additional display area. Is that going to fall to the City Clerk to permit that? Every store would want to go out there and take those spaces. They should not go down that rabbit hole. It is grossly incorrect to make this only for restaurants and bars. It should be available to anyone or no one. He thinks parklets will be very difficult to limit.

The City Manager replied that that is all the more reason for a policy and guidelines, because the framework that Mr. Blomquist was walking them through talked about how the area in front of Chaos and Kindness has sufficient sidewalk space to do an outdoor activity and they could get an obstruction license if they want to. They have sufficient space. There are only a few areas of the downtown that do not have sufficient space to do that, which is why staff tried to create a framework that would identify those areas.

Councilor Greenwald replied that he thinks every merchant would want more, whether there is "enough" space or they could have more. He continued that having spent time in those trenches, he knows the way retailers think.

Councilor Johnsen stated that she is learning a lot tonight. She asked if the PLD Committee has to do something regarding agenda item 4 before they can approve agenda item 5, if they were to think about these parklet requests one at a time. She asked if it is correct that they cannot move ahead with Machina Arts's request if they do not have something set up in agenda item 4.

Chair Bosley replied that her understanding of the way the license rules are currently written in Chapter 46 is that they can move forward on number 5 without there being a framework for number 4, but the fact that the parklet was requested brought forward all of these additional concerns and the need to look at this as a whole. Because to authorize number 5, and then decide that they were not going to allow anyone else to have a parklet in the city would seem inconsistent. As a matter of best practice, it would seem reasonable to have some sort of policy, Ordinance, or framework that they may or may not make decisions going forward, and then apply the request the PLD Committee has before them to that framework, instead of just starting to hand out opportunities ad hoc.

Councilor Johnsen replied that makes sense. She continued that the PLD Committee already listened to Machina Arts's request at their last meeting, and she hates to hold them up so long while the Committee is figuring this out. Is there a way they can come to a happy medium, so they can agree that they will start to look at this or start to do this? She hates to leave Machina Arts out in the woods, because they came to the City Council with a wonderful request.

Chair Bosley replied that she hears what Councilor Johnsen is saying. She continued that there is a sense of urgency here so the PLD Committee can start to get to that request and make a decision one way or another so Machina Arts is not hanging in the balance. Her question to the City Manager is what the proper

recommendation is where they can create some sort of guidelines. She asked Councilor Jones if he is interested in having each initial, individual request come before the Committee. Councilor Jones replied yes. She asked if that would then be an Ordinance.

The City Manager replied technically, it would be an amendment to the existing Ordinance, to specifically call out parklets as a separate license, which would be handled differently. Chair Bosley asked if it would be under the Sidewalk Café Ordinance. The City Manager replied no, the General Use of City Property license.

Chair Bosley stated that she thinks their options are to either create a policy, which gives the City Clerk's Office a framework, and then the PLD Committee is removed from the process; or to create an Ordinance that allows them to create a framework of some sort, and an initial review process at the Committee.

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

Move to accept this discussion as informational and ask staff to return with amendments to the General Use of City Property license ordinance.

Councilor Jones stated that he would prefer that to creating a new Ordinance. That would allow for the policy and procedures.

Councilor Johnsen asked if agenda item 5 is held up, if they pass this motion. Chair Bosley replied that she believes Machina Arts was aware their request might go on more time this evening because the Committee was going to be getting the details sorted out for the procedure, but yes, it would mean that. Councilor Johnsen replied that then Machina Arts has to wait until all of this is processed. She asked how long they are willing to wait. Summer is coming and they want to have something special, and they have come forward with this request. She asked the City Manager if the Committee could recommend letting Machina Arts have their parklet even if Councilor Jones's motion passes.

The City Manager replied that she appreciates what Councilor Johnsen is saying. However, she would feel uncomfortable moving forward with a parklet when they are in the process of discussing the guidelines to use for other applications for parklets. The reason also ties to the expenditure that Machina Arts would have to expend to create the parklet. It is possible that they could do that and then the Ordinance could do something very different and Machina Arts could potentially be out quite a bit of money, only having a parklet for a month while the Committee is discussing the Ordinance. That puts Machina Arts and the City in a difficult position.

Councilor Jones stated that regarding Councilor Johnsen's question, staff's recommendation either way is to put Machina Arts's request on more time. Thus, his motion might make it go even faster, because if they did the Ordinance it would have to have a first reading and come back to Committee and then have a second reading, and they do not know how many amendments there would be, because this is something new for the City. It could be amended and sent back to Committee, as they have seen happen many times when there is a new Ordinance a City Councilor disagrees with. It could take months. He thinks they are better off amending the present Ordinance and not creating a new one.

Councilor Greenwald stated that meanwhile, the parking spaces in front of the establishment are still blocked and not accessible for anyone's use, under the City Manager's powers. He continued that he would not want to move to revoke that or take away those spaces. Thus, in a sense, Machina Arts has no loss, but they just will not have anything as nice as what they are proposing. They still have tables outside and the patrons are safe. He asked when those spaces go away.

The City Manager replied that Machina Arts was granted a license to use the sidewalk in that manner for this season at the beginning of the licensing season.

Councilor Greenwald stated that he thinks that is fine, because Machina Arts can use that space and does not have to pay for it, so this situation is not at all bad for them.

Councilor Jones replied yes, this is the answer to Councilor Johnsen's question – Machina Arts is ahead of the game right now. They are doing well. He does not think that (placing this item on more time and amending Chapter 46) will affect them at all.

Councilor Johnsen asked what happens if the vote on the motion is a tie, since there are four Committee members present tonight. The City Attorney replied that it would mean no action is taken, so someone could make another motion. If there is still no action, it would go to the full City Council for further discussion with no recommendation from the PLD Committee.

Councilor Greenwald stated that he thought the motion was to accept this as informational. Chair Bosley replied no, the motion was to amend Chapter 46 to create a provision for parklet requests to come to the PLD Committee for initial review.

Chair Bosley asked for public comment.

Danya Landis of 433 Elm St. stated that regarding the question of whether Machina Arts was aware that their request might be placed on more time tonight, no, they were not aware. She continued that she also wanted to thank everyone who has put a lot of time into this. This conversation has been lively and she appreciates it. She loved the policy Mr. Blomquist and the team came up with. She thought the criteria were reasonable and it left room for City staff to work with individuals to make sure the design was custom to the space they were working with, because everyone's space is different. She also appreciated that the Ordinance was for particular locations. She knows everyone is concerned about parking in Keene, but the Ordinance is one way to make sure parklets do not get out of control. In general, this Ordinance would be helpful, to give guidelines to anyone considering a parklet, who might be thinking, "Where do we start?" This Ordinance would let people know if and how they would qualify to do a parklet. It is important to make sure the structure is done correctly and is safe, well lit, and so on and so forth. All of those guidelines are in Mr. Blomquist's proposal, and she is 100% in favor of it.

Councilor Jones stated that everything Ms. Landis just said she is in favor of can be in the amendments to Chapter 46 that the motion asks for. He thanked Ms. Landis for her comments.

Chair Bosley asked if any more members of the public had questions about the motion. Hearing none, she asked if there were any further comments from the Committee. Councilor Greenwald stated that he will support the motion, because the proper time to oppose it is when he knows what he is opposing, after the proposed changes have been written.

The motion passed with a vote of 4-0.



City of Keene, N.H.
Transmittal Form

May 27, 2021

TO: Mayor and Keene City Council

FROM: Finance, Organization and Personnel Committee

ITEM: D.8.

SUBJECT: Acceptance of the 2020 Homeland Security Grant Award - HazMat Allocation - Fire Department

RECOMMENDATION:

On 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept a grant in the amount of \$25,000 from the 2020 State of New Hampshire Homeland Security Program - HazMat Allocation.

BACKGROUND:

Fire Chief Mark Howard addressed committee regarding a \$25,000 grant from the 2020 State of New Hampshire Homeland Security Grant Program Hazmat allocation. Staff was notified on May 19, 2021 that the Fire Department had been awarded the grant. The equipment being purchased will be 150 pounds of chlorine free firefighting foam. Recently, PFAS has been an issue for the City due to some recent sampling at the landfill. With this grant, the Department will be able to resupply the current trucks with chlorine-free firefighting foam. The grant will also fund Level A and Level B hazmat suits; batteries for portable radios replacement; life safety rope; 4 gas leak detection units and some chemical wastewater classifiers.

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

On 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept a grant in the amount of \$25,000 from the 2020 State of New Hampshire Homeland Security Program - HazMat Allocation.



City of Keene, N.H.
Transmittal Form

May 27, 2021

TO: Mayor and Keene City Council
FROM: Finance, Organization and Personnel Committee
ITEM: D.9.
SUBJECT: Use of Airport Personnel Funds - Airport Director

RECOMMENDATION:

On 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends the City Manager be authorized to use unexpended personnel monies from the FY21 Airport personnel budget for operations.

BACKGROUND:

Airport Director David Hickling was the next speaker. Mr. Hickling indicated the airport has received a \$69,000 grant through the FAA Cares Act. This grant will cover operational costs for the airport and is administered through the New Hampshire DOT. Staff has been working with DOT to determine the most efficient way to utilize these funds and it was determined the best way would be to apply the funds towards personnel expenses. This will make some unused personnel funds available, which staff would like to reallocate for projects that had originally been intended to include in the FY22 budget as supplementary requests. Those projects include airport maintenance equipment; terminal improvements; an increase to the advertising budget and also services from an Air Service consultant. Any balance would be applied to operational expenses such as utilities.

The Director continued that using this grant allows the airport to move forward with some important airport objectives without an impact to FY 22 budget.

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

On 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends the City Manager be authorized to use unexpended personnel monies from the FY21 Airport personnel budget for operations.



City of Keene, N.H.
Transmittal Form

May 27, 2021

TO: Mayor and Keene City Council

FROM: Finance, Organization and Personnel Committee

ITEM: D.10.

SUBJECT: Acceptance of Grant Funds – NH Division of Historical Resources Certified Local Government Grant - Senior Planner

RECOMMENDATION:

On 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends that the City Council authorize the City Manager to do all things necessary to accept and execute a \$10,000 grant award from the NH Division of Historical Resources Certified Local Government Grant Program for the development of a web-based, crowdsourcing tool for the Heritage Commission.

BACKGROUND:

Senior Planner Tara Kessler stated they are in receipt of a \$10,000 grant from the New Hampshire Division of Historical Resources from their Certified Local Government grant program. She indicated this grant is for the development of a web based crowd sourcing tool for the Heritage Commission. In addition, the grant would be used to employ the services of a qualified consultant to develop an online map platform whereby members of the public can upload a variety of media (historic photos of a place, oral history of stories) about an area or neighborhood they grew up in. This online platform will help the Heritage Commission better understand the history, culture and heritage of neighborhoods in the City of Keene. This online platform is a component of a bigger initiative the Commission is working on.

Ms. Kessler stated this grant is a 60% federally funded grant hence, there is a 40% local match commitment. This match would be provided through in-kind donation of volunteer time from both the commission members and city staff. This is the fourth round of funding from this grant program the Heritage Commission has received in recent history and they have been very successful at meeting their match commitments and completing these grants on time.

This work would need to take place between July 1, 2021 and before September 2022.

Councilor Ormerod asked how city staff volunteer their time and would they be required to work outside their regularly scheduled hours. Ms. Kessler stated volunteer time would be from commission members and they would be applying a rate from the independent sector (independentsector.org) which has a set volunteer rate. Staff time is matched according to their hourly rate. Ms. Kessler noted the granting agency accepts staff time for working on the project. Volunteer time for the prior grants have been satisfied by commission members' hours. The Councilor stated city staff works hard enough and e hwould not want them to have to work nights and weekends.

