

09/07/2023

A regular meeting of the Keene City Council was held on Thursday, September 7, 2023. The Honorable Mayor George S. Hansel called the meeting to order at 7:00 PM. Roll called: Bryan J. Lake, Michael Giacomo, Randy L. Filiault, Robert C. Williams, Philip M. Jones, Andrew M. Madison, Raleigh C. Ormerod, Bettina A. Chadbourne, Mitchell H. Greenwald, Kate M. Bosley, and Thomas F. Powers were present. Catherine I. Workman arrived at 7:05 PM. Kris E. Roberts was absent. Having declared that a quorum was physically present, Mayor Hansel recognized that Councilor Michael J. Remy requested to participate remotely due to work travel; he was calling from the public area of an airport. Hearing no objections from the Council, Mayor Hansel granted remote participation. Councilor Madison led the Pledge of Allegiance.

#### MINUTES OF THE PREVIOUS MEETING

A motion by Councilor Powers to adopt the August 17, 2023, meeting minutes as presented was duly seconded by Councilor Bosley. The motion carried unanimously on a roll call vote with 12 Councilors present and voting in favor. Councilors Roberts was absent from the meeting and Workman was absent for this vote. Ward Four Council seat vacant.

#### ANNOUNCEMENTS

There will be 2 workshops on Council Goals. The first is on September 18 and the second is on October 16. These workshops will be at Heberton Hall at 6:00 PM. The setup for these meetings will not accommodate remote access, so Councilors should make every effort to attend. Light refreshments will be served in advance of the workshops.

#### PUBLIC HEARING – ZONING MAP CHANGE – OLD WALPOLE ROAD – RURAL TO LOW DENSITY

Mayor Hansel opened the public hearing at 7:03 PM and the City Clerk read the hearing notice. Mayor Hansel welcomed Matthew Keenan, President of Monadnock Habitat for Humanity, a local affiliate of Habitat for Humanity International.

Mr. Keenan described the Monadnock Habitat for Humanity's mission. Habitat for Humanity is an all-volunteer, 501(c)3 non-profit with a mission to build and renovate houses in the Monadnock Region to provide decent, safe, and affordable workforce home ownership for neighbors currently residing in inadequate housing. The traditional Habitat for Humanity model is to build modest homes (roughly 1,100 square feet) using local volunteers and in-kind contributions from area contractors and suppliers to ensure affordability. The families served would otherwise not be able to afford a home. Habitat for Humanity fundraises the required cost to build a home significantly under market value, with an interest free mortgage that the family can afford. This is not a handout, but what Habitat for Humanity calls a "hand up." Habitat also works with partner families to educate on household finances and create budgets to help the families achieve financial stability and proper upkeep to protect their investment.

Mr. Keenan explained that Monadnock Habitat for Humanity owns a 7.1-acre parcel in the Rural District on Old Walpole Road. When this development process began, the Rural District required a minimum of 5 acres for building lots, which has now been reduced to a 2-acre minimum. The

lot would also require City water and sewer service. Mr. Keenan said that in researching the Zoning options, he determined that the best way to maximize the impact, with as many low-income working families as possible, would be to spread the significant cost of extending City water and sewer across multiple homes. This effort required the request for a Zoning Map change from Rural to Low Density, reducing the minimum lot size requirement to 10,000 square feet. The plan was for up to 8 homes with frontage on Old Walpole Road, which would leave most of the lot—especially the back, which abuts Butternut Drive—untouched.

Mr. Keenan said Monadnock Habitat for Humanity's goal was never to build 30 homes, and he sincerely apologized for scaring the neighbors. While this assertion of 30 homes was stated at the first public workshop, the lot could not be developed to that extent due to the terrain, groundwater, ledges, etc. Mr. Keenan said Monadnock Habitat for Humanity was unaware of the existing water drainage issues in the Butternut Drive neighborhood until it was repeatedly expressed at the July public workshop. Due to concern about contributing to this drainage issue, Mr. Keenan met with City officials, who are aware of the issues but have no set plans to address the challenges at this time.

With all of this said, Mr. Keenan apologized to everyone who was concerned. He stated that Monadnock Habitat for Humanity was hereby withdrawing its application to amend the Zoning Map. They will revisit the options currently available under the Rural Zoning designation and decide based on everything they learned during this process.

With the application withdrawn, Councilor Greenwald asked what would happen next. The Assistant City Attorney, Amanda Palmeira, said the Council could ask Mr. Keenan questions. Otherwise, this hearing was over, and Mr. Keenan could submit a new application in the future.

Hearing no further comments, Mayor Hansel closed the public hearing at 7:09 PM.

A true record, attest:   
City Clerk

#### PRESENTATION – LOWER WINCHESTER STREET RECONSTRUCTION PROJECT – MCFARLAND JOHNSON

Mayor Hansel welcomed the City Engineer, Don Lussier, who introduced Gene McCarthy from the consulting engineering firm for this project, McFarland Johnson. Mr. Lussier began the presentation, noting that the Lower Winchester Street Reconstruction Project has been in the Capital Improvement Plan (CIP) for some time. He said work really began in earnest in the summer 2022, when the City selected a consultant, and the Mayor appointed the Steering Committee that had been working to develop and refine design alternatives for the last year.

Mr. Lussier explained that this project will extend from the existing roundabout on Rt-101 to past the Swanzey town line. This will occur through a sort of third-party agreement with the Town of Swanzey, the NH Department of Transportation (DOT), and the City of Keene. The Town of Swanzey and NH DOT will pay for everything past the Swanzey town line, and the City

of Keene will pay for 20% of the improvements within the City limits, and the other 80% would be funded by the Federal Highway Administration. While the project is Federally funded, it is being managed through a Local Public Agency (LPA) process, a formula by which local agencies—versus State agencies—can administer these Federal funds. Essentially, Keene is acting as a sub-recipient of this grant to the NH DOT. The City must follow this very specific formula when using money from that program. While the Steering Committee was not required, there was a requirement for public engagement. There was a public listening session to meet that requirement.

