

A regular meeting of the Keene City Council was held on Thursday, June 20, 2024. The Honorable Mayor Jay V. Kahn called the meeting to order at 7:02 PM. Roll called: Kate M. Bosley, Laura E. Tobin, Michael J. Remy, Randy L. Filiault, Robert C. Williams, Edward J. Haas, Philip M. Jones, Andrew M. Madison, Kris E. Roberts, Jacob R. Favolise, Bryan J. Lake, Bettina A. Chadbourne, Catherine I. Workman, Thomas F. Powers, & Mitchell H. Greenwald were present. Councilor Powers led the Pledge of Allegiance.

MINUTES FROM PRECEDING MEETING

A motion by Councilor Greenwald to adopt the June 6, 2024, minutes as presented was duly seconded by Councilor Bosley. The motion carried unanimously with 15 Councilors present and voting in favor.

ANNOUNCEMENTS

First, Mayor Kahn congratulated the Human Rights Committee for its successful Juneteenth celebrations that occurred between June 14–19. He said the events were wonderful and they engaged a lot of people.. In particular, the Mayor commended the leadership of Councilor Catherine Workman; the Monadnock Diversity, Equity, Inclusion, & Belonging Committee; and the Chair of the Human Rights Committee, Sophia Cunha-Vasconcelos.

Next, Mayor Kahn thanked City staff for the successful ribbon cutting at the Dog Park on the same day as this meeting. Deputy City Manager, Andy Bohannon, noted that the Dog Park was a long time coming and was successful because of significant community contributions and grant writing. He encouraged all to visit the Dog Park at Wheelock Park. He congratulated all involved with making this a reality.

Mayor Kahn also shared Council updates. The Municipal Services, Facilities, & Infrastructure (MSFI) Committee will make its final recommendation on the downtown project at their meeting on June 26. The final vote by the City Council on this project is anticipated at the July 18 regular meeting. The July 4 regular City Council meeting is canceled. The Planning, Licenses, & Development (PLD) Committee meeting for the following week is rescheduled on July 24 at 5:30 PM. That PLD meeting agenda will include the City Council's Rules of Order, so other Councilors are encouraged to attend. As such, the MSFI Committee meeting on July 24 will shift its start time to 7:00 PM. Mayor Kahn also reminded the Council of important dates for its summer vacation, with cancelation of the Council meetings on August 15 and September 5. The Council Standing Committee meetings on August 7–8 and August 21–22 will also be canceled. The Committees will start meeting again on September 11–12. The Council will start meeting again on September 19.

Lastly, the Mayor reported on Community Night led by City staff at 350 Marlboro Street on June 18. Vehicles managed by Fleet Services were present all departments were present to discuss their programs that were on display. Mayor Kahn appreciated the community's participation and the staff's time.

PROCLAMATION – PATHWAYS FOR KEENE

Mayor Kahn welcomed Sarah Green, President of Pathways for Keene, and Councilor Jones to receive a proclamation recognizing Pathways for Keene's 30th anniversary, honoring its remarkable achievements and lasting legacy, and celebrating the organization's remarkable achievements that are invaluable to the Keene community. He wished them well for the 4 on the

4th Race. Councilor Jones and Mayor Kahn also recognized Chuck Redfern's 30-year commitment to Pathways for Keene, always working to support the organization's efforts.

PROCLAMATION – CELTICS

In light of the Boston Celtics celebration on June 21, Mayor Kahn welcomed Keene State College's men's head Basketball Coach, Steve Enright, and presented him with a Proclamation declaring the City of Keene's congratulations to the members and coaches of the 2024 Boston Celtics on their outstanding achievement, acknowledging their contributions to the sport of basketball. The Mayor encouraged all citizens of Keene and the greater Monadnock Region to join him in saluting the Celtics for their well-deserved championship title.

PRESENTATION – VISION KEENE 20-FORWARD – FUTURE IQ SOLUTIONS

Mayor Kahn welcomed Community Development Director, Jesse Rounds, and Master Plan update project consultant, David Beurle, of Future IQ. This 18-month project began in February 2024 and the consultants had led multiple public engagement efforts to date, including a think tank and visioning sessions.

