

10/19/2023

A regular meeting of the Keene City Council was held on Thursday, October 19, 2023. In the absence of the Honorable Mayor George S. Hansel, the Assistant City Clerk called the meeting to order at 7:00 PM. Roll called: Bryan J. Lake, Michael J. Remy, Michael Giacomo, Randy L. Filiault, Robert C. Williams, Philip M. Jones, Andrew M. Madison, Kris E. Roberts, Bettina A. Chadbourne, Catherine I. Workman, Kate M. Bosley, and Thomas F. Powers were present. Raleigh C. Ormerod and Mitchell H. Greenwald were absent. Ward Four Council seat vacant. A motion by Councilor Bosley to elect Councilor Powers as the temporary Chair was duly seconded by Councilor Remy and the motion carried unanimously. Councilor Chadbourne led the Pledge of Allegiance.

MINUTES OF THE PRECEDING MEETING

A motion by Councilor Bosley to adopt the October 5, 2023 minutes as presented was duly seconded by Councilor Remy. The motion carried unanimously with 12 Councilors present and voting in favor. Councilors Ormerod and Greenwald were absent. Ward Four Council seat vacant.

ANNOUNCEMENTS

Acting Chair Powers led the Council in wishing a Happy Birthday to Councilors Ormerod, Bosley, and Madison, all of whom celebrate birthdays during the month of October. Acting Chair Powers also reminded the Council that the next Planning, Licenses, and Development Committee meeting was scheduled for October 25. There is also a special City Council meeting—Non-Public Session—for personnel, scheduled for November 1, 2023 at 6:00 PM. Additionally, the Wednesday, November 22 Municipal Services, Facilities, and Infrastructure Committee meeting was rescheduled to November 21 to accommodate the Thanksgiving Holiday, and there will be two issues that need to be addressed that evening. Lastly, Acting Chair Powers announced that there would be a special meeting of the City Council on Thursday, November 9, at 5:45 PM, just before the Finance, Organization, and Personnel Committee meeting at 6:00 PM, to canvass the votes cast at the Municipal General election.

IN APPRECIATION OF EDWARD C. SWEENEY UPON HIS RETIREMENT – RESOLUTION R-2023-35

Acting Chair Powers invited Mr. Sweeney forward to accept his Retirement Resolution. The Acting Chair read Resolution R-2023-53, In Appreciation of Edward C. Sweeney Upon His Retirement in its entirety. He asked Mr. Sweeney if he would like to make any remarks. Mr. Sweeney said he was born in and grew up in Keene. He was honored to be given this job 15 years ago, he took it very seriously, and had great support. He said it had been an honor to work with Andy Bohannon (Director of Parks, Recreation, and Facilities) and others.

PROCLAMATION – ENERGY WEEK

Acting Chair Powers presented a Proclamation on Energy Week to Peter Hansel, Chair of the Energy and Climate Committee. Acting Chair Powers declared October 21–28, 2023 as Keene Energy Week and encouraged all citizens to celebrate by participating in educational and awareness activities. Mr. Hansel said we are fortunate to have a City Council and Staff that support this effort. The Energy and Climate Committee, with a lot of help from Senior Planner Mari Brunner, had been working hard to move Keene away from fossil fuels and toward renewable energies by 2023 for electricity and 2050 for transportation and heating. He hoped this Energy Week would be even better than those in the past and referred those interested to the Committee’s webpage. He mentioned thanks to the Clean Energy Team, Monadnock Sustainability Hub, and the many citizens helping the City to make this important transition.

NOMINATION – PARTNER CITY COMMITTEE

Mayor Hansel nominated Andrew Madison to serve as a regular member of the Partner City Committee, with a term to expire December 31, 2024. Acting Chair Powers tabled the nomination until the next regular meeting.

COMMUNICATION – KIWANIS CLUB OF KEENE – REQUEST TO USE CITY PROPERTY – 2023 TREE LIGHTING CEREMONY

A communication was received from Peg Bruce of the Kiwanis Club of Keene, submitting their annual request from the Kiwanis Club of Keene for use of City property to conduct the 2023 Tree Lighting Ceremony in Central Square on Friday, November 24, 2023. Acting Chair Powers referred the communication to the Planning, Licenses, and Development Committee.

COMMUNICATION – KEENE YOUNG PROFESSIONALS NETWORK – REQUEST TO USE CITY PROPERTY – 2024 TASTE OF KEENE FOOD FESTIVAL

A communication was received from Councilor Michael Remy and the Keene Young Professionals Network, requesting the annual license to conduct the 2024 Taste of Keene Food Festival on June 1, 2024. Acting Chair Powers referred the communication to the Planning, Licenses, and Development Committee to be placed on More Time to allow protocol meetings to occur.