Mr. Lussier shared the Steering Committee's purpose and needs statements:

*The purpose of the project is to provide a Complete Street that addresses daily congestion and side street queueing that occurs along the Lower Winchester Street corridor from the Route 101 Roundabout in Keene to the Market Basket driveway in Swanzey. Improving aesthetics, access and safety for all users are essential goals of the project. The project will address deficiencies on the bridge that carries Winchester Street over Ash Swamp Brook.*

*The high volume of turning traffic at the intersections and driveways along Winchester Street causes excessive queues and delay. Delays accessing Winchester Street lead to unsafe behavior with near miss collisions. Pedestrian and Bicycle facilities do not exist along the corridor. Poor Aesthetics with no green space along the corridor. Excessive speed for those travelling to and from West Swanzey Road. The trail/snowmobile crossing is unsafe for its users due to poor signage. The Ash Swamp Brook Bridge is on the State's "Red-list," is too narrow, and has sub-standard bridge and approach railings.*

Mr. Lussier said the next step in this process is for the City Council to sponsor the project. The recipient of the funds must select a proposed action that must be approved by the Federal Highway Administration, which occurs through the engineering study that would be finalized after this meeting. Ultimately, the Steering Committee's recommendations would be presented to the Municipal Services, Facilities, and Infrastructure (MSFI) Committee for a recommendation to the City Council.

Next, Mr. McCarthy walked the Council through the Steering Committee's proposed design alternatives. He said this process was based on the foundation of the community's goals for this project. He recalled that there were two public listening sessions—one in Keene and one in Swanzey—to hear what community members experience in this corridor and the opportunities they envisioned for this project. From this feedback, he recalled that part of the purpose and needs statements focused on the City's complete streets policies. Residents were also concerned about congestion in the corridor, including the queueing and delays getting onto Winchester Street from the side streets and driveways, which also poses a safety factor when trying to maneuver through this corridor. The Steering Committee also considered things like aesthetics. Mr. McCarthy said that a primary focus of the Steering Committee was the Ash Swamp Brook Bridge, which currently has some temporary barriers. This project will replace the bridge with a configuration that will be approved by the Council.

Next, Mr. McCarthy talked about the volume of traffic in this corridor, which was a continuous focus of the Steering Committee. Particularly, the challenges of making left turns from side streets onto Winchester Street due to the volume of traffic were stated repeatedly. Along the same lines, there was a focus on speed in the corridor. Thus, from an engineering perspective, one of the first efforts was an extensive traffic study in October 2022. Traffic was counted at all 12 intersections in the corridor at peak hours. There were full 24-hour collections on portions of Winchester Street and on Matthews Road, which is a key point of entry to the corridor. The consultants used these traffic counts to establish a base year for 2023 that accurately reflects the current traffic on Winchester Street; the design year (2045) is typically 20 years past the construction year and the project should serve that 20-year traffic. Establishing future growth is critical. The Steering Committee assessed the traffic study and expected growth/demand and talked to the Town of Swanzey and City of Keene to understand their expectations of future growth in the corridor. The study anticipated 20%–30% traffic increases on Winchester Street by 2045, with higher volumes closer to Rt-101. Mr. McCarthy called this a pretty significant increase considering there is already congestion on lower Winchester Street today.

Next, Mr. McCarthy described the design alternatives that the Steering Committee considered. The designs are broken into three segments of the corridor: north, middle, and south.

#### North Segment:

- From the existing Rt-101 roundabout to—and including—the Krif Road intersection.
- Currently: a single lane in each direction and a center dual use turn lane.
- The most traffic growth is expected in this segment.
- **Design alternatives presented to the Steering Committee** (same footprint, different layouts):
  - Five-lane section with center turn lane north of Krif Road.
    - An additional lane in each direction.
    - Retains center turn lane.
    - Five-foot bike lanes adjacent to the travel lane in each direction to achieve a complete street.
    - A curb in both directions.
    - A sidewalk on the west side.
  - Median divided 4-lane section north of Krif Road.
    - An additional lane in each direction.
    - A raised median separating the two directions of traffic.
    - Five-foot bike lanes adjacent to the travel lane in each direction to achieve a complete street.
    - A curb in both directions.
    - A sidewalk on the west side.
- **Design alternative chosen by the Steering Committee:**
  - Divided 4-lane section with a median, no left turns, and a hybrid roundabout at Krif Road.

#### Middle Segment:

- Just south of Krif Road to just past the Bradco Street and Matthews Road intersections.
- Currently: a single lane in each direction and a center dual use turn lane.

- Left turns remain an issue in this segment.
  - Because not as much traffic growth is anticipated in this segment, the consultants recommended maintaining one lane in each direction.
- **Design alternatives presented to the Steering Committee** (same footprint, different layouts):
  1. Three-lane section, including center turn lane, from Krif Road to Matthews Road.
  2. Median-divided 2-lane section from Krif Road to Matthews Road.
- **Design alternative chosen by the Steering Committee:**
  - Median-divided 2-lane section, with no left turns, and a hybrid roundabout at Matthews Road.
    - This includes no left turns from Bradco Street. Those users would turn right onto Winchester Street and use the roundabout at Matthews Road to reverse direction. This will serve to alleviate the delays and safety concerns at the Bradco Street intersection. An additional lane of traffic is intended to ease issues during peak times.

South Segment:

- From just past the Matthews Road intersection into Swanzey.
- The lanes here are narrow and the corridor is confined.
- This segment starts as mostly residential and changes context past the Swanzey town line.
- **Design alternatives presented to the Steering Committee** (same footprint, different layouts):
  1. Two-lane section south of Matthews Road.
    - Provides a more standard shoulder that can accommodate bike lanes and a sidewalk.
  2. Three-lane section with center turn lane south of Matthews Road.
    - The third lane would allow residents in the area to turn left to access their driveways.
- **Design alternative chosen by the Steering Committee:**
  - Three-lane section with center turn lane and a single-lane roundabout at Market Basket (remove the traffic signal).
    - The sidewalk already extends the full length of this segment to the Market Basket entrance. This design would connect that sidewalk to Lucinda Terrace, so those residents can walk to Market Basket.
    - The roundabout at Market Basket was a later consideration of the Steering Committee and it was approved by NH DOT.

Mr. Lussier reiterated that these were the recommended design alternatives of the Steering Committee, not just things the design engineers suggested. However, Mr. Lussier wanted to importantly note that the Steering Committee did not reach a unanimous consensus on these recommendations. He thought the Steering Committee represented a good cross-section of interested stakeholders, largely comprised of business owners and those who work in the corridor who had individual concerns, which Mr. Lussier said led to very productive discussions. Mr. Lussier displayed the votes (in parentheses) on each project aspect from the Steering Committee:

- Two travel lanes in each direction between Rt-101 and Krif Road (3–2)
- Raised median between Rt-101 and Krif Road (4–1)

- Raised median between Krif Road and Matthews Road (3–2)
- Roundabouts at the intersections of Krif Road, Matthews Road, and the Market Basket entrance (4–1)
- A “Shared-use center turn lane” between Matthews Road and the Market Basket entrance (5–0)

Mr. Lussier said he encouraged members of the Steering Committee to attend the upcoming MSFI meeting on the project to speak more about their interests and opinions. The vote for the shared use center turn lane between Matthews Road and Market Basket was unanimous. The vote was 4–1 on adding the three roundabouts. There was the least consensus about the northern segment, with some Steering Committee members uncomfortable with the additional capacity. Mr. McCarthy thought there was a perception that the inability to turn left into businesses would have negative impacts.