Mr. Beurle discussed this very important community effort. He thought the project was evolving into a larger conversation about where Keene fits into the future; how will Keene navigate its way through a series of external trends shaping this community. A Master Plan Steering Committee was appointed and had been helpful in these conversations and determining the community's vision for the future. Those conclusions will be drawn at a "future summit" in October 2024, after which the project focus will transition to the technical aspects of the Master Plan that will allow for achieving the community's future vision. What is shaping the future? What is the community's appetite for change? The community could have a lofty vision, for example, but the realities of implementation would result in tradeoffs. All along, the goal had been to bring as many unique voices and perspectives as possible into this open and transparent process. He directed anyone interested to the project website, www.KeeneMasterPlan.com, where all project materials are available.

Mr. Beurle continued, explaining that the first project survey had concluded with 650 respondents, which was higher than the 2010 Master Plan update's survey. Additionally, there was a think tank event with 60 participants who devoted two half days to engaging in an in-depth consideration of Keene's future; he thought a good cross section of the community was represented. The first phase of visioning sessions would be underway through September. The week of this meeting, approximately 120 people had participated in visioning sessions. Mr. Beurle acknowledged that these numbers of participants were not high compared to Keene's population, but he thought of this project phase as building momentum as more and more people were learning about the engagement opportunities. Multiple mechanisms were used to reach community members.

Mr. Beurle concluded by stating that Keene is a unique and extraordinary community. In listening to community members, he said some understood why a Master Plan update was needed and some were concerned about future challenges of affordability, housing stocks, young people leaving, and jobs in the future. The project was presented to the community as an opportunity for people to consider the community's major concern and to create a vision for the future that gives people a guiding light. He thanked the Council for the opportunity to be a part of this.

Mayor Kahn asked how the handout with the synopsis of the visioning sessions would be shared with the community. Mr. Beurle said that in the centerfold, there is a large colored box about the think tank process, which identified the big themes shaping Keene's future. The consultants were trying to understand the community's evolution and development trajectory. Often, great communities like Keene are tempted to stay the same because it is familiar and comfortable, but the consultants were trying to explore the City's challenges to find a way to collaborate and adapt in the future. The consultants were trying to determine whether the community wants a steady and cautious approach to the future or to seize the moment. The project still had a long way to go, and Mr. Beurle did not want to preempt any of that data by speculating, but he thought the community understood the significance of the challenges it will face. How will Keene maintain its vibrancy, prosperity, and relevance? Will people be comfortable with the changes needed to do so? What will the implications be? The Master Plan Steering Committee's recommendations would ultimately come to the City Council for a final vote.

Councilor Madison acknowledged the hard work of the Community Development Department in this effort, including a lot of attention to the visioning sessions. That said, he felt he would be negligent in his duties as a Councilor if he did not express his frustration that all four community meetings were held during the normal workday hours, limiting those who could participate. While he knew it could be hard to schedule evening meetings within the City's meeting structure, he was not comfortable cutting out a significant portion of Keene's population and economy. So, in future rounds of the Master Plan update, Councilor Madison requested more attention to accommodating those unavailable between 9:00 AM–5:00 PM. Mr. Rounds agreed that scheduling evening meetings had been a challenge to date. Still, throughout the coming months, City staff would be leading visioning sessions with any groups in the community that want to participate, with much greater flexibility on the times available for these meetings—daytime, evening, or weekends. Reaching as many in the community as possible is the primary goal. Mr. Beurle agreed and added that they were also exploring how to incorporate virtual options for engagement; not only is the time of day a challenge, but transportation is as well.

Councilor Jones said he was fortunate to be the one Councilor who participated in choosing this project's consulting services, and at the time he stressed the importance of engagement and outreach. To date, he felt the consultants and staff had done an outstanding job reaching out to the various community demographics and civic organizations, like the Senior Center. He thought the efforts to broaden outreach would be successful over the coming months. Mr. Beurle added that patience in a process like this is essential because it takes time to reach the broad community; any group that wants to participate will be accommodated and those interactions should lead to more recommendations about who else to engage in the process.

Mayor Kahn thanked Mr. Beurle and Mr. Rounds, and he encouraged the community to participate in this effort.

CONFIRMATION – KEENE HOUSING

Mayor Kahn nominated Amy Lehr to serve as a regular member of Keene Housing, with a term to expire December 31, 2026. A motion by Councilor Greenwald to confirm the nomination was duly seconded by Councilor Bosley. The motion carried unanimously on a roll call vote with 15 Councilors present and voting in favor.