COMMUNICATION – KEENE SNO-RIDERS – REQUESTING PERMISSION TO RUN SNOWMOBILES IN THE RIGHT-OF-WAY ALONG KRIF ROAD FROM THE ASHUELOT RAIL TRAIL TO WINCHESTER STREET

A communication was received from Jeremy Evans of the Keene Sno-Riders, submitting their annual request for permission to run snowmobiles in the right-of-way along Krif Road from the Ashuelot Rail Trail to Winchester Street, crossing Winchester Street to the property of Perry

Kiritsy at 471 Winchester Street. This request is for the timeframe of December 15, 2023, through March 30, 2024—snow cover permitting. Acting Chair Powers referred the communication to the Planning, Licenses, and Development Committee.

COMMUNICATION – JAN MANWARING – RESIGNATION – HUMAN RIGHTS COMMITTEE

A communication was received from Jan Manwaring, resigning from the Human Rights Committee. A motion by Councilor Bosley to accept the resignation with regret and appreciation of service was duly seconded by Councilor Remy. The motion carried unanimously with 12 Councilors present and voting in favor. Councilors Ormerod and Greenwald were absent. Ward Four Council seat vacant.

COMMUNICATION – GREGORY KLEINER – RESIGNATION – HISTORIC DISTRICT COMMISSION

A communication was received from Gregory Kleiner, resigning from the Historic District Commission. A motion by Councilor Bosley to accept the resignation with regret and appreciation of service was duly seconded by Councilor Remy. The motion carried unanimously with 12 Councilors present and voting in favor. Councilors Ormerod and Greenwald were absent. Ward Four Council seat vacant.

MSFI REPORT – SAFETY CONCERNS ON THE EAST SIDE OF KEENE

A Municipal Services, Facilities, and Infrastructure Committee report read, unanimously recommending that the safety concerns be referred to the City Manager with the request that there be a report back to the Committee. A motion by Councilor Filiault to carry out the intent of the report was duly seconded by Councilor Workman. Discussion ensued.

Councilor Workman shared some things she was unable to at the MSFI meeting. With the knowledge that needles in public spaces are a great concern, she noted that needles are also used for things other than illegal drug injections, like for her pet with diabetes, for example. She displayed a sharps container that can safely store used needles for disposal. She also showed a device (fits in a pocket) that can cut the tips off needles and store up to 1,500 needle heads; this device costs \$7.

The Council heard comments from the City Manager, who said she spoke extensively at the MSFI meeting. She recalled talking extensively about the Housing Stability Group and the progress it had made in the last year. She said the east side neighborhood had presented good suggestions and the plan was for the City Manager to report back to MSFI about what the City could accomplish. She echoed Councilor Filiault that many solutions would require funding. To date, the City Manager said there had been some trail clearing, she was evaluating different fencing options in different areas of the City, and she was assessing lighting options. She said

that at the MSFI meeting, there was concern expressed about needles, and discussion of the Serenity Center's needle exchange program; if citizens find needles in public spaces, they can contact the Serenity Center for assistance. There was also discussion about public bathrooms; soon, the bathrooms at the Pat Russell Park would be available from 7:00 AM–7:00 PM. Public restrooms were also an ongoing conversation in the downtown project. The City Manager also mentioned concern about City Code Enforcement in some of the housing stock, so she spoke with the Community Development Department, which will present to the MSFI Committee about the City's approach to Code Enforcement in December (including what it would take to have a more proactive Code Enforcement program).

The City Manager continued, explaining that she had also created a Homelessness Task Force that works across the City organization and meets twice per month. It is likely that the Task Force will seek some public input opportunities in the future, to avoid creating many more City committees. She recalled public suggestions to create a list of volunteer opportunities for those who want to help. All actions would occur in consultation with the City Attorney. The City Manager mentioned that she had an upcoming meeting with Hundred Nights to talk about their capacity in general and during the winter. One of the City Manager's concerns was that the number of homeless individuals in the City was increasing, and the City had used every resource available to date. So, she wanted to use Hundred Nights more than in the past, especially in the winter. She hoped to reserve some beds at Hundred Nights for the homeless in Keene, because usually Hundred Nights reports a vacancy to the State and the beds are open to anyone in the State with need. She was also in conversation with the UCC Church about an overflow shelter.