Mr. Lussier explained the next steps. There will be an MSFI Committee meeting on this project on September 27 at 6:00 PM, when more details on the proposed alternatives would be shared. Then, the MSFI Committee will make a recommendation to City Council, which will vote on the project in October or November, depending on how long the MSFI Committee needs to deliberate. Once the City Council decides, the consultants would finalize the engineering study report and submit that to NH DOT and the Federal Highway Administration (anticipated late December 2023 or early January 2024). This process could take up to 1.5 years. Currently, the project was scheduled to begin construction in spring 2025, but challenges with right-of-way acquisition could delay it until 2026. Also, on September 13, Mr. McCarthy’s team will be making this presentation to the Town of Swanzey’s Board of Selectmen. Swanzey will have to go through their own process to vote on the proposed actions, including the roundabout in front of Market Basket, and where they want to put their sidewalks. Mr. Lussier and Mr. McCarthy welcomed questions.

Councilor Ormerod was very happy to hear these plans because there is such a big problem with traffic and turns in this corridor. He asked whether the proposed bike lanes would be raised/protected and on both sides of the road. Mr. McCarthy replied that the goal is to be consistent with other portions of Winchester Street, including the new construction on the “upper” northern portion of Winchester Street, with a median and bike lanes in each direction. The bike lanes would be at pavement level, adjacent to vehicular traffic. At roundabouts, there would be a ramp onto a shared, dual-use path, which is essentially a wider raised sidewalk that temporarily accommodates pedestrians and cyclists through the roundabout; past the roundabout, the cyclists would use the ramp to exit the dual-use path back to the street-level bike lanes. The Steering Committee was comfortable with this plan. This lower Winchester Street corridor is narrow, so having separate facilities would take up more space, but achieving a complete street was the goal, while being mindful of impacts along the corridor. Mr. Lussier added that throughout most of this narrow corridor, the consultants were able to fit everything proposed within the existing right-of-way. Still, there will be property impacts, particularly at the intersections and a few other properties.

Councilor Giacomo continued the topic of right-of-ways expansions. He noticed an approximately 25-foot increase in the middle and south segments, and he asked whether those 25

feet would be taken from the east or west side of the roadway. Mr. McCarthy replied that there is a particular section of property on the east side owned by the City that is wider, but is not considered a part of the right-of-way. Regarding the Magnolia Way/Matthews Road intersection roundabout, Councilor Giacomo commented on the odd angle and asked if that was to avoid Magnolia Way. Mr. McCarthy said the graphic displayed was difficult to see, but the roundabout would be positioned to avoid some future development at that intersection while maintaining the geometry needed for things like trucks. The acute angle at the corner of Winchester Street and Matthews Road is difficult. Mr. Lussier said there is a similar situation with the current project for trucks coming off Pearl Street and heading south on Winchester Street, where the sharp angle means trucks have to maneuver through the whole roundabout to make that turn. Councilor Giacomo asked if the proposed medians would be big enough to accommodate street trees. Mr. Lussier and Mr. McCarthy agreed that the intent is for the medians to include trees.

Councilor Jones said he liked this plan. He noted that when guests check out of the Best Western, the front desk advises them to make a right turn onto Winchester Street and then make a left turn into one of the car dealerships to turn around; he thought those car dealerships would be pleased with this plan. Before Market Basket was constructed, Councilor Jones recalled that when the developer was before the Swanzey Planning Board, City of Keene agents asked for some of the improvements that this proposed design would entail, but Swanzey was opposed. He wondered if those in Swanzey would see things differently now. Mr. Lussier of course could not speak for the Swanzey Planning Board or Selectmen, but said he had been working with the Swanzey Town Administrator on this project and they had representatives on the Steering Committee. Mr. Lussier thought they agreed that the proposed design would be an improvement, but it was ultimately up to the Swanzey Board of Selectmen.

Councilor Madison expressed concern about the Rt-10 bridge. If anticipating a 2025 or later construction start, he wondered how much sooner the Rt-10 bridge could be prioritized. Mr. Lussier shared the Councilor's concern, and said he continues monitoring the situation. The bridge is inspected annually by NH DOT and City crews check it twice per year. If something happened between now and construction, there would have to be temporary repairs and stabilization until reconstruction.

Councilor Greenwald expressed concern about no left turns through most of the corridor. Since this would be sent to the MSFI Committee, which he Chairs, he asked to hear thoughts from the property owners throughout the corridor, so that no one would feel they heard about this project at the last minute. He also wanted to know more about all the options the Steering Committee considered before the MSFI Committee hearing, so the Councilors can discuss key issues. Mr. Lussier said the consultants have a much more detailed version of this presentation prepared to share those details with the MSFI Committee.

Councilor Ormerod wondered why both bike lanes could not be on the same side of the road, but then remembered that bikes have to pass through the roundabouts, so it is better to have them on each side. He asked if there would be lines in the roadway to distinguish the bike lanes. Mr. McCarthy replied that soon everyone would experience the results of construction on upper Winchester Street, where there would be no bike lane markings in the roundabouts. Confident cyclists can bike within the roundabout like cars because vehicular speed would be 18–20 mph.

Less confident cyclists can use the sidewalk ramp to enter the wider dual-use path alongside pedestrians.

Mayor Hansel asked about the size of the roundabouts proposed. Are they intended to be the same size as the new one on upper Winchester Street? Mr. McCarthy said they would be very similar. These roundabouts are called “hybrid” because they have some elements that are 2-lane and others 1-lane. Truck drivers would find the proposed roundabouts to be similar to the new one being constructed on upper Winchester Street. The consultants must prove that the roundabouts can be maneuvered by large trucks.

There being no further questions or comments, the presentation ended, and the Council thanked the presenters. Mayor Hansel echoed Councilor Greenwald that all Councilors should be spreading the word about the MSFI meeting so no one is caught off guard by the project.

#### CONFIRMATIONS – HERITAGE COMMISSION

Mayor Hansel nominated the following individuals to serve on the Heritage Commission: Julie Emineth as a regular member with a term to expire December 31, 2026, Susan DeGidio to change from a regular to an alternate member with a term to expire December 31, 2026, and Rose Carey to change from a regular to an alternate member with a term to expire December 31, 2026. A motion by Councilor Powers to confirm the nominations was duly seconded by Councilor Bosley. The motion carried unanimously on a roll call vote with 13 Councilors present and voting in favor. Councilor Roberts was absent. Ward Four Council seat vacant.