Councilor Hooper stated Keene is known as a destination city. The amount of history with the architectural buildings is extremely important and he extended his appreciation for this project.

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

On 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends that the City Council authorize the City Manager to do all things necessary to accept and execute a \$10,000 grant award from the NH Division of Historical Resources Certified Local Government Grant Program for the development of a web-based, crowdsourcing tool for the Heritage Commission.



City of Keene, N.H.
Transmittal Form

May 27, 2021

TO: Mayor and Keene City Council
FROM: Finance, Organization and Personnel Committee
ITEM: D.11.

SUBJECT: Funding for Pool Improvements - Parks, Recreation and Facilities Director

RECOMMENDATION:

On 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends the capital transfer of \$45,000 from the 2020-2021 operating budget to the Municipal Parks capital project #90318 and that the City Manager be authorized to do all things necessary to negotiate and execute an agreement with Project Resource Group, LLC for the work to be completed at the municipal pools.

BACKGROUND:

Parks, Recreation and Facilities Director stated this request is for transferring \$45,000 from the operating budget to the capital project of municipal parks, which is where funding is being obtained to do some upgrades to the pool. Last year both pools were closed, hence this money is coming from what would have been paid to lifeguards. Staff is looking to move this money to get some of the bathroom work done. The city went out to bid but the bids were very costly for both pools to get the work done. Mr. Bohannon stated what he is looking to do is essentially chip away at projects with any available money.

The pools are going to be open and they will need approximately \$10,000 to make sure staff is paid for this year. Mr. Bohannon noted if this money can be utilized and in July, another \$50,000 can be utilized from the CIP.

Councilor Hooper asked if both pools will be operational during construction. Mr. Bohannon stated Robin Hood pool will be closed this season, part of this is due to the amount of lifeguards they were able to employ and because of construction. Wheelock pool will open and swim lessons will still be offered.

Chair Powers clarified the work being completed is what was put out to bid – Mr. Bohannon agreed but added they are not able to do all of the work. He added he is working with the project resource group on the submitted bid. If the Council supports the request, they will have a total of \$138,000. The Chairman stated he is not a fan of using of personnel funds for operational things but due to the pandemic he will support the request.

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

On 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends the capital transfer of \$45,000 from the 2020-2021 operating budget to the Municipal Parks capital project #90318 and that the City Manager be authorized to do all things necessary to negotiate and execute an agreement with Project Resource Group, LLC for the work to be completed at the municipal pools.



City of Keene, N.H.
Transmittal Form

May 27, 2021

TO: Mayor and Keene City Council
FROM: Finance, Organization and Personnel Committee
ITEM: D.12.

SUBJECT: Capital Project Transfer for Body Worn Cameras - Police Chief

RECOMMENDATION:

On 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends the authorization of the capital transfer of \$460,000 from the 2020-2021 operating budget to a Body Worn Cameras capital project. In addition, that the City Manager be authorized to do all things necessary to negotiate and execute an agreement with BodyWorn, part of Pileum Corporation, for the purchase of body worn cameras, in-car video systems, and necessary support equipment and training.

BACKGROUND:

City Manager Elizabeth Dragon addressed the committee next and stated in June 2020 the City Council tasked her with looking at body worn cameras for the Police Department. In July, the department obtained quotes and conducted in house demonstrations with three different vendors for body worn cameras systems and in car video systems.

The department chose body worn cameras and the pricing for that system is included in the committee's packet for a total is \$451,095. The Chief made a thorough presentation of his findings in August and in September, and the Council endorsed the recommendation. The testing and evaluation period ran from November through December 2020, and the Chief followed up with Council again in January 2021 with a detailed memo on the results of that test and evaluation period.

At that time, the FOP committee put this item on more time because of potential State grant funds that could assist with a purchase of this type of equipment. In addition, the State budget is still making its way through the Senate. In addition, the Chief put together an application, which was submitted to Senator Shaheen's office for an earmark fund along with several other projects the City submitted.

What staff is requesting today is for the Committee to approve moving funds from the current budget - this will not impact next year's budget; utilizing unspent funds in the Police Department, funds available from the Covid Cares Act funds the City received this year for approximately \$89,000 as well as some budgetary savings due to personnel vacancies. If this request is approved tonight the funds will go into a capital project, which will allow reserved funds for next year. That will also allow the City time to see if it is successful with the grant application.

The motion before the Committee allows the Manager to negotiate and execute an agreement with Bodyworn Corporation, which would be in the next fiscal year once it is determined whether or not funds are available through the State or through the grant.

Councilor Ormerod asked what is included on the costs outlined today. The Manager stated it is for camera equipment for both body worn for officers' vest and for the in-car systems. It also includes some tablets and other equipment necessary, as well as training. There is \$9,500 allocated for training. Chief Russo agreed and added if the city was to pay for five years there is a cost savings, which he was not sure at this time what that amount was. He added he has a phone call with the sales rep tomorrow to discuss some of these issues. Councilor Ormerod stated he was hoping things like software costs and upgrades will be included. Chief Russo stated as has been presented the contract will include equipment, accessories, wireless access points, clothing equipment that's required for the uniforms, software to manage the program and cloud storage.

Chair Powers asked how long before this item will be executed. The Manager stated it would be after the budget is finalized for the State and the City has an update on its grant application. Chief Russo stated it is looking like the funds could be approved by the State but the State has up to six months to decide how it wants to distribute the funds.

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

On 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends the authorization of the capital transfer of \$460,000 from the 2020-2021 operating budget to a Body Worn Cameras capital project. In addition, that the City Manager be authorized to do all things necessary to negotiate and execute an agreement with BodyWorn, part of Pileum Corporation, for the purchase of body worn cameras, in-car video systems, and necessary support equipment and training.



City of Keene, N.H.
Transmittal Form

May 27, 2021

TO: Mayor and Keene City Council
FROM: Finance, Organization and Personnel Committee
ITEM: D.13.

SUBJECT: Councilors Remy, Workman, and Madison - Council and Standing Committees and Meeting Cycles, Agenda Deadlines and Packet Distribution Timelines - City Clerk

RECOMMENDATION:

On 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends accepting the communication from Councilors Remy, Workman and Madison as well as the presentation from the City Council as informational and requests that the Mayor set date for a workshop after the budget discussion has concluded.

BACKGROUND:

Councilor Remy stated the three Councilors who have signed this item have talked to the Council and the City Manager about some of the inefficiencies they have seen and the inconveniences particularly, having a really short timeframe to review Committee meeting agendas. For the FOP Committee there is some advantage because it is scheduled on Thursdays but the other two committees, getting their agendas at the end of the day Tuesday for a meeting on Wednesday is difficult. In discussing this, other topics also came up, and it was agreed even though everyone enjoys hearing the stories behind the donations that come through Council, having to have them come through the Committee to vote on them, and then come back through Council and vote on them again - may not be efficient or necessary.

Councilor Remy continued there are different topics worth having a conversation with the Council on; meeting process, meeting days, how we compare against other cities and towns in New Hampshire and a better understanding what could be done differently.

Councilor Madison stated they only have about 24 hours to review agenda and supporting materials, and then do whatever research needs to be done before coming to the Council and then ultimately having to make decisions that can have a major impact on our community. This is in addition to balancing a full time job was becoming a challenge. He was looking at possibly rescheduling meetings or rescheduling when items are due to come into the Council process. He felt it would be in the best interest of the public if the Council had more time to review agenda items.

Councilor Hooper stated he agrees with the three Councilors with respect to the review timeframe and he realizes there are a lot of moving parts with City staff. He stated he would like to see this go forward with some type of discussion.

Councilor Chadbourne stated this is something that crosses the mind of every new Councilor, but noted if you were to look at the process an item comes to the Council first through a City Council meeting, at which time the Mayor assigns it to a committee, and all information needed for the following week is already in that Council

packet. She noted at times, it is about getting into the rhythm of how the process works and she felt the councilors are in fact given more time than they realize. She indicated, the council is looking at it as getting information the Tuesday before the meeting but they are actually receiving the information the Thursday before a Council meeting. She felt what is being raised are valid concerns, but she felt they need to look at the bigger picture.

The Manager stated she appreciates the three Councilors bringing this forward, having this conversation, and agreed there could be ways the City could become more efficient and it is worth a conversation. The Manager noted the City Clerk has done quite a bit of research on how other cities handle their agenda items and timelines.

The Chairman referred to the efficiency of the Council work since the introduction of the electronic agenda packets. He recalled when the packets were distributed only in paper. With respect to why meetings are held on Thursday night, he indicated this night was likely picked because of other activities going on in the city (government and non-government) which made Thursday night the least intrusive.

City Clerk Patty Little addressed the committee next and stated the continuous cycle with the Council referring items of business to Committees and then the standing Committees making recommendations back to the Council is unique for a New Hampshire city. Other cities, which have standing committees do not meet on a regular cycle as Keene does. In these cities, the Council really operates as a “committee of the whole” – a term in Robert's Rules of Order, which means the full body makes decisions – they have the public and staff present at Council meetings and that is where the full discussion occurs. There are times when items are referred to a standing committees but it is not like what Keene has where every item is referred to one of the three Standing Committees.

In terms of meeting dates, the charter only provides that the Council must meet at least once a month. The Rules of Order provides meeting on the first and third Thursday of each month.

Ms. Little noted when Keene first became a city in 1874, the Council met on different dates, at times even on a Saturday. However, since 1876 the City has been meeting on Thursdays.

Keene's Rules of Order, which is how the processes are dictated also provides for the meeting dates of the three Standing Committees, as well the agenda deadlines. Also unique to Keene is its rules require that all items appearing on the Council agenda must be referred to a Standing Committee. Keene's rules do not allow discussion when an item is included on the Council agenda for the first time unless the Rules of Order is suspended.

On the production side, Ms. Little stated the City needs to start with its minute takers because it is the minutes that drives the Committee and Council cycle process. Although, State law dictates that a minute take has five days to produce draft minutes, the City requires that minutes be submitted by Sunday evening so that recommendations can be reviewed by the Manager and department heads at the Monday morning staff meeting. When minutes come in on Monday morning, staff starts their review, and typically they are then sent to the committee chairs, late Monday or early Tuesday. The committee chairs return the edited minutes by late Tuesday afternoon. On Wednesday morning the minutes are reformatted into reports and added to the agenda through Novus.

Ms. Little added the Rules also provides that new items can come into a Council agenda and they can be added up to 4pm on the Tuesday of the Council meeting week. This means the final packet production starts Wednesday morning, the day before the Council meeting. Staff's goal is always to have that packet released, published online and available for the Council by 3pm on the Wednesday immediately before the Thursday Council meeting. For Standing Committees the agenda cut off is 1pm on the Tuesday of the committee week. Again, staff's goal is for package to be released and published by 3pm, on the Tuesday before the Wednesday committee meeting.

Ms. Little referred to a chart included in the committee packet and noted Keene is the only City where the Council meets on a Thursday. All the other councils/board of aldermen meet earlier in the week. All the other cities have the committee agenda deadline and the production of the packet occurring the preceding week so that the Councilors have the weekend to review the agenda packet.

Ms. Little agreed as the Manager stated, there are things that can be done to improve the situation but agreed there are a lot of moving parts. This is an operation that does not quickly happen and it does take a lot of attention by a lot of different people to produce a packet, so that it is complete enough so that a Councilor who wasn't attending the meeting could read the minutes and have a good understanding of the topic, and the pros and cons of each issue. She indicated as the Manager stated, she is very interested in a discussion to potentially find ways to improve the process. This concluded the City Clerk's presentation.