NOMINATIONS – HERITAGE COMMISSION AND HISTORIC DISTRICT COMMISSION

Mayor Kahn nominated Rose Carey and Louise Zerba to serve as regular members of the Heritage Commission, with terms to expire December 31, 2026. Mayor Kahn also nominated Louis Zerba to serve as a regular member of the Historic District Commission, with a term to expire December 31, 2026.

COMMUNICATION – CHARLES SMITH – REQUEST TO ADDRESS ISSUES OF TRANSPARENCY AND THE IMPACT OF HOMELESSNESS

A communication was received from Charles Smith, requesting to address the Council on two items: issues of transparency with local government and the impact of homelessness. Mayor Kahn referred the communication to the Finance, Organization, and Personnel Committee.

PLD REPORT – KEENE DOWNTOWN GROUP – REQUEST TO USE CITY PROPERTY – WIZARDING WEEK

A Planning, Licenses, and Development Committee report read, unanimously recommending that the Keene Downtown Group be granted a license to use downtown City property on Central Square and Railroad Square, from Wednesday, July 24 through Sunday, July 28, 2024 to host Wizarding Week festivities, as well as permission for the closure of a portion of Church Street on Saturday, July 27, 2024 to host a “Daigon Alley” event as part of Wizarding Week, conditional upon the following:

- The signing of a standard revocable license and indemnification agreement;
- That the petitioner provide a certificate of liability insurance with the City of Keene listed as additional insured in the amount of \$1,000,000;
- That the Petitioner agrees to absorb the cost of any City services provided to the event, and agrees to remit said payment within 30-days of the date of invoicing;
- That the July 27th event on Church Street will be held from 10:00 AM to 8:00 PM with the times for set up and clean up to be established with City staff;
- That the timeframes for use of Central Square and Railroad Square be coordinated with City staff; • The submittal of signed letters of permission from any private property owners for the use of their property; and
- Said permission is granted subject to obtainment of any necessary licenses or permits and compliance with all laws; and compliance with any recommendations of City staff.

A motion by Councilor Jones to carry out the intent of the Committee report was duly seconded by Councilor Bosley. The motion carried unanimously with 15 Councilors present and voting in favor.

PLD REPORT – MADAM SHERRI’S LOUNGE – REQUEST TO SERVE ALCOHOL ON CITY ROW – ADJACENT TO RAILROAD SQUARE

A Planning, Licenses, and Development Committee report read, unanimously recommending that Madam Sherri’s Lounge be permitted to place tables and chairs on the grassed-in area immediately east of the Railroad Square pavers for the serving of food and alcohol to patrons seated in the café area Monday through Wednesday from 4:00 PM to 9:30 PM, and Thursday through Sunday, Noon to 9:30 PM. This license is also subject to the following conditions: subject to the customary licensing requirements of the City Council; compliance with the

requirements of Chapter 46 of the City Code of Ordinances; compliance with the City of Keene Sidewalk Café Guidelines issued by staff; that the area encumbered shall not extend beyond the easterly most entrance to the building; that a buffer of at least one-foot be maintained from the edge of the multiuse trail pavement to the fence/enclosure structure; that the tables and chairs be removed when Railroad Square is utilized by any community event licensed by the City of Keene or any event scheduled through the Parks and Recreation Department; that no materials, gravels, or any other alterations to the site may be made without prior approval from staff; and that the property be maintained and returned to its original state at the expiration of the license with staff reviewing the condition of the area at the end of the season to determine any needed maintenance. This license shall expire on March 1, 2025.

A motion by Councilor Jones to carry out the intent of the Committee report was duly seconded by Councilor Bosley. The motion carried unanimously with 15 Councilors present and voting in favor.

PLD REPORT – KIWANIS CLUB OF KEENE – REQUEST TO USE CITY PROPERTY – TREE LIGHTING CEREMONY

A Planning, Licenses, and Development Committee report read, unanimously recommending that the Keene Kiwanis Club be granted permission to use downtown City rights-of-way on Friday, November 29, 2024, to conduct the annual Tree Lighting Festival conditional upon the following:

- The furnishing of a certificate of liability insurance in the amount of \$1,000,000 naming the City of Keene as an additional insured;
- The signing of a standard revocable license and indemnification agreement;
- That the Petitioner agrees to absorb the cost of any City services over and above the amount of City funding allocated to the event, and agrees to remit said payment within 30-days of the date of invoicing;
- That the agreed upon footprint and layout for the event shall encumber Central Square, including the traveled portion of the road requiring the following road closures: Central Square, West Street at Central Square, Roxbury Street from west of the Hannah Grimes Parking lot to Central Square, Washington Street from Vernon Street to Central Square, and Court Street from Winter Street to Central Square;
- That the actual event will be held from 5:00 PM to 8:00 PM with the times for set up and clean up to be established with City staff;
- That free parking be granted under the provisions of the free parking policy for the following: use of spaces with dates, times and locations to be determined in coordination with the Parking Division for volunteer parking during pre-event set-up and post-event break-down activities, and spaces within the event footprint on the day of the event; and
- Said permission is granted subject to obtainment of any necessary licenses or permits and compliance with all laws; and compliance with any recommendations of City staff.

A motion by Councilor Jones to carry out the intent of the Committee report was duly seconded by Councilor Bosley.

Councilor Jones listed some other things that the Kiwanis Club does for the community. Mayor Kahn added that the tree lighting ceremony is not just a ceremony, but an event that lights the community during the darkest nights of the year and he appreciates all of their annual work.

The motion to carry out the intent of the Committee report carried unanimously with 15 Councilors present and voting in favor.

PLD REPORT – WARRANT FOR UNLICENSED DOGS

A Planning, Licenses, and Development Committee report read, unanimously recommending that the City Council issue a warrant for unlicensed dogs pursuant to NHRSA 466:14, to direct the City Clerk’s Office and the Keene Police Department to issue a civil forfeiture to those dog owners who have failed to license their dog by April 30, 2024. A motion by Councilor Jones to carry out the intent of the Committee report was duly seconded by Councilor Bosley. The motion carried unanimously with 15 Councilors present and voting in favor.

FOP REPORT – ATTORNEY DANIEL S. RICH/PRETIFLAHERTY BELIVEAU & PACHOIS, PLLP – REQUESTING THAT THE CITY QUITCLAIM ANY INTEREST – FORMER RAILROAD EASEMENT – 120 EMERALD STREET

A Finance, Organization, and Personnel Committee report read, unanimously recommending that the City Manager be authorized to do all things necessary to negotiate and to execute a release deed of the City’s interest in real property, aka a railroad easement, impacting the property at 120 Emerald Street more particularly depicted on a certain plan entitled Right of way and Track map Connecticut River RR Company operated by the Boston and Maine Railroad Station 1108 + 80 to Station 1143 + 724 and being a portion of the property interest conveyed to the City in the quitclaim deed recorded at the Cheshire County Registry of Deeds, Book 1259 Page 0808 and further to authorize the City Manager to negotiate and to accept a sidewalk easement in a form acceptable to the City Engineer and the City Attorney. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy. The motion carried unanimously with 15 Councilors present and voting in favor.

FOP REPORT – ENGINEERING SERVICES – 3 MILLION GALLON WATER STORAGE TANK REPAIR PROJECT

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 contract with Weston & Sampson, Inc. for engineering services for the 3-million-gallon water storage tank repair project for an amount not to exceed \$127,550.00. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy. The motion carried unanimously with 15 Councilors present and voting in favor.

FOP REPORT – AID GRANT FUNDING – SLUDGE PUMP REPLACEMENT PROJECT

A Finance, Organization, and Personnel Committee report read, unanimously recommending that the City Manager be authorized to do all things necessary to execute, accept, and expend a State Aid Grant Funds from the New Hampshire Department of Environmental Services for the Sludge Pump Replacement Project. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy. The motion carried unanimously with 15 Councilors present and voting in favor.

FOP REPORT – SALE OF CITY PROPERTY – MAP 552 LOT 035, 270 BEAVER STREET

A Finance, Organization, and Personnel Committee report read, unanimously recommending that the City sell 270 Beaver Street, Map 552 Lot 035 through a sealed bid process and authorize the

City Manager to negotiate and execute the sale with the chosen bidder. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy.

Councilor Williams noted that this property is one block away from his home and he had a particular interest in the invasive species on the lot. Adjacent to this property, is what the Councilor called one of the worst pieces of Keene infrastructure—a broken down set of stairs from Terrace Street to Beaver Street, which is a primary way people access the eastside neighborhoods and Robin Hood Park. The stairs are completely inaccessible in the winter and mostly washed out in the summer. So, he hoped these issues would be incorporated in the sale of this property; he thought the sale price might be better if the City dedicated some resources to fixing those stairs. It would be very important to the neighborhood. The City Manager said she was happy to look into it this and develop a plan once she determines ownership of the stairs. Councilor Bosley said her recollection was that the stairs were being addressed as a part of the Robin Hood Park project, with funds dedicated to park access. The City Manager would report back to the Council. The motion to carry out the intent of the Committee report carried unanimously with 15 Councilors present and voting in favor.