#### NOMINATIONS – LIBRARY BOARD OF TRUSTEES

Mayor Hansel nominated the following individuals to serve on the Library Board of Trustees: Yves Gakunde with a corrected term to expire June 30, 2024, Ritu Budakoti with a corrected term to expire June 30, 2024, Dr. Donald Caruso with a term to expire June 30, 2026, and Katherine Baer with a term to expire June 30, 2026. Mayor Hansel tabled the nominations until the next regular meeting. The Clerk noted an error had occurred in the initial terms of Yves Gakunde and Ritu Budakoti. These one-year terms would provide for a balance in the term expiration dates of the membership.

#### COMMUNICATION – ELIZABETH CAMPBELL – RESIGNATION – ENERGY & CLIMATE COMMITTEE

A communication was received from Elizabeth Campbell, submitting her resignation from the Energy and Climate Committee, on which she had served since February 2022. A motion by Councilor Powers to accept the resignation with regret and appreciation of service was duly seconded by Councilor Bosley. The motion carried unanimously on a roll call vote with 12 Councilors present and voting in favor. Councilors Roberts and Workman were absent. Ward Four Council seat vacant.

**COMMUNICATION – RYAN GRANDMONT – HAWKER AND PEDDLER – REQUEST TO PLACE SANDWICH BOARD ON CITY SIDEWALK**

A communication was received from Ryan Grandmont, requesting to place a sandwich board on a City sidewalk. The original location for this vending operation was the vendor spot #6 on the sidewalk immediately in front of Railroad Square. Due to the size of their fixtures and an expansion of an adjacent sidewalk café, it was realized that there was not sufficient space in that location. Mr. Grandmont was relocated to the indented vendor space on Railroad Street. Mayor Hansel referred the communication to the Planning, Licenses, and Development Committee.

**COMMUNICATION – ROGER WEINREICH – REQUEST TO USE CITY PROPERTY – BLOCK PARTY**

A communication was received from Roger Weinreich, owner of Good Fortune, requesting permission to host a block party on Saturday, October 21, 2023, in front of the Good Fortune Block on Main Street. This would be a family-oriented event that would take place in conjunction with The Keene Pumpkin Festival and would feature live music, local food vendors, participatory games, and art activities. Mayor Hansel referred the communication to the Planning, Licenses, and Development Committee.

**COMMUNICATION – JARED GOODELL – PLACE OF ASSEMBLY PERMITS – RECENT CHARGE BY FIRE DEPARTMENT**

A communication was received from Jared Goodell, who recently opened a business and received a \$70.00 charge from the Fire Department that he believes is the charge for an assembly permit, and as such, is in violation of RSA 155:19. Mr. Goodell is requesting that City Staff immediately stop the practice of billing any Keene business for a Place of Assembly permit and that the City Code be amended to repeal any fees for inspection that are necessary before a permit is issued; and that City Staff perform an audit covering the past two years to identify and refund any Place of Assembly permit fees that were collected. Mayor Hansel referred the communication to the Finance, Organization, and Personnel Committee.

**COMMUNICATION – PETITION – REQUEST FOR URGENT APPEAL FOR THE INSTALLATION OF A SIDEWALK ON ARCH STREET BETWEEN HURRICANE ROAD AND FELT ROAD**

A communication was received from Rebecca Lancaster, submitting a petition from the community requesting the installation of a sidewalk on Arch Street between Hurricane Road and Felt Road. They believe the community shares the concerns of safety at risk, traffic hazards, proximity to high school, elderly population, inclusive accessibility, and improved neighborhood mobility. Mayor Hansel referred the communication to the Municipal Services, Facilities, and Infrastructure Committee.

**COMMUNICATION – COUNCILOR LAKE – REQUESTING AN UPDATE ON THE  
SIDEWALK ASSET MANAGEMENT PROGRAM**

A communication was received from Councilor Bryan Lake, requesting an update on the Sidewalk Asset Management Program and, in particular, whether the City is on schedule for the scheduled sidewalks for 2023, and whether any changes will be necessary for the 2023–2029 CIP. In addition, the Councilor believes it would be beneficial to have the Council update their understanding of how sidewalks are determined to be replaced and why some sidewalks are prioritized over others. Mayor Hansel referred the communication to the Municipal Services, Facilities, and Infrastructure Committee.

**COMMUNICATIONS – JESSICA WRIGHT; DEBORAH CRAIG; DAVE & KIM  
BERGERON; BILL & ANNE MEDDAUGH; RICHARD & CAROLYN CAMPBELL; THAIS  
FROST; AND CORBET COOK – IN OPPOSITION TO ORDINANCE O-2023-12 –  
AMENDMENT TO THE ZONING MAP – RURAL TO LOW DENSITY – 0 OLD WALPOLE  
RD**

Communications were received from Jessica Wright, Deborah Craig, Dave & Kim Bergeron, Bill & Anne Meddaugh, Richard & Carolyn Campbell, Thais Frost, and Corbet Cook. All are abutters to the proposed Zone change for 0 Old Walpole Road and all oppose Ordinance O-2023-12, which would amend the Zoning Map from Rural to Low Density. Mayor Hansel accepted the communications as informational.

**MSFI REPORT – UNCOLLECTABLE SEWER/WATER BILL – 64 VALLEY STREET**

A Municipal Services, Facilities, and Infrastructure Committee report read, recommending that the City Council forgive the Sewer/Water Bill for 64 Valley St., Account 0899-09, in the amount of \$787.86 as being uncollectable. A motion by Councilor Greenwald to carry out the intent of the Committee report was duly seconded by Councilor Filiault. Councilor Ormerod asked—if the motion passed—whether the property owner would be sent a notice of forgiveness. Mayor Hansel did not think so, he thought it would just be cleared off the books.

The motion carried unanimously on a roll call vote with 12 Councilors present and voting in favor and 1 voting in opposition. Councilor Madison voted in opposition. Councilor Roberts was absent. Ward Four Council seat vacant.

**MSFI REPORT – KEENE ICE EXPANSION – EXPANDED LOCKER ROOMS – KEENE  
STATE COLLEGE**

A Municipal Services, Facilities, and Infrastructure Committee report read, unanimously recommending that the City Manager be authorized to do all things necessary to negotiate an agreement with Keene ICE and Keene State College relative to the creation of expanded locker rooms at Keene ICE and report back to the MSFI Committee. A motion by Councilor Greenwald to carry out the intent of the Committee report was duly seconded by Councilor Filiault.