Councilor Chadbourne asked with reference to Rules of Order and making amendments, is that something that is within the purview of the Council because there are certain items which might have more to do with the Charter where it actually has to go to the public and be part of the ballot. Ms. Little stated these agenda deadlines and meeting dates are in the Rules of Order so that is a under the purview of the City Council.

Councilor Remy questioned was muffled – City Manager responded to what the Councilor's question was - the items that come in from the public come in through to the Council and are referred to Committee by the Mayor. However, many of the items that are included in the Committee agendas are put on the agenda by staff. Those items for instance could be contracts or budget related decisions that are moving forward. Some might be items the Council sees on the Thursday, but there are a good portion of items that are items staff move forward through the process.

Councilor Chadbourne clarified not all staff items are coming at the last minute. All staff items are put on by the administration; they go to the Manager who approves them to go into the Novus packet. The only ones that go to the Council are agenda items that come from the public.

Chair Powers added many of the items that come from staff may have been a previous discussion of work that has been done, it has been put on more time, work that was required which has been done - research or changes, and then it comes back before the Council for action.

Councilor Ormerod referred to the chart right hand column which says - number of days before meeting is one day. However, many of the other cities have 3, 5, or days. However, what he heard mentioned by Councilor Chadbourne it is one day to the committee meeting but there is actually a whole other week included and asked for clarification. Ms. Little stated the days before meeting would suggest the packet is released the same week as the meeting, whereas the other cities, the packet is released the preceding week of the particular official meeting.

The Manager added, in addition to that, the packet includes any sort of recommendation or research from staff. It is not only the challenge for the Clerk's office to turn it around in such a short period of time but it is also a challenge for other staff, which is why at times more time is requested.

The Chairman felt this is a fairly significant discussion and felt it is an item prudent for a workshop setting.

Councilor Ormerod suggested consent agendas and stated the School Board uses this format quite effectively which give people the chance to read material ahead of time. If any one person doesn't agree with what is on the consent agenda it can be removed. He asked that this be included as an item for discussion for the workshop.

Councilor Chadbourne agreed a workshop was an excellent idea and she felt there is definitely room for improvement. She stated being frustrated as a new councilor, but has now done this for many year so she is familiar with the process. She indicated she is glad these councilors are bringing this item forward so there is the

opportunity to improve this process.

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

On 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends accepting the communication from Councilors Remy, Workman and Madison as well as the presentation from the City Council as informational and requests that the Mayor set date for a workshop after the budget discussion has concluded.



City of Keene, N.H.
Transmittal Form

May 27, 2021

TO: Mayor and Keene City Council
FROM: Finance, Organization and Personnel Committee
ITEM: D.14.

SUBJECT: Councilor Ormerod - Budget Priority for Maintenance and Replacement of Sidewalks

RECOMMENDATION:

On 5-0 roll call vote, the Finance, Organization and Personnel Committee recommend the communication from Councilor Ormerod regarding sidewalk funding be accepted as informational.

BACKGROUND:

Councilor Ormerod stated the city is planning an asset management for sidewalks. He indicated he is also noticing the city is looking to increasing the parking fund and there are more parking meters going up around the city, particularly on Main Street. He noted that Main Street is a gateway entrance and there are places on Main Street where we don't have sidewalks and these are probably areas being targeted. There are numerous other areas in the city where it is hardly worth plowing the sidewalks because it creates too much ice due to the unevenness of the sidewalk.

The Councilor suggested looking more closely at the parking program. Looking at unpaid fines, extending the hours of operation or raising the parking rates to help pay for sidewalks.

The Manager responded by saying the parking fund is a separate fund, any revenue generated stays in the parking fund to pay for related activities such as the parking garage, beautification efforts in the downtown, etc. She indicated increasing parking enforcement is a conversation worth having, but those funds would probably need to stay in the parking fund because it is its own separate distinct fund. Regarding unpaid tickets - over the past couple of years the city has increased efforts to collect unpaid tickets by contracting with a collection agency. The city also uploads ticket information to the State of New Hampshire Department of Motor Vehicle which prevent violators from registering vehicles until their ticket is paid. This revenue also goes into the parking fund.

In regards to sidewalks, sidewalks are a priority and this is a conversation staff is working on. This Wednesday before the MSFI Committee there was supposed to have been a presentation scheduled to happen on the asset management program for sidewalks to determine how the Ciuty Council would like to prioritize sidewalks by creating an Asset Management Plan. Due to technical issues, the presentation was postponed for the following meeting cycle. This conversation would be part of the capital plan, those efforts will begin this summer and capital infrastructure items over \$20,000 will become part of a capital plan conversation. The Manager noted sidewalks have received basic maintenance over the years and they have not been a priority. The only new sidewalks that have been built have been related to projects. The City Council put a pause on sidewalks many years ago.

The Manager stated she is hopeful the City Engineer who is very good at creating an asset management plans

will be able to walk through a process for the Council to understand what the parameters are in terms of how to focus public dollars for sidewalks. The asset management plan conversation is scheduled for the next MSFI and then it is also scheduled to be part of the upcoming capital plan conversation. The Manager went on to say if the Council wanted to add \$250,000 to the capital portion of the budget, the impact of that would be an additional 14 cents to the City's portion of the text rate. The Manager went on to say the City is hoping to receive some transportation funds that are coming from the Federal government which can help with projects like sidewalks.

The Chairman asked Councilor Ormerod whether he is talking about replacing existing sidewalks that are deteriorating or looking to add sidewalks in areas that don't currently have them. The Councilor stated he was first focusing on sidewalks that were deteriorating, but he is aware the asset management plan probably looks at places where there should be sidewalks as well.

Councilor Hooper stated he agrees with Councilor Ormerod as people drive on Main Street, the gateway to the city, sidewalks need to be safe for tourists as well as the residents of the city. He stated he would like the Council to think in terms of sidewalks and streets being of same importance.

Councilor Williams thanked Councilor Ormerod for bringing this item forward. He stated as Councilor Ormerod suggested, he felt it appropriate to tie this funding to parking in some way, even if that money is currently segregated into a separate fund, whether through extending parking hours or perhaps by allocating some portion of the hourly parking rate to become a sustainable long term funding source for pedestrian and bicycle projects.

Councilor Williams went on to say at the present time, all the parking funds are reserved to support parking projects, he felt that was a mistake because it is taking a resource that belongs to the entire city, which is the limited amount of downtown real estate to store cars. The funds generated from that resource are directed towards what is essentially a subsidy for people who drive. Councilor Williams noted it is easier it is to get downtown without a car and the fewer parking spaces are going to be needed, but to make that work we are going to need to shift towards a more pedestrian friendly culture. Hence, an important step would be to spend time focusing first on repairing and restoring more of the broken down sidewalk infrastructure we have. He agreed there are some areas where new sidewalks would be nice to have but his first priority is to restore the existing sidewalks. He felt perhaps what is needed is a short term funding source to cover some of the immediate repairs that have been backlogged for some time and then in the long term a more sustainable amount. Another potential source of revenue, the Councilor stated is perhaps selling off some city owned properties that are being underutilized and referred to one property in his neighborhood which has been vacant for a while. The Councilor noted the City does have a road and sidewalk infrastructure fund and he hoped that a fund can be created to provide for sidewalks in much the same way we use it to fund roads.

Councilor Ormerod stated Councilor Williams raised one approach he wanted to stress; the way the fund right now is set up all parking proceeds go to other parking projects. He asked if this fund could be redefined and asked how much latitude the Council had to pursue something like this; parking assets as part of sidewalk assets since they actually sit on the sidewalk.

The Chairman referred this question to the City Attorney. Attorney Mullins responded by saying there are statutory restrictions with respect to the use of parking fees. He indicated he would need to review this issue but felt you could not just place those funds into the general fund. The State has placed certain restrictions as to what the city can do with parking funds.

Councilor Ormerod stated he would be inclined to propose a budget triggered, just like with the body worn cameras where the city is anticipating grants, unsure if it will be received, but include a figure in the budget which shows the city's commitment to this topic. Chair Powers stated, if the Councilor was to do that – that amount will have to be raised by taxes and if it is not used it will go to the undesignated surplus. If the project is

paid with Federal money, which is what the Chair said he would like to do, the City has collected the money from the taxpayer when it was needed, and the tax rate could have been lower.

Councilor Ormerod asked whether this is what is being done with body worn cameras. The chairman stated body worn cameras are included in this year's budget, it is excess funds from this budget year. The Councilor asked whether the city would identify some excess funds or is that not an option at this point. The Chair stated it could be but it won't happen for a couple more weeks.

The manager explained for the Police Department those were funds from the reimbursed Covid grants, which were then reimbursed to the Police Department budget. The Manager stated the Council can revisit this at any time during the year, but if this item was put in right now it is going to have to be raise by taxes because the City does not have an identified funding source.

She felt the time to discuss this might be in the summer when the capital plan is discussed. Through a Sidewalk Asset Management Plan the City can identify where we want to invest those dollars and then working it into the overall plan. The benefit of being a city is that if we do happen to get some Federal dollars, the item can be revisited and those funds reallocated sooner through an additional appropriation. The Manager stated she will be on the lookout for those funds and report back.

Councilor Ormerod asked what type of motion he would make if he wanted the funds to be taken from another funding source. The Manager stated there are two choices: the Council can raise the budget by \$250,000, increase the bottom line of the budget and increase the impact to the tax rate, or you can find a way to cut the budget by \$250,000 which would be a difficult task as the City is only increasing the budget by a minimal amount and keeping within fiscal policy, with the current proposed budget document.

Councilor Ormerod asked if this item is tabled whether he can come back with a specific recommendation for the next council meeting or whether it would have to be referred back to committee. Chair Powers stated any Councilor can propose a change to the budget on budget adoption night. He added the issue he sees is there is no plan for the required dollars as of yet. He stated it is his hope they get to this objective with Federal funds because there is another series of funds that are coming forward that aren't as designated; 88% is for infrastructure.

Councilor Remy stated he is very supportive of renovating sidewalks but he would be against putting a budget number in without a specific plan.

Councilor Hooper made the following motion, which was seconded by Councilor Chadbourne. That the Finance, Organization and Personnel Committee recommend the communication from Councilor Ormerod regarding sidewalk funding be accepted as informational.

Councilor Ormerod stated what he understood from the City Attorney is using parking fund for sidewalk work is not something the city might be able to do and stated he would like to have more discussion on that issue. The Manager stated just like the water fund or the sewer fund, the parking fund can only be used for a specific purpose; for what it was created for. However, staff will look at the language. She added, however, there is no ability to raise \$250,000 in the parking fund without drastic changes such as raising rates, prolonging hours of operation. The City currently operates on a very small margin and presently the fund is in the negative last year due to Covid. The Manager indicated she will obtain the impact this amount would have on the fund for the Councilor's review.

The motion made by Councilor Hooper carried on a unanimous roll call vote.



City of Keene, N.H.
Transmittal Form

May 26, 2021

TO: Mayor and Keene City Council

FROM: Municipal Services, Facilities and Infrastructure Committee

ITEM: H.1.

SUBJECT: Presentation – Sidewalk Asset Management Plan – Public Works Director

RECOMMENDATION:

On a vote of 5-0, the Municipal Services, Facilities and Infrastructure Committee placed the presentation on Sidewalk Asset Management on more time.