Lastly, the City Manager mentioned the homeless encampments. She was working with private property owners that have large encampments near the Stone Arch Bridge to get them cleaned-up. Additional clean-up occurred recently behind Kohls and on Pearl Street; the City provided a place to collect trash that the City would dispose of. These encampments are a public health concern, and the City does not want the liability of entering private properties, but the City wanted to incentivize those property owners cleaning-up. The City Manager hoped to have a meeting soon with the owners of the property behind Hannaford for this reason. Also, after the last MSFI meeting, the City Manager and Councilor Workman talked with the organizers of community meetings, who were happy to share information to help the City in this effort. She hoped to attend more of those community meetings.

Councilor Filiault referred to the recent clean-up behind Kohls. He said many in the community might imagine it only being a dumpster of trash, when more than 57,000 lbs. (28.5 tons) of trash were collected. He imagined that the area behind Hannaford would probably have more trash, and therefore be more expensive.

Councilor Madison noted that annually, he helps to clean-up Beaver Brook, which flows through these neighborhoods. Every year, he finds more and more containers full of needles and he had stepped on many needles. This is in addition to the mass amounts of trash pulled from Beaver Brook, including large items like couches and mattresses. He hoped that the City could have

more options to provide sharps containers as Councilor Workman mentioned. He agreed that unfortunately, Pat Russell Park was becoming a hot spot for these activities. Councilor Madison continued, mentioning that he lives in the north-central neighborhood between Court and Washington Streets and RT-9, and stating that the neighbors' concerns are very real in Keene and the State. The Councilor listed some challenges he had experienced. When he used to live on High Street, an individual lived in his entryway for three days before trying to break into Councilor Madison's apartment; the individual was arrested the next day for holding someone against their will and sexually assaulting them. He also had a neighbor on High Street who screamed in the street at night and threatened Councilor Madison's life. He mentioned poorly maintained homes and a house fire 18 months ago that was only recently addressed by the property owner, which led him to talk with Code Enforcement; the same home was a notorious drug house and there would be traffic jams lined up and down Elm Street waiting to purchase drugs. More recently, there was an issue with a house on Union Street—which is an Airbnb—when a coach bus brought people into Keene for an all-night party there. Councilor Madison questioned the perception that Keene does not have any issues with short term rentals without certificates of occupancy; he urged his neighbors to call the Police Department. He thought this was a City-wide problem and not limited to Keene's east side. So, he hoped the Council's actions would not be limited to those neighborhoods so everyone in the City can live in an environment they enjoy.

Councilor Roberts said that the comments he heard were addressing symptoms but would not solve the problem. He said it was great to try to get people into housing, but he wondered how long someone would be able to stay in those situations if they cannot get a job to pay the rent. He said that this would be profit driven, as property owners would not make rooms available without profiting. He recalled a past Sentinel exposé (that won awards) on the encampments behind Hannaford. Councilor Roberts said it was important to take care of people and help them get off the streets and in a safe place for the winter. He said it would be a lot cheaper to buy someone a house than pay what it takes to get them off the street.

The City Manager agreed with some of Councilor Roberts' comment that many things the City was trying would be addressing symptoms of a much bigger problem. While the City can address the relatively easy things—cleaning, lighting, etc.—there are a lot of bigger needs to address like supportive and affordable housing. The City Manager often sees a challenge with the “housing first” model that is not often successful. That model needs to be accompanied by supportive services that help move people from shelters into housing, which is why she was pursuing mobile support services to stop all of the State's homeless from congregating in the few cities that have shelters. The City Manager said only a few municipalities in NH were addressing homelessness and she sought a way to keep people in their communities, which will require transportation options to rural areas. She also said further work was needed Statewide on welfare changes and accomplishments with Senator Fenton last year were a step in the right direction. She reiterated the need to have Keene's existing shelter capacity serve more Keene citizens, which could make more of a difference overall versus supporting the whole State. The City Manager mentioned the need to create pathways to get people the services they need, like the

social worker position in the Police Department, for which she was waiting for a grant opportunity from the Opioid Abatement Fund. She had a meeting about this scheduled on October 20, and while she thought the focus would be more on housing, she said she would push to fund the social worker, who is meant to connect people interacting with the Police Department to the services they need. There is also a need for more mental health and other crucial support services, but unfortunately there are not enough providers in the region. In summary, the City Manager said she was working to solve both the symptoms and the larger problem. It will take a lot of effort over a long period of time.

Councilor Madison agreed that housing is the biggest problem; there are not enough places for people to live. He said that anytime a housing proposal or Zoning change is brought to the Council, everyone says how much housing is needed, but they are unwilling for that housing to be near where they live. Councilor Madison said that in his schooling as an environmental scientist and in his years of experience, he did not recall that the biggest threat to wetlands is affordable housing. He said that working class people deserve a place to live. He recalled a few Council meetings ago, when the audience clapped and cheered when a Habitat for Humanity project withdrew its application. He said everyone needs to accept that they need to be a part of the solution and accept that working class people deserve to be housed anywhere.