Councilor Filiault pointed out that Keene State College (KSC) was making a significant \$1 million investment in Keene ICE. Councilor Jones commented on this being an economic

development tool that would help local hotels, shops, restaurants, and more. Teams will be coming from all over New England to play at Keene ICE.

Councilor Giacomo noted that KSC would be adding a women's varsity program next year, and asked if that would be included with the renovations so that both teams are invested in.

Councilor Greenwald was unsure about the equal opportunity laws, but he imagined that KSC would comply. Still, he agreed that would be something to keep an eye on. The motion carried unanimously on a roll call vote with 13 Councilors present and voting in favor. Councilor Roberts was absent. Ward Four Council seat vacant.

#### FOP REPORT – ACCEPTANCE OF 2023 HIGHWAY SAFETY AGENCY GRANT

A Finance, Organization, and Personnel Committee report read, recommending that the City Manager be authorized to do all things necessary to accept and expend the grant from the New Hampshire Highway Safety Agency to fund Highway Safety Grant – Keene. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy. The motion carried unanimously on a roll call vote with 13 Councilors present and voting in favor. Councilor Roberts was absent. Ward Four Council seat vacant.

#### FOP REPORT – ACCEPTANCE OF GRANT FUNDS – NH DIVISION OF HISTORICAL RESOURCES CERTIFIED LOCAL GOVERNMENT GRANT

A Finance, Organization, and Personnel Committee report read, unanimously recommending that the City Manager be authorized to do all things necessary to execute a \$12,000 grant award from the NH Division of Historical Resources Certified Local Government Grant Program for the Historic District Commission to work with a qualified consultant in the historical and architectural inventory of the properties located within the extension of the Downtown Historic District that occurred in 2012. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy. The motion carried unanimously on a roll call vote with 13 Councilors present and voting in favor. Councilor Roberts was absent. Ward Four Council seat vacant.

#### FOP REPORT – ACCEPTANCE OF NEW HAMPSHIRE JUVENILE COURT DIVERSION NETWORK FUNDING FOR YOUTH SERVICES

A Finance, Organization, and Personnel Committee report read, unanimously recommending that the City Manager be authorized to do all things necessary to accept and expend funds provided by New Hampshire Juvenile Court Diversion Network for Youth Services programs. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy. The motion carried unanimously on a roll call vote with 13 Councilors present and voting in favor. Councilor Roberts was absent. Ward Four Council seat vacant.

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**FOP REPORT – PAMELA RUSSELL SLACK – REQUESTING AN AMENDMENT TO THE CITY COUNCIL RULES OF ORDER – WORKSHOPS**

A Finance, Organization, and Personnel Committee report read, recommending that the communication be accepted as informational. Mayor Hansel filed the report as informational.

**FOP REPORT – RED KNIGHTS INTERNATIONAL MOTORCYCLE CLUB – MOTORCYCLE RALLY – PARKING VOUCHER SYSTEM FOR ATTENDEES**

A Finance, Organization, and Personnel Committee report read, recommending that the City Manager be authorized to work with Parking Services to explore potential options for a voucher system. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy. The motion carried unanimously on a roll call vote with 13 Councilors present and voting in favor. Councilor Roberts was absent. Ward Four Council seat vacant.

**FOP REPORT – REQUEST TO WAIVE PURCHASING REQUIREMENTS – SOLE SOURCE – FLOWBIRD PAYSTATIONS**

A Finance, Organization, and Personnel Committee report read, recommending that the City Council waive the purchasing requirements of the City of Keene Code of Ordinances section 2-1332 for the sole source purchase of 15 pay stations for \$115,725.00, which includes the stations, hardware, installation, communication, and warranty fees from the pay station supplier, Flowbird. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy. Councilor Ormerod asked if this software is compatible with Park Mobile and Mayor Hansel said it is. The motion carried unanimously on a roll call vote with 13 Councilors present and voting in favor. Councilor Roberts was absent. Ward Four Council seat vacant.

**FOP REPORT – CHANGE ORDER FOR SKATE PARK CONSTRUCTION**

A Finance, Organization, and Personnel Committee report read, recommending that the City Manager be authorized to do all things necessary to negotiate and execute a change order with Spohn Ranch, Inc. for design-build services required for the creation of a new skate park for an amount not to exceed \$300,000.00 with funding to come from Project Cost Center (65J0008A-300-0544010). A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy. The motion carried unanimously on a roll call vote with 13 Councilors present and voting in favor. Councilor Roberts was absent. Ward Four Council seat vacant.

**FOP REPORT – TRANSPORTATION HERITAGE TRAIL PROJECT, PHASE 1 – CONSULTATION SELECTION**

A Finance, Organization, and Personnel Committee report read, unanimously recommending that the City Manager be authorized to do all things necessary to negotiate and execute an Engineering and Technical Services Agreement with Stantec Consulting Services, Inc. for the

Transportation Heritage Trail Project, Phase 1, for an amount not to exceed \$385,000.00. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Bosley. The motion carried unanimously on a roll call vote with 12 Councilors present and voting in favor. Councilor Remy's vote was inaudible. Councilor Roberts was absent. Ward Four Council seat vacant.

#### FOP REPORT – SEWER FORCE MAIN INSPECTION PROJECT – CONSULTATION SELECTION

A Finance, Organization, and Personnel Committee report read, unanimously recommending that the City Manager be authorized to do all things necessary to negotiate and execute a project agreement with the US Environmental Protection Agency (EPA) for the Sewer Force Main Evaluation Project. The Committee report also unanimously recommended that the City Manager be authorized to do all things necessary to negotiate and execute a professional services agreement with Wright-Pierce for the Sewer Force Main Pipe Evaluation Project in an amount not to exceed \$450,000. A motion by Councilor Powers to carry out the intent of the Committee reports was duly seconded by Councilor Bosley. The motion carried unanimously on a roll call vote with 12 Councilors present and voting in favor. Councilor Remy's vote was inaudible. Councilor Roberts was absent. Ward Four Council seat vacant.

#### CITY MANAGER COMMENTS

The Assistant City Manager/HR Director, Elizabeth Fox, was pleased to share that the Patricia Russell Park Ribbon Cutting would occur on Friday, September 22, at 11:00 AM. She invited City Councilors and the community to attend and celebrate the opening of this transformed space. This ceremony culminates a 10-year effort that included visioning, planning and engagement, and coordination of a number of funding sources to support redevelopment of this recreation area. In addition to the ribbon cutting that morning, the Department of Parks & Recreation would also hold a celebration scavenger hunt at the Patricia Russell Park that afternoon, from 4:30–6:00 PM, providing a first opportunity for the City's youth to participate in an event in the new space.