BACKGROUND:

Mr. Blomquist stated the City Engineer had lost power and internet access, and asked the Committee if they could place the item on more time and have the opportunity to present at the next meeting. He briefly explained that over the years the department has maintained surveys and condition reviews of City sidewalks. The difference with the Asset Management process would be the reaching out and discussions about the expected level of service. He noted there are many demands in a community and it is not always reasonable to expect all infrastructure to be at a Grade A.

The following motion by Vice Chair Giacomo was duly seconded by Councilor Filiault.

On a vote of 5-0, the Municipal Services, Facilities and Infrastructure Committee placed the presentation on Sidewalk Asset Management on more time.



City of Keene, N.H.
Transmittal Form

May 26, 2021

TO: Mayor and Keene City Council
FROM: Planning, Licenses and Development Committee
ITEM: H.2.

SUBJECT: Kevin Watterson/Swamp Bats – Request to Discharge Fireworks

RECOMMENDATION:

On a vote of 4-0, the Planning, Licenses, and Development Committee recommends the communication requesting the discharge of fireworks be placed on more time to allow protocol meetings to occur.

BACKGROUND:

Chair Bosley asked to hear from City staff.

Kürt Blomquist, Public Works Director, stated that staff has received the “annual” request by the Swamp Bats to discharge fireworks, although it did not happen in 2020. He continued that the the Swamp Bats took over the discharge of fireworks that was originally done by the Rotary Club. Staff requests that the PLD Committee place this item on more time to give staff the opportunity to sit down with the Swamp Bats and go over the event, see if there are any changes, and then bring back recommendations to the Committee.

Chair Bosley asked if he is saying staff is still waiting to have protocol meetings with the Swamp Bats to bring back a full recommendation for the Committee. Mr. Blomquist replied that is correct. He continued that he thinks they have something scheduled within the next couple weeks, so staff should have a recommendation for the Committee by their meeting in June.

Chair Bosley asked if there were any further questions. Hearing none, she asked if members of the public had any questions. Hearing none, she asked for a motion.

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

On a vote of 4-0, the Planning, Licenses, and Development Committee recommends the communication requesting the discharge of fireworks be placed on more time to allow protocol meetings to occur.



City of Keene, N.H.
Transmittal Form

May 26, 2021

TO: Mayor and Keene City Council

FROM: Planning, Licenses and Development Committee

ITEM: H.3.

SUBJECT: Danya Landis/Machina Arts – Requesting Permission to Erect a Parklet in Parallel Parking Spaces – Outdoor Dining

RECOMMENDATION:

On a vote of 3-0, the Planning, Licenses, and Development Committee recommends the request from Machina Arts for use of public parking spaces for a parklet be placed on more time, pending the introduction of an Ordinance that would amend Chapter 46, General Use of City Property Right-of-Way.

BACKGROUND:

Chair Bosley stated that she apologizes to Ms. Landis not being aware that the intent was to discuss this and then place it on more time. She continued that she was told that the City Clerk's Office had reached out to Ms. Landis today about that. She hopes that through listening to this discussion Ms. Landis has gotten an idea of the process the Committee is going through to try and get a resolution for Machina Arts. They are moving it through the Committee as quickly as they can. She asked if Ms. Landis wanted to speak.

Ms. Landis stated that she wants to thank them again. She continued that it is incredible to have a City go this far to support a business and try to figure out how to make something brand new work. She knows it is not always easy to look outside the box. This parklet will be important for Machina Arts's vitality. It is not just a business; it is full of people who work there, their families and friends, and they support the community continuously. That is important for the Committee to remember as they think about how they are supporting small businesses. She knows parklets could benefit other businesses as well. She thanks the Committee and looks forward to their vote about the permit to serve alcohol on the patio, and the construction of the temporary parklet in three parking spaces.

Chair Bosley stated that she thinks they did vote on Machina Arts's permit at a previous City Council meeting. She thinks they just segregated the parklet issue. She asked if that is correct. Ms. Landis replied that she did not hear anything. Chair Bosley stated that Machina Arts is able to serve alcohol under the discretion of the City Manager's Emergency Order authority, but the full vote on that would be tied into the continued discussion on parklets. She asked if that is correct. Ms. Landis replied yes.

Chair Bosley stated that she hopes the Committee will have some sort of policy before them in a couple weeks and they can get right back to this conversation.

Ms. Landis stated that this does not need to be tied to parklets. She continued that Machina Arts wants to have an outdoor patio regardless of whether or not they have a parklet. The way they are currently set up could work. It is not ideal, and there is space they could utilize. They want to utilize it instead of just taking up parking spaces.

Chair Bosley stated that she hopes Ms. Landis can bear with them, because she thinks that while Machina Arts has the authority to operate in the manner they are currently operating in, it gives the Committee time to work out these details so they are not approving one thing and then taking it back to extend into parking spaces, if that potentially is where this goes. The Committee is aware that Machina Arts is at least operating and able to do business currently, and they want to get it right the first time. Ms. Landis replied that she agrees 100%.

Chair Bosley asked if members of the public had any questions. She stated that Councilor Greenwald is now considered an “attendee,” recused from his position as PLD Committee member for this agenda item.

Mitchell Greenwald stated that he is a Keene resident and property owner downtown. He continued that to be clear, there is a difference between being a City Councilor and being a resident/citizen. The conflict of interest statute states: “*A City Councilor has a conflict of interest if they have a pecuniary interest in the matter.*” Indeed, he is the property manager at the building where The Stage restaurant is located on Central Square, and he was asked by the building’s owner to speak to the PLD Committee and represent her interest and the 13 offices upstairs and two other retailers there who are very concerned about the loss of any parking spaces. They discussed that there is no parking lot north of Central Square. Those offices, such as the hair salons, definitely need parking. It takes time to have hair services done. Walking is good but it also inhibits their business growth. It is important to keep in mind that the request before the Committee will benefit the petitioner and the petitioner’s employees and patrons, but it is to the detriment to all others. Parking is key. It is in short supply, regardless of what the surveys say. People do not want to walk; they want to park as close as possible to where they are going. Keene needs more parking.

Mr. Greenwald continued that the safety issues of the request are obvious. There is a lot of traffic, including trucks going through. He cannot imagine how winter maintenance has been and will be done in the future. They usually use the Planning Board for site plan review. It does not apply to this as it is City property, but he can just imagine what the Planning Board would say to this request. It is dangerous and a bad idea. It is a great concept, in terms of progressive thinking, but they need to consider the hazards. The current situation, under the COVID-19 Emergency Powers, will end soon. When a business chooses where to locate – and Ms. Masten pointed this out – there are pluses and minuses of every location. Parking is a major issue, as is sidewalk size. Retailers want big sidewalks so they can put their goods outside, and restaurants love to have tables outside. Sometimes a location does not have such a big area out front and it is just part of the load the location bears. There is an opportunity north of the petitioner’s location, in a park, and he has been told the owner is hesitant to make that available. That solution perhaps could be worked out.

Mr. Greenwald continued that at the very least, if this request is approved, he urges the City Council, not just staff, to review this annually, and have the license be revocable without cause. He is sure the parklet will be gorgeous and there will not be any problems, but that is specific to the operation. There is the implication of the surrounding community that it is not going to be actually seen without getting some public input. The rules and procedures proposed by the Public Works Director are brilliant and answer all the questions, but they have been crafted to answer this situation. He finds that troubling. Finally, he reminds the City Council that they represent the public, not their favorite place or their favorite person or someone who is doing wonderful things, which he is sure the owners of Machina Arts are doing. The general public needs to be heard on this, and the general public needs parking as a high priority.

Ms. Landis stated that as a reminder, there is free parking on Court St., and a parking lot on Mechanic St., and a lot of parking on Washington St. She continued that there is a lot of parking in Machina Arts’s area. It may not be as apparent but it is there.

Rachel Eschle of 39 Union St. stated that she respectfully disagrees with Mr. Greenwald that creating parklets would be to the detriment of all others in the city. She continued that as a member of the public, she would like to see downtown outdoor dining expanded. It is good for the city and for commerce and creates the kind of

atmosphere they want downtown. Parklets are an effective way to accomplish that. She would like the City to adopt an Ordinance that deals with this and she would like to see more outdoor dining options downtown, particularly in the summer. Her understanding is that parklets would be taken out for the winter. She has seen parklets work in other cities, including Portland, ME. If safety issues exist, she is confident that the City could figure out a way to deal with that. She wants the record to reflect that she, as a member of the public, sees parklets as beneficial and something she would like to see not just for Machina Arts, but also for other restaurants that want to expand their outdoor dining options.

Ms. Masten stated that her decision to not want parklets or think negatively about them is based on all parklets; it is nothing towards Machina Arts. Machina Arts's folks are good folks who work hard and provide jobs in the community, and she recognizes all of the good things about them. It is parklets in general that she is concerned with. If the City has parklets they first need a safety study and a parking study. They should not do this on a whim.

Councilor Jones stated that all these issues people are bringing up can be addressed again, because tonight they are only placing this item on more time. The topic will come back to the Committee with guidelines in place. That would be the better time to speak to the pros and cons of Machina Arts getting this license.

Chair Bosley agreed and asked the City Manager if they have ever issued licenses on a first come, first serve basis with a cap. She continued that for instance, they could consider, as part of their guidelines, something like a five parklet limit and have those be available on a first come, first serve basis.

The City Manager replied that all that comes to mind is that the food truck spots are first come, first serve. It is not by license, but by spot. She continued that they recently licensed a mobile vending spot, which is first come, first serve, and it is the only location they have.

Chair Bosley stated that she heard that they spent a lot of time trying to find a way of being conservative with the amount of parklets they will allow, to conserve parking, and that narrowed down and cut out specific retailers, restaurants, or interested parties whose locations did not fit those guidelines. However, instead of looking at it from that perspective, maybe they could have a limitation in general that would allow them to review each design.

The City Manager replied that that is something they can look at. She continued that the criteria staff focused on was the sidewalk width, because people can do a lot with the sidewalk if they have the width, but if they do not, that is the challenge. Chair Bosley replied absolutely, there needs to be some basis for beginning, and that is a clear reason. She thinks that eliminating the pull-in parking spaces, because there are businesses that have narrow sidewalks and pull-in parking spaces is an issue. That might open up the opportunity, but without allowing it to run rampant in the city if they had some sort of cap. That is just a different way to look at it.

Georgia Cassimatis stated that she supports Machina Arts and any future business that wants to participate in this idea, because parklets are widely accepted across the country. Keene needs to make sure they are ahead of the curve on this and do everything necessary to figure out the details of these processes. Keene is generally ahead of the curve, which is great. They can figure it out and make it work for everyone. Regarding the fees Machina Arts will have to pay for this additional space due to the lack of income for the City, she wants to know: is there a fee for businesses that already have large-scale outdoor seating areas?

Chair Bosley replied that she believes there are fees associated with sidewalk café licenses, but no one else in the city has proposed or applied for anything like this. Thus, there is lost revenue by taking over those parking spaces, and to compensate the City for that is reasonable, along with a licensing fee, which a standard sidewalk café licensee would pay. The City Manager added that mobile vendors also pay for the spots they park in while vending.

Ms. Landis replied that makes sense, and the Farmer's Market also pays thousands of dollars to occupy their spots as well, and she does not see that as an issue. She continued that she was just curious if the restaurants that already have parklet-style outdoor seating pay fees. Chair Bosley replied that she would caution her against calling it "parklet-style outdoor seating," because Keene does not have any of that currently. She continued that the city has sidewalk cafes.