CITY MANAGER COMMENTS

First, the City Manager reported on Community Night, which was the first since Covid. As such, she worried there would be low participation, but she was pleasantly surprised at the momentum and participation despite the hot weather. The Fire Department had a new fan apparatus to mist cold water for people to cool off, which attendees enjoyed. The event was coordinated by the Personnel Advisory Board, which is comprised of representatives from across the organization that are elected and meet regularly. HR Director, Beth Fox, was the primary coordinator. There was a lot of City equipment, and vehicles present for people to look at. All food was provided by donation, and the ice cream was donated by some of the City's unions. The City Manager thanked all involved.

Next, the City Manager reported on parking issues during the Juneteenth events on June 19. There was confusion during the event about whether parking was free, as many thought it was a Federal holiday. Juneteenth was not yet a holiday in the City Code of Ordinances. The City Manager spoke with the Mayor and her plan was to review this as a part of the overall compensation and pay study when she intends to consider holiday schedules. In the meantime, parking users were frustrated, and she thought some backlash at the Parking Office was unfounded, given that the parking staff do the best they can and had worked hard to improve their public image and relationship with the community. The stickers on the parking meters do state that holidays are exempt, and an old reference to this was found on the City website. So, for a variety of reasons, the City Manager stated she would be voiding the parking tickets issued for expired meter time. The tickets for staying at the same meter for longer than two hours would not be voided as that rule exists even on holidays. Next, she would bring forward an Ordinance adding June 19 as a free parking day to avoid this confusion in the future.

ACCEPTANCE OF DONATIONS

A memorandum read from the Finance Director/Treasurer, Merri Howe, recommending accepting the following donations in the amount of \$850 for Community Night and authorizing the City Manager to use each donation in the manner specified by the donor:

- C&S: \$250

- City of Keene Employees Local 6288 AFT-AFL-CIO: \$50
- AFSCME Cheshire County Employee Local 2973: \$100
- Keene Police Department Supervisors: \$100
- Keene Police Officers Association: \$250
- Walmart Gift Card: \$100

Mayor Kahn thanked the above donors and noted that goods and services were also provided by: IAFF 3265, Hannaford, Markem-Imaje, and PC Connection.

A motion by Councilor Powers to carry out the intent of the report was duly seconded by Councilor Remy. The motion carried unanimously with 15 Councilors present and voting in favor.

ACCEPTANCE OF DONATION – 9/11 MEMORIAL BENCH

A memorandum was read from the Finance Director/Treasurer, Merri Howe, recommending authorizing the City Manager to do all things necessary to accept a donation of a 9/11 Memorial Bench from Boy Scout Wade Plaskiweicz to be installed at Station 2 on Hastings Avenue. A motion by Councilor Powers to carry out the intent of the report was duly seconded by Councilor Remy. The motion carried unanimously with 15 Councilors present and voting in favor.

RESIGNATION OF SUSAN D’EGIDIO FROM THE HERITAGE COMMISSION

A memorandum read from Evan Clements, Planner, recommending that the City Council accept the resignation of Susan D’Egidio from the Heritage Commission. A motion by Councilor Greenwald to accept the resignation with regret and appreciation of her 14 years of service was duly seconded by Councilor Bosley. The motion carried unanimously with 15 Councilors present and voting in favor.

RESIGNATION OF DAVID WEIGLE FROM THE ZONING BOARD OF ADJUSTMENT

A memorandum read from Corinne Marcou, Administrative Assistant, recommending that the City Council accept the resignation of David Weigle from the Zoning Board of Adjustment. A motion by Councilor Greenwald to accept the resignation with regret and appreciation was duly seconded by Councilor Bosley. The motion carried unanimously with 15 Councilors present and voting in favor.

MORE TIME – ATTORNEY THOMAS R. HANNA/BCM ENVIRONMENTAL & LAND LAW, PLLC – DONATION OF LAND AT 0 ASHUELOT STREET – COMPENSATORY FLOOD STORAGE

A Planning, Licenses, and Development Committee report read, unanimously recommending that the request for 0 Ashuelot Street Compensatory Storage be placed on more time for the City to review the request, and the consequences of it. Mayor Kahn granted more time.