The Assistant City Manager was also pleased to report on the promotion of Jason Martin to the position of Deputy Fire Chief effective September 11, 2023. Jason is a long-time employee of the Fire Department, with 25 years of service to our community. He was initially hired as a Firefighter/EMT in January of 1998—assigned to B shift—and during his tenure has held progressively responsible positions in the Department. He was promoted to Lieutenant in 2006, attained his paramedic credentialing, and has served as an Operations Captain since 2014. The Assistant City Manager led the Council in congratulating Jason on this promotion.

#### REPORT – CHARTER AMENDMENT – MUNICIPAL PRIMARIES – CITY CLERK

A memorandum read from the City Clerk, Patty Little, recommending the following motion. A motion by Councilor Powers was duly seconded by Councilor Bosley to direct the City Clerk to include a ballot question on the November 7, 2023, Municipal General ballot that would amend Section 11 of the Keene City Charter to provide for a biennial Primary for only the offices of

Mayor, Ward Councilor, and At-Large Councilor with all other offices to be elected at the Municipal General Election and to amend Section 14 to conform with the proposed revision to Section 11.

If this passes the ballot in 2023, Councilor Jones asked if it would apply to the 2025 election. The City Clerk replied in the affirmative. The motion carried unanimously on a roll call vote with 12 Councilors present and voting in favor. Councilor Remy's vote was inaudible. Councilor Roberts was absent. Ward Four Council seat vacant.

#### REPORT ON THE COMPLETION OF THE AD-HOC LOWER WINCHESTER STREET PROJECT STEERING COMMITTEE – CITY ENGINEER

A memorandum read from the City Engineer, Don Lussier, recommending that the Mayor refer the recommendations of the Ad Hoc Lower Winchester Street Project Steering Committee to the Municipal Services, Facilities, and Infrastructure Committee for further consideration and a recommendation to the City Council. Mayor Hansel referred the report to the Municipal Services, Facilities, and Infrastructure Committee.

#### PB-PLD REPORT – RELATING TO AN AMENDMENT TO THE ZONING MAP – 0 ASHUELOT STREET – HIGH DENSITY TO COMMERCE – O-2023-13

A report read from the Joint Planning Board-Planning, Licenses, and Development Committee, with the Planning Board unanimously finding Ordinance O-2023-13 consistent with the City's Comprehensive Master Plan, and the Planning, Licenses, and Development Committee recommending that the Mayor set a public hearing on the Ordinance. Mayor Hansel filed the memorandum as informational and set a public hearing on Thursday, October 5, at 7:00 PM.

#### ORDINANCE FOR FIRST READING – RELATING TO PERFORMANCE BOUSES AND CLASS ALLOCATION ORDINANCE O-2023-14

A memorandum read from the Human Resources Director/Assistant City Manager, Elizabeth Fox, recommending that Ordinance O-2023-14 be referred to the Finance, Organization, and Personnel Committee for their review and recommendation. Mayor Hansel referred Ordinance O-2023-14 to the Finance, Organization, and Personnel Committee.

#### RESOLUTIONS – RELATING TO THE ACCEPTANCE OF DEED AND RETURN OF LAYOUT – BROOKFIELD LANE – RESOLUTIONS R-2023-28 & R-2023-29-A

Before beginning, Mayor Hansel noted that Councilors Roberts, who was absent this evening, and Councilor Chadbourne did not attend the site visit and therefore they could not participate in the following discussions or votes.

A Municipal Services, Facilities, and Infrastructure Committee report read, unanimously recommending accepting the communications from Tad Lacey and Ross Conklin as informational, as well as accepting the memorandum from the Community Development Director as informational. Mayor Hansel filed the reports as informational.

A Municipal Services, Facilities, and Infrastructure Committee report read, unanimously recommending approval of the requested waiver of Section 22.3.7.A., “Sidewalks shall be required on at least one side of any proposed street in any residential zoning districts.” A motion by Councilor Greenwald to approve the requested waiver of Section 22.3.7.A “Sidewalks shall be required on at least one side of any proposed street in any residential zoning districts” was duly seconded by Councilor Filiault. Councilor Williams clarified the sidewalk replacement would be a gravel path from the street to the Rail Trail. Councilor Greenwald agreed. The motion to approve the requested waiver of Section 22.3.7.A carried unanimously on a roll call vote with 11 Councilors present and voting in favor. Councilor Remy’s vote was inaudible, Councilor Roberts was absent, and Councilor Chadbourne abstained. Ward Four Council seat vacant.

A Municipal Services, Facilities, and Infrastructure Committee report read, unanimously recommending the approval of the requested waiver of Section 22.3.8.B, except for the placement of a streetlight at the intersection. A motion by Councilor Greenwald to approve the requested waiver to Section 22.3.7.B, except for the placement of a streetlight at the intersection, was duly seconded by Councilor Filiault. The motion carried unanimously on a roll call vote with 11 Councilors present and voting in favor. Councilor Remy’s vote was inaudible, Councilor Roberts was absent, and Councilor Chadbourne abstained. Ward Four Council seat vacant.

A Municipal Services, Facilities, and Infrastructure Committee report read on a vote of 3–1, recommending the approval of the requested waiver to Section 22.3.7.D, “When underground street lighting feed is required, telephone, electric, and cable TV shall be located underground also.” A motion by Councilor Greenwald to approve the requested waiver to Section 22.3.7.D “When underground street lighting feed is required, telephone, electric, and cable TV shall be located underground also” was duly seconded by Councilor Filiault.

Councilor Williams said that this is a situation in which the Code is broken because it requires underground utilities. Because the City recently shifted to solar powered streetlights, he thought this requirement would be very difficult to enforce in the future. He thought it was a good requirement because if utilities are not underground from the beginning, they ultimately never would be. It would be an expense passed on to the whole taxpaying community. He thought this neighborhood would be nicer with the underground utilities, so he wanted to maintain the option to require them underground. Still, he asked City Staff to look at the Code and return with recommendations.

Councilor Jones called the Ordinance somewhat antiquated. He noted that Summit Ridge Road, Newbury Lane, Summit Road, and Stonehouse Lane all have underground utilities. He said Stonehouse Lane got streetlights approximately 16 years ago, when someone requested the underground wiring. He said aboveground utilities are not attractive in a neighborhood. He also thought it would be cheaper to place the wiring underground. Mayor Hansel through the petitioner stated the opposite, because without the waiver the costs to place the utilities underground would be more than double. Councilor Jones thought that was inaccurate since there would be trenching anyway for water and sewer lines. He added that the utility companies would pay for that installation, not the developer.