Ms. Landis asked what the fee is for a business to have a sidewalk café. Mr. Lamb replied that he thinks it is between \$100 and \$150 for the processing fee for the license. Ms. Landis asked what fee Machina Arts would have to pay. Chair Bosley replied that it would be identical, with the inclusion of the rental of the parking spaces. Ms. Landis asked if there is an estimated cost yet for those parking spaces. Chair Bosley replied that the proposed amount was two quarters of a yearly rental for a parking space, and Ms. Landis would have to contact the Parking Office. Mr. Greenwald stated that there is a daily rate for a space rental, but he does not know what it is.

Chair Bosley stated that there are a couple ways of looking at this. She continued that when the Committee sees the policy language that staff brings back at their next meeting, they will have a clearer idea of the direction that staff wants to take.

Councilor Jones stated that he has a story from the past, regarding the need to be careful when saying something like "We want to open it up to other businesses." Years ago, there was a cigar store on Central Square, which rented parking spaces to have a "smoke out" day. The City gave it to them, and received a lot of negative feedback afterwards from the hospital and anti-smoking advocates. They have to be careful. He was the only Councilor who voted against the cigar store renting the spaces for their smoke out. Due to that, Cigar Aficionado magazine has noted him as a politician to blackball. They have a list of governors, senators, congressional representatives, and him, a city councilor from Keene. He opposed to the cigar store's request because he thought it contradicted the City's new partnership with Healthy Monadnock. That is an example of what can come up if they start renting parking spaces to businesses. They need guidelines. They want the kind of business that Ms. Landis has, but they want to be careful about what else the City allows.

Councilor Johnsen stated that the Committee wants younger people in the community, and these young people are taking a stand. She wants to see that happen, and that does not take away anything from folks who are well established. When the Committee says they represent their constituents, they do. They want these kinds of things available. Many constituents want something more modern. She is not saying this is just for younger people. The well-established places are great, but she would like something new, too.

Chair Bosley replied that to Councilor Johnsen's point, COVID-19 has taught them a lot. They have expanded outdoor seating in general, which the City might have been hesitant to do at one time. Now they see that it works and people enjoy it. Currently, Machina Arts is taking up some parking spaces downtown and she still has a problem getting a reservation at a restaurant downtown. Obviously, people are still going out to eat and they are still finding a way to get to their locations, even if they have to walk a couple extra feet. She thinks it is interesting to have some progressive ideas and it keeps Keene modern. They just need to find a proper pace to implement it in a smart way that does not result in them regretting the decision. Having these open, public conversations and hearing people's opinions definitely makes her think. She had a certain opinion at the start of tonight's meeting about the general discussion, and Councilor Jones walked her through a different perspective on how the process could happen. They are all here to learn, grow, and make good decisions.

Chair Bosley asked if there were any further questions. Hearing none, she asked for a motion.

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

On a vote of 3-0, the Planning, Licenses, and Development Committee recommends the request from Machina Arts for use of public parking spaces for a parklet be placed on more time, pending the amendments to Chapter

46, General Use of City Property Right-of-Way.



City of Keene, N.H.
Transmittal Form

May 26, 2021

TO: Mayor and Keene City Council
FROM: Planning, Licenses and Development Committee
ITEM: H.4.

SUBJECT: James Murphy – In Support of the Improved Medicare Act of 2021

RECOMMENDATION:

On a vote of 3-0, the Planning, Licenses, and Development Committee recommends the request from James Murphy regarding the issue of support of the Improved Medicare Act of 2021 to be placed on more time, due to continued technical difficulties.

BACKGROUND:

Chair Bosley asked to hear from James Murphy.

James Murphy of 19 Shadow Lane stated that he has lived here for 48 years. He continued that his request is a petition for support of a Resolution on the Improved Medicare For All Act of 2021. It will provide affordable, high quality, comprehensive coverage for all medically necessary care under a national health program. Healthcare is a basic human right of every American and providing it as publicly funded social insurance is the only proven and cost-effective way to achieve equitable and sustainable universal coverage. The City of Keene will witness a savings of \$5 million annually on expenditures of employee healthcare and this will vastly improve healthcare outcomes to residents, who will encounter no financial barriers to care. Healthcare providers, hospitals, and doctors will benefit from not having to write off uncompensated care, as “everyone in and nobody out” will be the norm upon the Act becoming the law of the land.

Chair Bosley thanked Mr. Murphy and asked if staff wanted to speak to this item. Hearing no staff input, she stated that she wants to hear what the Committee’s opinion is regarding supporting this.

Councilor Johnsen stated that she appreciates Mr. Murphy’s request and it is clear that many people would benefit from this. She continued that they could recommend that the City Manager be directed to draft a Resolution in support of this, and she hopes they do. Anything they can do to make this come from Keene, NH, to take care of Keene residents on Medicare, is something she strongly supports.

Councilor Jones thanked Mr. Murphy and stated that he thinks this is important. He continued that he needs staff input on whether this is a social issue or a City issue. All that makes it a City issue is paragraph 3, and that needs staff input. If staff agrees with it, the PLD Committee should endorse this. Otherwise, it is a social issue, and they should not get into that. He asked if the other Committee members agree with his interpretation.

Chair Bosley replied that she agrees with Councilor Jones. She continued that she fully supports Mr. Murphy’s request, as a human being. However, she is not sure that the PLD Committee or the City Council is the right place to be putting this forward, because it presumes that this benefits the city as a whole, but she knows there are mixed opinions about this and they have not heard from the public on this topic. She holds reservation until

they fleshes this out more.

The City Manager stated that the third paragraph says *“The City of Keene will witness a savings of _____ million from its annual expenditures.”* She continued that she has not investigated whether or how that would occur, so she cannot confirm any number of savings in the City’s budget because of this.

Heather Stockwell, of 1166 Main St., Dublin, stated that she has lived in NH for over 50 years. She continued that she is on staff with Rights and Democracy (RAD) as a statewide campaign organizer. RAD is a non-profit organization with a mission to raise up the voices of working people and families, and they support raising the minimum wage, ending the overdose crisis, housing for all, and a universal healthcare system for all. In 2018, the entire US saw a 25% increase of insurance premiums and NH saw an outrageous 45% increase, as documented in the NH Providers Association report from that year. When the COVID-19 pandemic hit early in 2020 we were already in a healthcare crisis. The City of Keene spends almost \$5 million for City employees’ health insurance, which is why that number is being raised tonight. When the pandemic hit, an additional 5 to 10 million people lost their health insurance, on top of the 28.9 million that were already uninsured. Almost 44% of people do not have or cannot afford to use their insurance. People are afraid to seek care when they need it most, and at a time when our neighbors’ health is most linked to our own. More than 575,000 people have died from COVID-19 in the last year. An estimated 45% of those deaths could have been prevented if the US had responded differently, with earlier mask mandates, earlier lockdowns, more PPE or oxygen machines, and so on and so forth. COVID-19 has increased the life expectancy gap between Black and white people in the US by more than 50%, in one year.

Ms. Stockwell continued that people heard the term “Medicare for all” politicized during the last election cycle, but it is an actual piece of legislation that would create a national, universal healthcare program for the country. It would do this by taking an existing program, Medicare, and improving and expanding it. A universal healthcare system would provide everyone in the US with comprehensive healthcare coverage and would be free at the point of service. A healthcare system like this is often referred to as “single-payer.” A single-payer system means there is only one payer in the system. The government acts as the payer, instead of greedy insurance companies that are making millions of dollars. We the people, the users, would pay nothing at the point of service. Under a single-payer system, aka Medicare for all, all residents in the US would be covered for all medically necessary services, including doctor, hospital, preventative, long-term care, mental health, reproductive health care, dental, vision, and prescription drug costs. The Affordable Care Act (ACA) is being opened up and more subsidies are being added for folks still struggling, but it is not enough. It is just keeping those private insurance companies making bigger and bigger profits, and literally putting those profits over people’s actual care. The ACA is important but insufficient, unjust, and inefficient. It is unjust because individuals’ access to care is determined by who their employer is and what state they live in, and costs vary widely across locations, and even across facilities in the same location. It is inefficient because insurance companies become an intermediary. Much of doctors’ and patients’ time is spent doing paperwork rather than focusing on direct care. It is unsustainable, because very little time and energy is spent on wellness and preventative care. Studies show that people put off routine procedures and screenings until the required care is more expensive and in some cases it is just plain too late.

Ms. Stockwell continued that she urges the City to support this Resolution for the greater good of the people of Keene and the broader community of Cheshire County and the United States. They are bringing this Resolution forward to the City Council because there are a number of cities and towns that have passed a Resolution to send a message to the national delegation that this is something communities support. Communities are struggling with healthcare costs. The \$5 million estimate does not even include the school district. That is just City employees. Therefore, she urges the Committee to take the time they need to think about this, but know that this is not a legal, binding thing being asked of them. They are asking the community to come together and say they support this.

Councilor Johnsen stated that she concurs with Councilor Jones’s question, and would like to know if this is a

social issue or something for the Keene City Council to discuss. She continued that she likes it personally but wants to make sure that they have the right hat on.

Chair Bosley replied that the conversation is before them, regardless, and the Committee needs to decide what they want to do with it and decide if they want to recommend that the City Council support this. They could accept the petition as informational.

Councilor Jones stated that Ms. Stockwell spoke very well and he agrees with everything she said, but he is seeing this as a social issue. He wants to hear how this is about the city. The City Council needs to represent the city as a whole. They cannot get into social issues.

Chair Bosley asked for further public comment. Due to technical difficulties, the Committee took a five-minute recess at approximately 9:15 PM. Chair Bosley stated that if the internet connection is lost again, the meeting will adjourn and this agenda item will continue at the next meeting.

Amanda Elizabeth Toll of 24 Base Hill Rd. stated that her Zoom log-in says Keene Democrats but she is speaking as herself. She continued that she represents Cheshire 16 in the NH Statehouse and Cheshire 16 encompasses the City of Keene at large. She is here tonight to speak in support of the passage of the Medicare For All Resolution in Keene. She ran and was elected on a feminist platform, and this is a feminist issue to the core. People stay in abusive situations due to lack of healthcare.

Chair Bosley stated that due to continued technical difficulties, the meeting will adjourn and the Committee will pick this item up on their next agenda.



City of Keene, N.H.
Transmittal Form

May 27, 2021

TO: Mayor and Keene City Council
FROM: Finance, Organization and Personnel Committee
ITEM: J.1.

SUBJECT: Relating to the Powers and Duties of the Assessor's Board

RECOMMENDATION:

On 5-0 roll call vote, the Finance, Organization and Personnel Committee recommend the City Council adopt Ordinance O-2021-05-A.

ATTACHMENTS:

Description

Ordinance O-2021-05-A

BACKGROUND:

City Assessor Dan Langille addressed the Committee and stated this item is a continuation of a discussion from a prior FOP meeting. Mr. Langille indicated after the last meeting he met with both the City Manager and City Attorney and reviewed the comments from the last discussion and he was before the Committee with changes to the Ordinance based on those recommendations. He noted the committee has those changes in their packet for tonight.

He indicated he wanted to point out two items: The Assessor's Board will still provide a public process for citizens who wish to bring their concerns regarding their assessed values. The other item he would like to emphasize is that the Board has the authority to make the final decision on the abatement as to whether it should be granted or denied.

This is a three member public board with the Assessor acting in the role of chairman, but he will be a non-voting member. The language in the current ordinance is at least 50 years old and the assessing industry has now become a profession; it is heavily regulated and reviewed by the Department of Revenue as well as the State Assessing Standards Board.

Councilor Chadbourne stated the changes being proposed tonight are good changes and she supports them - the Board is providing a public service which gives the public the opportunity to be heard by peers while being guided by professional assessor.