ORDINANCE FOR FIRST READNIG – AN ORDINANCE RELATING TO THE INSTALLATION OF STOP SIGNS ON WATER STREET – ORDINANCE O-2024-11

A memorandum read from Don Lussier, Public Works Director, recommending that Ordinance O-2024-11 be referred to the Municipal Services, Facilities, and Infrastructure Committee for deliberation and a recommendation back to the City Council. Mayor Kahn referred Ordinance O-2024-11 to the Municipal Services, Facilities, and Infrastructure Committee.

ORDINANCE FOR SECOND READING – RELATING TO SIDEWALK CAFÉ
ENFORCEMENT MEASURES ORDINANCE – O-2024-06-B

A Planning, Licenses, and Development Committee report read, unanimously recommending the adoption of Ordinance O-2024-06-B. Mayor Kahn filed the report.

The City Clerk, Patty Little, pointed out a Scrivener’s error relative to an amendment by the PLD Committee for the “A” version of this Ordinance. On page 58 of this meeting’s agenda packet, on the top line, “November” should be stricken. This led to a “B” version of the Ordinance for the vote.

A motion by Councilor Jones to adopt Ordinance O-2024-06-B was duly seconded by Councilor Bosley.

The City Manager, Elizabeth Dragon, noted an adjustment that would allow her to grant two 10-day extensions at once (20 days) if the weather will permit to eliminate extra administrative burden of continuously notifying the license holders. Still, the City reserves the ability to pull furniture and end an extension if an issue arises. She also noted that she was organizing a meeting between the Liquor Commissioner and the City’s Sidewalk Café License holders so they can ask questions and understand exactly what is expected of them. She also offered to invite the Liquor Commissioner to a PLD meeting with a goal of better communication moving forward.

Councilor Jones noted that “10 days” was mentioned twice in the Ordinance and he asked which the City Manager was referring to. The City Manager replied that she was not suggesting changing the language, but that she was interpreting the language to mean that she could approve two 10-day extensions together, depending on the weather outlook. Mayor Kahn thanked the Clerks and City Manager for working on this.

The motion to adopt Ordinance O-2024-06-B carried unanimously on a roll call vote with 15 Councilors present and voting in favor.

ORDINANCE FOR SECOND READING – RELATING TO THE CITY OF KEENE
ORGANIZATIONAL CHART – ORDINANCE O-2024-10

A Finance, Organization, and Personnel Committee report read, unanimously recommending the adoption of Ordinance O-2024-10. Mayor Kahn filed the report. A motion by Councilor Powers to adopt Ordinance O-2024-10 was duly seconded by Councilor Remy.

Councilor Jones asked whether—based on this chart—the Treasurer is an employee of the Council. Mayor Kahn said that was technically correct, but the Council recognizes that oversight of the Treasurer was delegated to the City Manager. The City Clerk, Patty Little, said it was combined when the Finance Director also became the Treasurer. Since Charter changes must go before voters, it might be good to update at some point, but at this time, the Mayor did not think it was urgent based on how those functions emerged.

Along with these changes, Councilor Haas asked to have the Agricultural Commission removed from the City website to keep it clean and up to date. Mayor Kahn agreed and said that would occur once officially disbanded by the FOP Committee and City Council, in addition to many other membership issues the FOP Committee would review.

Councilor Favolise asked about the status of the College-City Commission. Mayor Kahn said it had not been active since 2021 and the City was consulting with Keene State College President,

Melinda Treadwell, about a reformation. He recalled that the College-City Commission was formed many years ago when there were contentions between college students and surrounding homeowners, which led to better cooperation. Those issues had largely resolved over time, lessening the need for ongoing meetings. Still, Mayor Kahn agreed that it was time to revisit and redefine that Committee's purpose in the future.

Mayor Kahn also noted that the Deputy City Manager, Andy Bohannon, submitted a memorandum addressing questions from the FOP meeting about facilities management.

The motion to adopt Ordinance O-2024-10 carried unanimously on a roll call vote with 15 Councilors present and voting in favor.

RESOLUTIONS – RESCISSION OF RESOLUTIONS RELATING TO SPECIAL EQUIPMENT PURCHASE STANDARDIZATION – RESOLUTION R-2010-33, RESOLUTION R-2010-34, RESOLUTION R-2010-35, & RESOLUTION R-2010-39

A Finance, Organization, and Personnel Committee report read, unanimously recommending that the City Council rescind Resolutions R-2010-33, R-2010-34, R-2010-35, and R-2010-39 relating to special equipment purchase standardization. Mayor Kahn filed the report.