Acting Chair Powers said a lot of good work had occurred already and much more would be needed, but it sounded like there was a plan.

The motion to carry out the intent of the Committee report carried unanimously with 12 Councilors present and voting in favor. Councilors Ormerod and Greenwald were absent. Ward Four Council seat vacant.

ACCEPTANCE OF DONATION

A memorandum read from the Finance Director/Treasurer, Merri Howe, recommending that the City Council accept a donation in the amount of \$20,000 from Keene Dog Park and that the City Manager be authorized to use the donation for the creation and construction of the dog park. A motion by Councilor Remy to accept the donation was duly seconded by Councilor Chadbourne. The City Manager said that unfortunately, this project recently went out to bid and there were no bidders. She hoped to regroup and attract a bidder. The motion to accept the donation carried unanimously with 12 Councilors present and voting in favor. Councilors Ormerod and Greenwald were absent. Ward Four Council seat vacant.

CITY MANAGER COMMENTS

The City Manager reported that Keene State College (KSC) was beginning its master planning process, in addition to Plymouth State University and the University of NH. She said that KSC invited City Staff to participate on their master plan committee and the Community Development

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Department, Jesse Rounds, would take that position and the Parks, Recreation, and Facilities Director, Andy Bohannon, would act as an alternate member.

The City Manager also recognized 15-year milestones of City Staff: Patrick Fuller of the Fire Department, Neil Goodell of the Public Works Department, and Corinne Marcou of the Community Development Department.

Lastly, the City Manager shared good news related to funding for the downtown project. Thanks to the City Engineer, Don Lussier, and the Public Works Department, the City applied for \$2.9 million from the NH Drinking Water Revolving Loan Fund. The City was tentatively offered 60% principal forgiveness, resulting in \$1.7 million for the downtown project.

TABLED ITEM – MAYOR GEORGE S. HANSEL – AMENDMENT TO LAND DEVELOPMENT CODE – CHARITABLE GAMING FACILITIES

Acting Chair Powers filed the communication as informational as the next few agenda items would address the communication.

ORDINANCE FOR FIRST READING – RELATING TO AMENDMENTS TO THE PERMITTED USES IN THE DOWNTOWN CORE, DOWNTOWN GROWTH AND COMMERCE DISTRICTS – ORDINANCE O-2023-16

A memorandum read from the Community Development Director, Jesse Rounds, recommending that the Mayor set a public hearing and refer proposed ordinance O-2023-16 to the Joint Planning Board and Planning, Licensing, and Development Committee for a public workshop. Acting Chair Powers filed the memorandum and referred the Ordinance to the Joint Planning Board and Planning, Licenses, and Development Committee. A public hearing was set for Thursday, December 7, 2023 at 7:00 PM.

ORDINANCE FOR FIRST READING – RELATING TO AMENDMENTS TO THE CITY OF KEENE LAND DEVELOPMENT CODE, DEFINITION OF CHARITABLE GAMING FACILITY – ORDINANCE O-2023-17

A memorandum read from the Community Development Director, Jesse Rounds, recommending that the Mayor refer Ordinance O-2023-17 to the Planning, Licenses, and Development Committee. Acting Chair Powers referred Ordinance O-2023-17 to the Planning, Licenses, and Development Committee meeting on December 13, 2023.

ORDINANCE FOR FIRST READING – RELATIVE TO CONGREGATE LIVING AND SOCIAL SERVICES LICENSE – ORDINANCE O-2023-18

A memorandum read from the City Attorney, recommending that this Ordinance amendment be referred to the Planning, Licenses, and Development Committee for review and

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recommendation. Acting Chair Powers referred Ordinance O-2023-18 to the Planning, Licenses, and Development Committee.

NON-PUBLIC SESSION

A motion by Councilor Bosley to enter into a non-public session to discuss land matters under RSA 91-A:3, II (d) was duly seconded by Councilor Filiault. The motion carried unanimously on a roll call vote with 12 Councilors present and voting in favor. Councilors Ormerod and Greenwald were absent. Ward Four Council seat vacant. The Council entered the non-public session at 7:50 PM.

The Council exited the non-public session at 8:44 PM. A motion by Councilor Bosley to keep the minutes of the non-public session, non-public as disclosure would render the proposed action ineffective was duly seconded by Councilor Remy. The motion carried unanimously on a roll call vote with 12 Councilors present and voting in favor. Councilors Ormerod and Greenwald were absent. Ward Four Council seat vacant.

ADJOURNMENT

There being no further business, Acting Chair Powers adjourned the meeting at 8:45 PM.

A true record, attest:



Assistant City Clerk