Councilor Ormerod noted to item six which item has been crossed out. The Councilor stated this item was not discussed last time but in the past the Board was required to file an annual report but this duty has been assigned to the assessor or the City Manager and asked for clarification. Mr. Langille stated this is referred to as the MS1 report filed annually by September 1 with the State to determine the tax rate - this filing is completed by the Assessor.

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

On 5-0 roll call vote, the Finance, Organization and Personnel Committee recommend the City Council adopt Ordinance O-2021-05-A.



CITY OF KEENE Ordinance O-2021-05-A

Twenty-one

In the Year of Our Lord Two Thousand and

Relating to Powers and Duties of Assessor's Board

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 removing the stricken text and inserting the bolded text in Section 2-684 "Powers, Duties and Guidelines" of Division 4 "Assessor's Board" of Article 5 "Boards and Commissions" of Chapter 2 entitled "Administration" as follows:

DIVISION 4. - ASSESSOR'S BOARD

Sec. 2-681. - Membership.

The assessor's board shall consist of three voting public members and the city assessor, who shall act as a permanent, nonvoting, ex officio chair and chief clerk of the board. In determining each member's qualifications, the mayor shall take into consideration an appointee's professional experience in real estate, assessing, property appraisal, and banking; as well as a background in financing, statistics, math, real estate development/management. Members must be Keene residents.

Sec. 2-682. - Terms.

Each public member of the assessor's board shall have a three-year term. Terms of public board members shall be staggered, and one public board member shall be appointed by the mayor in January of each year.

Sec. 2-683. - Relation to department head.

The assessor's board may give advice to the city assessor on the operations of his office and on matters within the board's functional jurisdiction.

Sec. 2-684. - Powers, duties and guidelines.

In accordance with the statutory and case law requirements applicable to the review of property tax abatement applications the provisions of applicable law, the powers, duties and guidelines in this section are established for the conduct of the assessor's board. The board shall: ~~the City Assessor is authorized and responsible for all activities related to the fair and equitable taxation of real property in the City. In carrying out the duties of the Assessing Department the City Assessor is to act in an impartial manner. The Assessor's Board has been established as an advisory board to the City Assessor and specifically for the following purposes:~~

- (1) Review property tax abatement applications and vote to assessing department recommendations to advise City Assessor on whether to grant or deny abatement requests.
- (2) Provide an opportunity for property owner(s) to speak to the board on behalf of their abatement request.
- (3) Assist the City Assessor in building and maintaining the public's trust by ensuring transparent assessing practices.
- (4) ~~Act Assist the Assessing Department in as a publicizing agent bringing assessing related programs and projects to the notice of the public.~~

~~Review and advise City Assessor regarding the NH Department of Revenue Assessment Review Audit.~~

- ~~(1) Ensure that property of all types in the city is valued fairly, impartially, and equitably in relationship to all other property, so that no taxpayer pays more than his fair share nor less than his fair share of property taxes.~~
- ~~(2) Assess taxes and grant abatements in accordance with the provisions of applicable law.~~
- ~~(3) Hear citizen comments on the performance of the department of assessment.~~
- ~~(4) Assist the city assessor in maintaining a high state of morale and readiness in the department of assessment by encouraging the training and professional development of the assessor.~~
- ~~(5) Advise the city assessor on the problems and policies of the department of assessment.~~
- ~~(6) Furnish information concerning any of the work, conduct, affairs and activities of the office to the city council on request. The board shall prepare an annual report which shall be filed not later than December 1 with the city clerk and shall show the total appraised valuation of all real estate in the city assessed thereon, the real estate and other property not publicly owned but exempted~~

~~from taxation, the value of publicly owned real estate in the city, and other information which is deemed of interest to the city council and taxpayers of the city. The annual report shall also show the total amount of taxes upon property or polls that has been abated during the period covered by the report and shall state briefly the reasons therefor and shall include any additional information requested by the council.~~

- ~~(7) Advise the city council and city manager on procedural matters concerned with tax assessment.~~
- ~~(8) Seek ways of improving the performance of the functions of the board.~~
- ~~(9) Advise the city council, city manager, city assessor, and director of finance on the application of the tax assessment and abatement laws and ways to improve the laws.~~
- ~~(10) Exercise its best efforts by every allowable means to promote and perpetuate the growth, responsiveness, and the usefulness of the assessor functions of the city.~~
- ~~(11) Act as a publicizing agent bringing all types of assessor programs and problems to the notice of the public.~~
- ~~(12) Inform itself thoroughly of the assessor's activities contemplated for improvements of the function.~~
- ~~(13) Designate a member of the board to appear before other boards or city council committees to testify on matters of concern to the board.~~
- ~~(14) Develop active regional cooperation with other committees and levels of government.~~
- ~~(15) Study and recommend methods of financing proposed improvements in assessor operations.~~
- ~~(16) Appear before state and federal agencies to request financial assistance for assessor programs or to advocate changes in the state laws and federal regulations as they affect the ability of the city to carry out its function.~~
- ~~(17) Recommend for the city manager's consideration matters concerned with program or policy expansion, contraction, or deletion.~~
- ~~(18) Request the city manager to require his subordinates to furnish to the assessors' board, within a reasonable period of time, such available information as it may properly require for its work.~~
- ~~(19) Perform such other related functions as required by the city council or requested by the city manager.~~

George S. Hansel, Mayor



City of Keene, N.H.
Transmittal Form

May 27, 2021

TO: Mayor and Keene City Council
FROM: Finance, Organization and Personnel Committee
ITEM: J.2.
SUBJECT: Relating to Class Allocation and Salary Schedule

RECOMMENDATION:

On 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends the adoption of Ordinance O-2021-08-A.

ATTACHMENTS:

Description

Ordinance O-2021-08-A

BACKGROUND:

Asst. City Manager/ Human Resources Director Beth Fox addressed the annual updates to chapter 2 and chapter 62 of the city code which provides the salary schedules applicable to the city's regular full and part time, non-union positions. The proposed salary ordinance provides for across the board COLA adjustment of 2% to the existing schedules, which include the Council appointments of the City Manager, City Clerk and City Attorney, the call firefighters, probationary public works employees, probationary full time firefighters and police officers, as well as the largest group of non-union employees with approximately 85 personnel, administrative office and technical management personnel that hold positions across the city's 11 departments.

The COLA adjustment proposed for FY 22 is comparable to the contract based adjustments, effective July 1 authorized by the City Council for five of the city's collective bargaining units. There is one collective bargaining unit which is not under contract for July 1 and staff is currently in negotiations with that group.

Ms. Fox noted this past year has had an extraordinary impact on the labor market, but emerging from the pandemic despite the fact that unemployment experienced enormous volatility during the past 14 months and nationally remains a challenge. New Hampshire's current unemployment rate is almost returned to pre pandemic levels. In March 2021, the rate was at 3% statewide and 3.2% for the county. Statewide the available workforce has declined over the past year adding pressures to employers seeking talent.

Ms. Fox stated she wanted to review with the committee the changes to each of the schedules that are beyond the COLA:

Section 2:141 - Call Firefighter Schedules:

The amendments to this section is to clarify job title language and establish an additional probationary grade, which would be applicable to a new call firefighter with a level two certification or one that attains their certification during their probationary period, establishing the additional grade and recognize the extended training these new hires apply to their duties of the position.

Section 62:166 - Hourly Wage Schedule: Applicable to
probationary Public Works employees. This section includes a new job title - under PPW 10 - lead mechanic. The title been proposed by the city to the union, including it in the ordinance update assures the schedule provided by code, aligns with the schedule and the collective bargaining unit. The position added - lead mechanic will be responsible for providing operational direction and take the lead and resolution of concerns or complaints when the fleet operations manager is not available to do so.

Section 62:192:2 - Relates to probationary Police Officers – Although this amendment, probably could be pushed through as a scrivener’s error. The proposal is to add an additional “P” - PP1 would be probationary and P1 would be regular police officer.

The final amendment applies to Administrative Office, Technical and Management Positions: It includes several modified or new job titles as well as a grade change. Ms. Fox stated there is also a change she wanted to bring to the committee’s attention which was not introduced to Council last week.

The A version recommends establishment of a new job title, Senior Paralegal, S15 position and eliminates the current Legal Paralegal title on the schedule. Staff has discussed extensively about the impacts on the organization of right to know and the additional demands, knowledge and expertise right to know and recent evolutions in case law have placed on the organization. This paralegal position has been significantly impacted and the review of the job description, its expanded right to know responsibilities and other duties performed supports repositioning of the salary schedule and modification of the job title to reflect the type of work, and the complexity of performing this work.

Other changes in the schedule include the area Public Works. Two positions have been re-titled. Including a new title for Water/Sewer Manager which will replace the Water/Sewer Superintendent, and another new title, Transportation and Stormwater Operations Manager to replace the title of Highway Superintendent. These new titles recognize both the changing skill set and educational level required by the duties of these positions, which have evolved over time to function as managers versus field supervisors. The position of Fleet Services Superintendent which has been vacant for a long period of time is also proposed for elimination in this ordinance update.

The next change relates to Parks, Recreation and Facilities – this change recognizes the ever expanding scope and impact this department is having on our community. A new job title, but not an additional position of Recreation Manager is part of this ordinance update. The Director continued that the mission of this department has evolved; programs and recreation facilities have expanded significantly in the past three to five years. The diverse nature of the department, recreational assets program, youth services and general citywide facilities is a very broad scope for a Director. This Recreation Manager position is the first step towards developing a more consolidated and stronger management structure across the department’s diverse functions.

The final adjustment to the ordinance is the return of the Assistant City Attorney position to the schedule to provide greater support to the right to know process, particularly at the police department, in addition to other city legal matters. The city manager, city attorney and the police chief have discussed this position quite a bit with Council in the past.

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

On 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends the adoption of Ordinance O-2021-08-A.



CITY OF KEENE

O-2021-08-A

Twenty-one

In the Year of Our Lord Two Thousand and

Relating to Class Allocations and Salary Schedules

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, hereby are further amended by deleting Section 2-231, "City Council Appointments' Salary Schedules" of Chapter 2, entitled "Administration;" as well as Section 62-141 "Call Firefighter Hourly Wage Schedule;" Section 62-166, "Hourly Wage Schedule for Probationary Public Works;" Section 62-191, "Probationary Firefighter;" Section 62-192, "Probationary Police Officer;" and Section 62-194, "Administrative, Office, Technical and Management - Annual Salary Schedule", of Chapter 62 entitled, "Personnel," and by substituting in lieu thereof the following attached new sections: Section 2-231, "City Council Appointments' Salary Schedule;" Section 62-141 "Call Firefighter Hourly Wage Schedule;" Section 62-166, "Probationary Public Works Hourly Wage Schedule;" Section 62-191, "Probationary Firefighter;" Section 62-192 "Probationary Police Officer;" and Section 62-194, "Administrative, Office, Technical and Management - Annual Salary Schedule," effective July 1, 2021.