Councilor Greenwald disagreed with Councilor Jones. Councilor Greenwald said that Eversource and other utilities charge the homeowner—and in this case the developer—to place the utilities underground, as stated at the MSFI hearing. It is not about the cable TV or telephone, it is the electrical utilities.

Councilor Ormerod agreed with Councilor Jones' intent. When considering the vision of a new building, Councilor Ormerod said one thing that helps with beautification and lack of disruption is underground utilities. He heard that the reason for this waiver request was the lack of a transformer that would be on back order. Councilor Ormerod said he could not support this Ordinance because he thought everything should be placed underground for the ambiance, despite the cost.

Councilor Filiault wished everyone had been at the MSFI Committee meeting because a lot of the comments he was hearing from fellow Councilors were inaccurate. He said the developer indicated that the costs of conduits and supplies underground would be more expensive. Councilor Filiault recalled this Council regularly discussing the need for affordable housing, and denying this waiver would make this development more expensive and ultimately cost the homeowner more. He said the developer confirmed that the underground utilities would be significantly more expensive, which helped Councilor Filiault make his decision to support this waiver.

Councilor Bosley said she was torn about this. She wants to see new developments like this, and she was excited to see some changes from the Land Development Code paying off. Still, she said these would not be affordable houses, but \$500,000 homes. She noted that living in a rural area of Keene, when there is a snowstorm, her kids stay at someone else's house who has underground utilities, because her home could be without electricity for days. For the development in question, she thought that unless the utilities are underground, the homeowners would have to think about generators and such issues long-term. Thus, she would not support this waiver.

Councilor Giacomo said his initial research showed a range from two to five times more expensive for underground utilities. While he appreciated Councilor Bosley's point, he did not think this 700 feet of roadway in question would impact the scenario suggested by Councilor Bosley. Thus, with the cost being significantly more expensive, he supported this waiver. His estimates showed 500 feet of underground conduit costing approximately \$12,500, versus the \$7,500 he had seen. He said that even if it was 1,000 feet, it would still be reasonable to split between 11 houses. Mayor Hansel said his recent research showed up to \$100 per linear foot to put conduit underground.

Councilor Powers agreed that while it was not up to the Council to debate the cost, the reality is that this is only 700 feet of roadway when Keene is working hard to find any housing. By costing the developer more, he did not think there would be additional housing. He said it is not like digging one trench for water, sewer, power, etc. but more like four or five trenches in different locations and at different rates. He thought the City should reconsider some ordinances and whether this makes sense. Because streetlights are needed in the woods, he would support this

waiver. Councilor Powers did not think that this or any other developer could afford to put everything underground within a reasonable timeframe.

Councilor Lake recalled that the FOP Committee recently learned about a previous Council not investing the resources to build redundancy into part of the sewer system. There had been multiple issues at Martell Court because of that decision and the taxpayers are paying that bill. He thought that was a clear lesson why we should do things correctly the first time and put these things underground. Councilor Lake opposed this waiver.

Councilor Madison said he had been debating this issue but ultimately thought he would support this waiver. Even if the utilities are buried, if a line came down on Whitcombs Mill Road, this development would lose power anyway. So, it would offer a pretty negligible level of protectiveness or utilities on that street.

The motion to approve the requested waiver to Section 22.3.7.D failed on a roll call vote with 5 Councilors present and voting in favor and 7 opposed. Councilors Lake, Remy, Giacomo, Williams, Jones, Ormerod, and Bosley voted in opposition. Councilor Roberts was absent. Councilor Chadbourne abstained. Ward Four Council seat vacant.

A Municipal Services, Facilities, and Infrastructure Committee report read on a vote of 2–2, failing to make a recommendation relative to the denial of the requested waiver of Section 22.3.16.A, “There shall be at least one deciduous tree of a minimum 2-inch caliper at planting and of a species approved by the Public Works Director for every 50 feet interval of each side of any new street or extension of any existing street.” A motion by Councilor Greenwald to approve the requested waiver of Section 22.3.16.A “There shall be at least one deciduous tree of a minimum 2-inch caliper at planting and of a species approved by the Public Works Director for every 50 feet interval on each side of any new street or extension of any existing street” was duly seconded by Councilor Filiault.

Councilor Jones also disagreed with this waiver. He said the Council agreed to change the Zone from Rural, which could change the area to more of a desert because there was nothing saying those trees have to stay there. He thought the Council made a mistake when it changed this Zone and allowed the builder to be project specific, which he said the Council should not be doing. He thought the inability to make the developer keep those trees was on a lot of people’s minds at the site visit. Trees are important, and as a Tree City USA, Councilor Jones thought there should be trees on this road.

Councilor Workman reiterated what she said about this issue at the MSFI meeting, when she voted against this waiver. She said she had faith in the developer, who seemed to want to keep as many trees as possible and only clear land needed for the development. She said she had less faith in the homebuyers, who might not be aware of or care about the ordinances, beautification of Keene, or that it is a Tree City. She thought this would place a safeguard and so she would not support granting this waiver.

Councilor Giacomo asked if it was possible to have a conditional waiver. The Assistant City Attorney noted that these waivers would go in the Resolution. Councilor Giacomo clarified that

he was asking—to Councilor Workman’s point—if there is a way to ensure there is actual enforcement. He thought this was an important Ordinance, especially with how wooded this area is. Councilor Giacomo was interested to see if developer could guarantee natural growth at the same interval or closer than what is required in this Ordinance, which would be every 50 feet. If the developer confirmed that natural growth trees will remain there, then he was comfortable with that. Still, he was curious to know if it was possible to have a *conditional* waiver. The Assistant City Attorney thought it was possible, but not in this forum, because this is about the narrow question of the precise Land Development Code provision being waived. Councilor Giacomo also asked whether the City has a standard right-of-way on roadways and if there are specific requirements for managing trees on those rights-of-way; he thought that even homeowners have to appeal for that, recalling a case before the MSFI Committee several years ago. Is there a way for the Council to ensure the trees are maintained there and that homeowners cannot cut them down at their will? Mayor Hansel noted that if trees are on a homeowner’s property, they can cut down any trees they want. Councilor Giacomo recalled that with this being a Conservation Residential Development (CRD), some of the development would be communal property. The Councilor thought that 2-inch caliper trees would be ridiculous, and he would rather have faith that the developer would leave some trees because it is a wooded area. Mayor Hansel said it was important to keep in mind that these houses would be on a dead-end street, not on a throughway that most of the public would be traversing.