George S. Hansel, Mayor

City Code Section 62-191

**PROBATIONARY FIREFIGHTER
HOURLY WAGE SCHEDULE
Non-bargaining unit
(effective July 1, 2021)**

| <u>GRADE</u> | | <u>STEP 1</u> |
|--------------|-------------------|---------------|
| F 1 | Firefighter/EMT B | \$20.64 |
| F 2 | Firefighter/A-EMT | \$21.87 |
| F 3 | Firefighter/Medic | \$23.27 |

City Code Section 62-192

**PROBATIONARY POLICE OFFICER
HOURLY WAGE SCHEDULE
Non-bargaining unit
(effective July 1, 2021)**

| <u>GRADE</u> | <u>STEP</u> |
|--------------|-------------|
| PP 1 | \$24.93 |
| PP 2 | \$26.05 |

City Code Section 62-194 Administrative, Office, Technical and Management Personnel

The annual salary schedule for administrative, office, technical and management personnel is as follows:

**ADMINISTRATIVE, OFFICE, TECHNICAL AND MANAGEMENT
ANNUAL SALARY SCHEDULE**

Non-bargaining unit
(effective July 1, 2021)

| <u>GRADE</u> | <u>STEPS</u> | | | | | |
|--------------|--------------|----------|----------|----------|----------|----------|
| | <u>1</u> | <u>2</u> | <u>3</u> | <u>4</u> | <u>5</u> | <u>6</u> |
| S 4 | 36,523 | 38,167 | 39,885 | 41,680 | 43,556 | 45,516 |
| S 5 | 38,167 | 39,885 | 41,680 | 43,556 | 45,516 | 47,564 |
| S 6 | 39,885 | 41,680 | 43,556 | 45,516 | 47,564 | 49,704 |
| S 7 | 41,680 | 43,556 | 45,516 | 47,564 | 49,704 | 51,941 |
| S 8 | 43,556 | 45,516 | 47,564 | 49,704 | 51,941 | 54,278 |
| S 9 | 45,516 | 47,564 | 49,704 | 51,941 | 54,278 | 56,721 |
| S 10 | 47,564 | 49,704 | 51,941 | 54,278 | 56,721 | 59,273 |
| S 11 | 49,704 | 51,941 | 54,278 | 56,721 | 59,273 | 61,940 |
| S 12 | 51,941 | 54,278 | 56,721 | 59,273 | 61,940 | 64,727 |
| S 13 | 54,278 | 56,721 | 59,273 | 61,940 | 64,727 | 67,640 |
| S 14 | 56,721 | 59,273 | 61,940 | 64,727 | 67,640 | 70,684 |
| S 15 | 59,273 | 61,940 | 64,727 | 67,640 | 70,684 | 73,865 |
| S 16 | 61,940 | 64,727 | 67,640 | 70,684 | 73,865 | 77,189 |
| S 17 | 64,727 | 67,640 | 70,684 | 73,865 | 77,189 | 80,663 |
| S 18 | 67,640 | 70,684 | 73,865 | 77,189 | 80,663 | 84,293 |
| S 19 | 70,684 | 73,865 | 77,189 | 80,663 | 84,293 | 88,086 |
| S 20 | 73,865 | 77,189 | 80,663 | 84,293 | 88,086 | 92,050 |
| S 21 | 77,189 | 80,663 | 84,293 | 88,086 | 92,050 | 96,192 |
| S 22 | 80,663 | 84,293 | 88,086 | 92,050 | 96,192 | 100,521 |
| S 23 | 84,293 | 88,086 | 92,050 | 96,192 | 100,521 | 105,044 |
| S 24 | 88,086 | 92,050 | 96,192 | 100,521 | 105,044 | 109,771 |
| S 25 | 92,050 | 96,192 | 100,521 | 105,044 | 109,771 | 114,711 |
| S 26 | 96,192 | 100,521 | 105,044 | 109,771 | 114,711 | 119,873 |
| S 27 | 100,521 | 105,044 | 109,771 | 114,711 | 119,873 | 125,267 |
| S 28 | 105,044 | 109,771 | 114,711 | 119,873 | 125,267 | 130,904 |
| S 29 | 109,771 | 114,711 | 119,873 | 125,267 | 130,904 | 136,795 |
| S 30 | 114,711 | 119,873 | 125,267 | 130,904 | 136,795 | 142,951 |

City Code Section 62-194

ADMINISTRATIVE, OFFICE, TECHNICAL AND MANAGEMENT

(effective July 1, 2021)

| <u>GRADE</u> | <u>CLASS ALLOCATION</u> |
|--------------|--|
| S 4 | Library Aide |
| S 5 | Minute Taker |
| S 6 | Administrative Assistant; Records Clerk |
| S 7 | Administrative Assistant I |
| S 8 | NO POSITIONS ASSIGNED |
| S 9 | NO POSITIONS ASSIGNED |
| S 10 | NO POSITIONS ASSIGNED |
| S 11 | Office Manager; Parking Services Technician |
| S 12 | Librarian I; Planning Technician; Paralegal ; Executive Secretary; Staff Accountant; Police Dispatch Supervisor; Fire Department Administrator |
| S 13 | NO POSITIONS ASSIGNED |
| S 14 | NO POSITIONS ASSIGNED |
| S 15 | Executive Assistant; Librarian II; Payroll Administrator; Human Resources Assistant; Youth Services Manager; Mapping Technician; Engineering Technician; Technical Support Specialist; Assistant City Clerk; Parking Operations Manager; Senior Paralegal |
| S 16 | Planner; Laboratory Supervisor |
| S 17 | Appraiser; Recreation Programmer; Librarian III; Parks & Cemetery Maintenance Superintendent; Treatment Plant Manager; Fleet Services Operations Manager; Senior Staff Accountant; Airport Maintenance & Operations Manager |
| S 18 | Water/Sewer Operations Manager Water & Sewer Superintendent ; Purchasing Agent; Civil Engineer; Solid Waste Manager; Maintenance Manager; Revenue Collector; Records Manager/Deputy City Clerk; Laboratory Manager; Human Services Manager |
| S 19 | Transportation/Stormwater Operations Manager Highway Superintendent ; Operations Manager; Senior Planner; Recreation Manager ; Fleet Services Superintendent ; |
| S 20 | Systems Administrator; Purchasing & Contract Services Manager; Assistant City Attorney |
| S 21 | NO POSITIONS ASSIGNED |
| S 22 | NO POSITIONS ASSIGNED |
| S 23 | NO POSITIONS ASSIGNED |
| S 24 | City Engineer; Assistant Public Works Director/Division Head; Assistant IT Director; Database Administrator; Airport Director; Building/Health Official |
| S 25 | Human Resources Director; Library Director; Assistant Finance Director/Assistant Treasurer; Police Captain; Deputy Fire Chief |
| S 26 | Community Development Director; City Assessor; Parks, Recreation & Facilities Director |
| S 27 | Finance Director/Treasurer; IT Director |
| S 28 | Police Chief; Fire Chief; Public Works Director |
| S 29 | NO POSITIONS ASSIGNED |
| S 30 | NO POSITIONS ASSIGNED |



City of Keene, N.H.
Transmittal Form

May 27, 2021

TO: Mayor and Keene City Council

FROM: Finance, Organization and Personnel Committee

ITEM: K.1.

SUBJECT: Relating to Blind Exemption; Relating to an Exemption for Deaf or Severely Hearing Impaired Persons and an Exemption for Improvements to Assist Persons Who are Deaf or Severely Hearing Impaired; Relating to Veterans' Tax Credits; Relating to Exemption for the Disabled; Relating to Elderly Exemption Qualifications

RECOMMENDATION:

On 5-0 roll call vote, the Finance, Organization and Personnel Committee recommend the adoption of Resolution R-2021-25, Resolution R-2021-26, Resolution R-2021-27, Resolution R-2021-29, Resolution R-2021-30, relating to tax credits and exemptions.

ATTACHMENTS:

Description

Resolution R-2021-25

Resolution R-2021-26

Resolution R-2021-27

Resolution R-2021-29

Resolution R-2021-30

BACKGROUND:

Mr. Langille stated this item is a follow-up of a discussion from last time with the committee. It is regarding exemptions and credit and the impact they have on the city's budget. On the agenda today are five resolutions that are going to change the current exemption and credit offerings.

Blind Exemption - increase from \$16,500 to \$18,000

Deaf Exemption – increase from \$29,700 to \$33,000 - also increasing the income and asset levels by 10% - this is for the purpose of determining the eligibility of an applicant as cost of living has increased.

Veterans tax credit –increase from \$225 to \$300 – this will affect the All Veterans Credit as well but there isn't a separate resolution, the reason being when the veterans tax credit changes, by statute the same credit has to be offered to the All Veterans Credit as well. The difference is one served during wartime and the other served during peacetime.

Exemption for the Disabled - changing from \$29,700 to \$33,000 - also increasing the incoming asset limitations.

Elderly Exemptions - three different categories:

First category is \$29,700 to \$33,000.

Second category is \$37,400 to \$45,000.

Third category, oldest population \$44,900 to \$60,000. The Resolution also adjusts the income asset requirements.

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

On 5-0 roll call vote, the Finance, Organization and Personnel Committee recommend the adoption of Resolution R-2021-25, Resolution R-2021-26, Resolution R-2021-27, Resolution R-2021-29, Resolution R-2021-30, relating to tax credits and exemptions.



CITY OF KEENE

R-2021-25

2021

In the Year of Our Lord Two Thousand and
RELATING TO BLIND EXEMPTION

A RESOLUTION

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

Whereas, RSA 72:37 was established to allow an exemption for the Blind and

Whereas, the City Council wishes to amend the exemption amount for the Blind.

Now Therefore Be It Resolved by the Council or the City of Keene that Resolution R-2007-10 adopted March 15, 2007, is rescinded.

And Be It Further Resolved by the Council of the City of Keene that it hereby wishes to comply with the modifications as set out in RSA 72:27-a, by responding in the affirmative to the following:

"Shall the Council of the City of Keene amend the Blind Exemption to read:

Every inhabitant who is legally blind as determined by the blind services program, bureau of vocational rehabilitation, department of education shall be exempt each year on the assessed value, for property tax purposes, of his or her residential real estate in the amount of **18,000.**" This act shall take effect as of April 1, 2021.

George S. Hansel, Mayor



CITY OF KEENE

R-2021-26

2021

In the Year of Our Lord Two Thousand and
RELATING TO AN EXEMPTION FOR DEAF OR SEVERELY HEARING
IMPAIRED PERSONS AND AN EXEMPTION FOR IMPROVEMENTS TO
A RESOLUTION ASSIST PERSONS WHO ARE DEAF OR SEVERELY HEARING IMPAIRED

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

Whereas, RSA 72:38-b was established for the purpose of granting an exemption to qualified deaf or severely hearing impaired persons and an exemption for improvements to assist persons who are deaf or severely hearing impaired and

Whereas, the City Council wishes to amend the exemption amount and the income and assets limitations related to the exemption for deaf or severely hearing impaired persons and an exemption for improvements to assist persons who are deaf or severely hearing impaired.

Now Therefore Be It Resolved by the Council of the City of Keene that Resolution R-2017-20, adopted May 4, 2017 is rescinded.

And Be It Further Resolved by the Council of the City of Keene that it hereby wishes to comply with the modifications as set out in RSA 72:27-a, by responding in the affirmative to the following:

"Shall the Council of the City of Keene amend the exemption for qualified deaf or severely hearing impaired persons and an exemption for improvements to assist persons who are deaf or severely hearing impaired to read:

Any deaf person or person with severe hearing impairment shall be exempt each year on the assessed value, for property tax purposes, of his or her residential real estate to the value of **33,000**. The exemption applies only to property which is occupied as the principal place of abode by the eligible deaf person or person with severe hearing impairment. A deaf person or person with severe hearing impairment" means a person who has a 71 Db hearing average hearing loss or greater in the better ear as determined by a licensed audiologist or qualified otolaryngologist, who may rely on a visual means or communication, as American Sign Language or speech recognition and whose hearing is so impaired as to substantially limit the person from processing linguistic information through hearing, with or without amplification, so as to require the use of an interpreter or auxiliary aid.

The eligible person shall have resided in the state for at least 5 consecutive years preceding April 1 in the year in which the exemption is claimed, and if married, must have been married for at least 5 years. In addition, the eligible party must have a net income of not more than **\$32,000**, or, if married, a combined net income of not more than **\$43,000** and own net assets not in excess of **\$61,000**, or if married, combined net asset limit of **\$87,000** excluding the value of the residence and the land upon which it is located up to the greater of 2 acres or the minimum single family residential lot size specified in the local zoning ordinance.

In addition to the exemption provided above, a person may claim an exemption for improvements to assist persons who are deaf or severely hearing impaired. The exemption for improvements shall apply to every owner of residential real estate upon which he or she resides, and to which he or she has made improvements for the purpose or assisting a person who is deaf or severely hearing impaired who also resides on such real estate. The exemption shall be determined by deducting the value of such improvements from the assessed value of the residential real estate before determining the taxes upon such real estate. The exemption shall only apply in taxable years during which the person who is deaf or severely hearing impaired resided on the residential real estate for which the exemption is claimed on April 1 in any given year.”

This act shall take effect as of April 1, 2021.

George S. Hansel, Mayor



CITY OF KEENE

R-2021-27

2021

In the Year of Our Lord Two Thousand and
RELATING TO VETERANS' TAX CREDITS

A RESOLUTION

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

Whereas, RSA 72:28, was established for the purpose of allowing Veterans' Tax Credits and

Whereas, the City Council wishes to amend the amount of the Optional Veterans' Tax Credit.

Now Therefore Be it Resolved by the Council of the City of Keene that Resolution R-2009-32, adopted December 17, 2009, is rescinded.

And Be It Further Resolved by the Council of the City of Keene that it hereby wishes to comply with the procedure for modification of the Optional Veterans' Tax Credit set forth in RSA 72:27-a, by responding in the affirmative to the following:

“Shall the Council of the City of Keene amend the Optional Veterans’ Tax Credit from **\$225** to **\$300**”. This act shall take effect as of April 1, 2021.

George S. Hansel, Mayor



CITY OF KEENE

R-2021-29

In the Year of Our Lord Two Thousand and2021.....

A RESOLUTION RELATING TO EXEMPTION FOR THE DISABLED

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

Whereas, RSA 72:37-b was established for the purpose of granting an exemption to property which is occupied as the principal place of abode by any person eligible under Title II or Title XVI of the federal Social Security Act for benefits to the disabled and

Whereas, the City Council wishes to amend the exemption amount and the income and asset limitation amounts related to the Exemption for the Disabled.

Now Therefore Be It Resolved by the Council of the City of Keene that Resolution R-2017-21, adopted May 4, 2017 is rescinded.

And Be It Further Resolved by the Council of the City of Keene that it hereby wishes to comply with the modifications as set out in RSA 72:27-a, by responding in the affirmative to the following:

"Shall the Council of the City of Keene amend the Exemption for the Disabled to read:

An exemption for persons eligible under Title 11 or Title XVI of the federal Social Security Act shall be granted to qualified taxpayers in the amount or **\$33,000**. To qualify, the property shall be owned by a resident, owned by a resident jointly or in common with the resident's spouse, either or whom meets the requirements for the exemption claimed. owned by a resident jointly or in common with a person not the resident's spouse, if the resident meets the applicable requirements for the exemption claimed, or owned by the resident's spouse, either or whom meets the requirements for the exemption claimed and when they have been married for at least 5 consecutive years. In addition, the eligible party must have a net income of not more than **\$32,000**, or if married a combined net income of not more than **\$43,000**; and own net assets not in excess of **\$61,000**, or if married a combined net asset limit or **\$87,000**, excluding the value of the residence and the land upon which it is located up to the greater of 2 acres or the minimum single family residential lot size specified in the local zoning ordinances. Further, upon their sixty-fifth birthday, a person eligible for the exemption for the disabled shall remain eligible for a yearly exemption either in the amount or the Exemption for the Disabled or the Exemption for the Elderly, whichever is greater." This act shall take effect as or April 1, 2021.



CITY OF KEENE

R-2021-30

2021

In the Year of Our Lord Two Thousand and
RELATING TO ELDERLY EXEMPTION QUALIFICATIONS

A RESOLUTION

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

Whereas, RSA 72:39-a was established for the purposes of standardizing the Elderly Exemption program and

Whereas, the City Council wishes to amend the exemption amounts and the income and assets limitations related to the Elderly Exemption.

Now Therefore Be It Resolved by the Council or the City of Keene that Resolution R-2017-19 adopted May 4, 2017, is rescinded.

And Be It Further Resolved by the Council of the City of Keene that it hereby wishes to comply with the modifications as set out in RSA 72:27-a, by responding in the affirmative to the following:

"Shall the Council of the City of Keene amend the Elderly Exemption Qualifications to read:

An elderly exemption, shall be granted for qualified taxpayers in the amount of **33,000** for a person 65 years of age up to 75 years of age: **45,000** for a person 75 years of age up to 80 years of age and **60,000** for a person 80 years of age or older. To qualify, the property shall be owned by a resident, owned by a resident jointly or in common with the resident's spouse, either of whom meets the requirements for the exemption claimed, owned by a resident jointly or in common with a person not the resident's, spouse, if the resident meets the applicable requirements for the exemption claimed, or owned by the resident's spouse, either of whom meets the requirements for the exemption claimed and when they have been married for at least 5 consecutive years. In addition, the eligible party must have a net income of not more than **\$32,000** or if married a combined net income of not more than **\$43,000**; and own net assets not in excess of **\$61,000**, or if married a combined net asset limit of **\$87,000** excluding the value of the residence and the land upon which it is located up to the greater of 2 acres or the minimum single family residential lot size specified in the local zoning ordinance. The combined net asset amount for married persons shall apply to a surviving spouse until the sale or transfer of the property by the surviving spouse or until the remarriage of the surviving spouse". This act shall take effect as April 1, 2021.

George S. Hansel, Mayor



City of Keene, N.H.
Transmittal Form

May 27, 2021

TO: Mayor and Keene City Council
FROM: Finance, Organization and Personnel Committee
ITEM: K.2.
SUBJECT: Relating to the FY 2021-2022 Operating Budget

RECOMMENDATION:

On 5-0 roll call vote, the Finance, Organization and Personnel Committee recommended these staff changes be incorporated into the final 2021-2022 budget as noted.

ATTACHMENTS:

Description

Resolution R-2021-22

BACKGROUND:

The Chairman noted there were a couple of staff changes. He noted the Resolution before the committee today is inclusive of the staff changes that were made early on when they discovered some calculations that were not necessary.

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

On 5-0 roll call vote, the Finance, Organization and Personnel Committee recommended these staff changes be incorporated into the final 2021-2022 budget as noted.



CITY OF KEENE

Resolution R-2021-22

Twenty-one

In the Year of Our Lord Two Thousand and
Relating to the 2021/2022 fiscal year budget

A RESOLUTION

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

That the sum of \$27,045,542 be raised by taxation during the current year which together with \$36,349,154 for estimated operating revenues aggregating \$63,394,696 is hereby appropriated for the use of the several departments of the City Government, and further that the sum of \$6,293,363 be appropriated for capital expenditures and capital reserve appropriations in the city proprietary funds, funded by the use of capital reserves, fund balance and current revenues, for the fiscal year beginning July 1, 2021, as attached hereto and made a part thereof.

George S. Hansel, Mayor



City of Keene, N.H.
Transmittal Form

May 27, 2021

TO: Mayor and Keene City Council
FROM: Finance, Organization and Personnel Committee
ITEM: K.3.

SUBJECT: Relating to the Appropriation of Funds for the Flood Management Project; Relating to the Appropriation of Funds for the Patricia T. Russell Park improvement Project; Relating to the Appropriation of Funds for the Road Rehabilitation Project

RECOMMENDATION:

On 5-0 roll call vote, the Finance, Organization and Personnel Committee recommend the adoption of R-2021-15.

On 5-0 roll call vote, the Finance, Organization and Personnel Committee recommend the adoption of R-2021-16.

On 5-0 roll call vote, the Finance, Organization and Personnel Committee recommend the adoption of R-2021-17.

ATTACHMENTS:

Description

Resolution R-2021-15

Resolution R-2021-16

Resolution R-2021-17

BACKGROUND:

Karen Gray senior staff accountant addressed the Committee behalf of the Finance Director and stated there are three bond Resolutions for all projects in the FY 22 budget. They were in the second year of the FY21-27 Capital Improvement Program. All bonds this year are from the general fund.

Ms. Gray explained that the City Council authorizes the issue of financial obligations annually, but typically staff only issues the actual debt every other year in order to save on the issuance cost. If approved these bonds will probably be issued in Fall 2022. The City always consults the PFM Financial Advisors on market conditions before it goes to market. Last fall the City had a very successful direct purchase of new bonds at 1.65% and a refunding of some 2013 and 2010 bonds at 1.36%.

The three bonds before the committee tonight are Resolution R-2021-15, for \$744,004 earmarked for flood management, Resolution R-2021-16 for \$1,283,000 earmarked for the Patricia T Russell Park, and Resolution R-2021-17 for \$922,000 earmarked for the road rehabilitation.

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

On 5-0 roll call vote, the Finance, Organization and Personnel Committee recommend the adoption of R-2021-15.

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

On 5-0 roll call vote, the Finance, Organization and Personnel Committee recommend the adoption of R-2021-16.

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

On 5-0 roll call vote, the Finance, Organization and Personnel Committee recommend the adoption of R-2021-17.

Councilor Remy noted the committee not having any discussion on this item shows the level of work city staff and put into the budget and extended his appreciation. The Chairman agreed staff puts a lot of work into this item and extended his appreciation as well.



CITY OF KEENE

R-2021-15

In the Year of Our Lord Two Thousand andTwenty-one.....

A RESOLUTION Relating to the Appropriation of Funds for the Flood Management
..... Project.....

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

That the sum of seven hundred and forty-four thousand (\$744,000) is hereby appropriated for the Flood Management Project, and to fund said appropriation, the City Treasurer, with the approval of the City Manager, is authorized to borrow up to seven hundred and forty-four thousand (\$744,000) under the provisions of the Municipal Finance Act, and to issue bonds or notes thereof.

This authorization shall lapse if not fulfilled within five (5) years from date of approval.

George S. Hansel, Mayor



CITY OF KEENE

R-2021-16

In the Year of Our Lord Two Thousand andTwenty-one.....

A RESOLUTION Relating to the Appropriation of Funds for the Patricia T. Russell
Park Improvements Project.....

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

That the sum of one million, two hundred and eighty-three thousand (\$1,283,000) is hereby appropriated for the Patricia T. Russell Park Improvements Project, and to fund said appropriation, the City Treasurer, with the approval of the City Manager, is authorized to borrow up to one million, two hundred and eighty-three thousand (\$1,283,000) under the provisions of the Municipal Finance Act, and to issue bonds or notes thereof.

This authorization shall lapse if not fulfilled within five (5) years from date of approval.

George S. Hansel, Mayor



CITY OF KEENE

R-2021-17

In the Year of Our Lord Two Thousand andTwenty-one.....

A RESOLUTIONRelating to the Appropriation of Funds for the Road Rehabilitation
.....Project.....

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

That the sum of nine hundred and twenty-two thousand (\$922,000) is hereby appropriated for the Road Rehabilitation Project, and to fund said appropriation, the City Treasurer, with the approval of the City Manager, is authorized to borrow up to nine hundred and twenty-two thousand (\$922,000) under the provisions of the Municipal Finance Act, and to issue bonds or notes thereof.

This authorization shall lapse if not fulfilled within five (5) years from date of approval.

George S. Hansel, Mayor