Councilor Filiault said he was in favor of granting this waiver because this is a rural area in the middle of the woods. He would have faith in the developer and homeowners. He thought this was a case in which the government overregulates. He thought that anyone buying one of these homes would likely be doing so because they want to live in a wooded area, so he did not envision anyone clear cutting trees. Councilor Filiault thought the Council—as elected officials—should have more confidence in the potential homebuyers. Based on the last vote, he was concerned that this development would not move forward. He recalled the developer’s presentation at the last meeting about how expensive this development would be, in addition to delays and equipment costs. By being any more strict, Councilor Filiault thought the Council would assure that this development would not progress, despite continuous conversations amongst the Council about the need for housing in Keene.

Councilor Bosley agreed with Councilors Greenwald and Filiault. Councilor Bosley recalled that because this would be a CRD, there would be a large portion of the development left as protected natural area, abutting the Rail Trail system. She felt confident that anyone buying a home in this development would be doing so because of the rural nature.

Councilor Ormerod understood that this is a rural area, with a lot of trees. Still, he reminded his fellow Councilors that where trees are placed is also important. He said that 2-inch caliper trees next to the road would grow to provide shade. Before feeling confident that enough trees would be left there, he asked the Council to consider the exact placement of these trees too. He thought that a boulevard shaded by trees would be better, more attractive, and well worth the cost of small trees now.

Councilor Williams said one of his favorite things about street trees is that they cause drivers to slow down, which he thought was a huge advantage. He thought that having this roadway lined

with trees would create visual blocks that would slow drivers down through the development. Given that the Council just approved a waiver to not require sidewalks in this development, he thought that anything that could improve pedestrian safety would be a good thing.

The motion to approve the requested waiver of Section 22.3.16.A carried on a roll call vote with 8 Councilors present and voting in favor, and 4 opposed. Councilors Williams, Jones, Ormerod, and Workman voted in opposition. Councilor Roberts was absent. Councilor Chadbourne abstained. Ward Four Council seat vacant.

A motion by Councilor Greenwald to adopt Resolution R-2023-28—a Resolution for the acceptance of a warranty deed for Brookfield Lane—was duly seconded by Councilor Filiault. Councilor Jones reminded the Council that it could decide on a different street name than what the developer proposed. The motion to adopt Resolution R-2023-28 carried unanimously on a roll call vote with 12 Councilors present and voting in favor. Councilor Roberts was absent. Councilor Chadbourne abstained. Ward Four Council seat vacant.

A motion by Councilor Greenwald to adopt Resolution R-2023-29-A—a Resolution for the layout of Brookfield Lane, its utilities, and public improvements—was duly seconded by Councilor Filiault. A motion by Councilor Greenwald to amend Resolution R-2023-29-A to remove the language in Section 2022.3.7.D—Underground Street Lighting and Utilities—was duly seconded by Councilor Bosley. The motion carried unanimously on a roll call vote with 12 Councilors present and voting in favor. Councilor Roberts was absent. Councilor Chadbourne abstained. Ward Four Council seat vacant. A motion by Councilor Greenwald to adopt Resolution R-2023-29-B was duly seconded by Councilor Filiault.

Councilor Jones recalled that citizens brought up a lot of important questions about this Resolution. There was some concern about the intersection of Rt-9 and Whitcombs Mill Road. He noted that the Public Works Director, Kürt Blomquist, is on a committee that works with the State of NH on these issues. The City was responsible for providing data to the State, and he thought that these new dwellings would be sufficient data to show the number of car movements per day per dwelling; he thought there was more disruption today because of home deliveries. He thought the City might need to address that delivery trucks and residents should avoid the bridge because of the weight limit, which will cause them to cut through Langdon Place; he thought that was something City Staff could work out with Langdon Place. At the end of Langdon Place, he said there is no stop sign or lines on the road indicating that the driver is on Whitcombs Mill Road, so he thought something needed to be done there. Councilor Jones spoke with one of the Transportation Commissioners, who agreed with Mr. Blomquist that the more data shown the better for this failed intersection where people have been hurt badly. The Councilor wanted the public to know this issue is being worked on, especially regarding left turns at this intersection. Mayor Hansel said that the day of this meeting, he got a letter back from a NH DOT Commissioner, who apologized for responding so late. The intersection is due for reevaluation in October, and the City will share some information with them to contribute to that reevaluation. Councilor Filiault noted that this was a topic of discussion at the MSFI meeting, when the Committee asked City Staff to communicate with the State on this effort and report back to the Council.

09/07/2023

Referring to the motion to adopt, Resolution R-2023-29-B carried unanimously on a roll call vote with 12 Councilors present and voting in favor. Councilor Roberts was absent. Councilor Chadbourne abstained. Ward Four Council seat vacant.

**RESOLUTION – IN APPRECIATION OF CHRISTOPHER C. STAPLES UPON HIS RETIREMENT – RESOLUTION R-2023-30**

A memorandum read from the Human Resources Director/Assistant City Manager, Elizabeth Fox, recommending that Resolution R-2023-30 be adopted by the City Council. A motion by Councilor Powers to adopt Resolution R-2023-30 was duly seconded by Councilor Bosley. The motion carried unanimously on a roll call vote with 13 Councilors present and voting in favor. Councilor Roberts was absent. Ward Four Council seat vacant.

**RESOLUTION – RELATING TO THE APPROPRIATION OF FUNDS – SEWER FUND UNASSIGNED FUND BALANCE FOR THE MARTELL COURT PUMP STATION BYPASS – RESOLUTION R-2023-31**

A Finance, Organization, and Personnel Committee report read, unanimously recommending the adoption of Resolution R-2023-31. A motion by Councilor Powers to adopt Resolution R-2023-31 was duly seconded by Councilor Remy.

Councilor Madison mentioned that he brought this up during the FOP meeting, noting that a lot of this stemmed from the major flooding this past summer. When the Pump Station suffered a failure, a City employee came back from vacation to work in the Pump Station—in raw sewage—for 36 straight hours. The FOP Committee took time to recognize these efforts and he thought it was appropriate at the Council level as well.

The motion carried unanimously on a roll call vote with 13 Councilors present and voting in favor. Councilor Roberts was absent. Ward Four Council seat vacant.

**RESOLUTION – RELATING TO FY24 FISCAL POLICIES – RESOLUTION R-2023-32**

A memorandum read from the Finance Director/Treasurer, Merri Howe, recommending that the City Council refer Resolution R-2023-32 to the Finance, Organization, and Personnel Committee. Mayor Hansel referred Resolution R-2023-32 to the Finance, Organization, and Personnel Committee.

**ADJOURNMENT**

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

A true record, attest:



City Clerk