A motion by Councilor Powers to rescind Resolution R-2010-33 was duly seconded by Councilor Remy.

Councilor Remy recalled that one reason for this was to ensure the City does not have redundant equipment to maintain. He said another resolution would come forward once the City has a new standard, but he learned that this impacts how the City could shop the market.

Councilor Jones asked if this would take away the City's ability to go through buy-in groups (e.g., Houston Galveston Municipal Buy-In Group). The City Manager said no, that ability would remain.

The motion to rescind Resolution R-2010-33 carried unanimously with 15 Councilors present and voting in favor.

A motion by Councilor Powers to rescind Resolution R-2010-34 was duly seconded by Councilor Remy. The motion carried unanimously with 15 Councilors present and voting in favor.

A motion by Councilor Powers to rescind Resolution R-2010-35 was duly seconded by Councilor Remy. The motion carried unanimously with 15 Councilors present and voting in favor.

A motion by Councilor Powers to rescind Resolution R-2010-39 was duly seconded by Councilor Remy. The motion carried unanimously with 15 Councilors present and voting in favor.

IN APPRECIATION OF MEDARD K. KOPCZYNSKI UPON HIS RETIREMENT – RESOLUTION R-2024-25

A memorandum read from the HR Director, Elizabeth Fox, recommending adopting Resolution R-2024-25. A motion by Councilor Powers to adopt Resolution R-2024-25 with appreciation for Mr. Koczynski's 24 years of service was duly seconded by Councilor Remy. The motion carried unanimously with 15 Councilors present and voting in favor.

TABLED ITEM – RELATING TO THE 2024/2025 FISCAL YEAR OPERATING BUDGET – RESOLUTION R-2024-20-A

Mayor Kahn called this item forward that was tabled at the June 6, 2024, meeting. The City Clerk, Patty Little, read Resolution R-2024-20-A into the record. No Councilors submitted written notice of their intent to make an amendment to the proposed Operating Budget pursuant to Section 30 of the Rules of Order.

A motion by Councilor Powers to adopt Resolution R-2024-20-A was duly seconded by Councilor Remy. A motion by Councilor Powers to amend the Resolution to create Resolution R-2024-20-B was duly seconded by Councilor Remy.

Councilor Powers explained that in the final preparation for this meeting, a few errors were discovered, but they did not change the bottom-line figures in the budget:

- In the General Fund Facilities Maintenance Camera System (account number 65316200-523450), Councilor Favolise noticed a \$9,000 discrepancy between the departmental request and the City Manager’s budget. The correct total is \$1,750.00 *not* \$10,750.00.
- When the City went to bid for electricity, there were some savings, resulting in the following amendments:
 - \$1,402.00 increase to the Sewer Fund – Electricity account number 32140100-525030
 - \$11,103.00 increase to Electricity account number 32200079-525030
 - \$34,134.00 increase to Electricity account number 32300083-525030 (due to the solar array, the Sewer Fund will not benefit from the lower rates as originally anticipated)
 - \$26,016.00 increase in the Water Fund – Electricity account number 34240200-525030
 - \$3,937.00 increase in Electricity account number 34300084-525030 due to the hydro turbine (the Water Fund does not benefit from the lower rates).

The City Manager, Elizabeth Dragon, thanked Councilor Favolise for catching the General Fund typo. Regarding the Water and Sewer Funds, she said too much was taken out of them for electricity. When going through the FOP budget process, the City was also going through a request for bids for electricity for all City accounts. When the bids came in, they were substantially lower, so the City dropped its rate from just over \$0.14 to just over \$0.09. Additionally, the Finance Department allocated the savings across all electricity accounts by prorating. The Wastewater Treatment Plant is on the solar array and will not see the same benefit from this contract change. The turbines in place also make a difference in how much savings the City could have in both Water and Sewer Funds. So, these amendments were to move a portion of this money back to those accounts. The overall adjustment was still a substantial savings of over \$102,000 with the new contract. The General Fund had the majority of the decrease before the smaller funds, like Solid Waste. The Equipment Fund had some additional minor decreases as well. Mayor Kahn reiterated that there was no impact to the budget’s bottom line.

The motion to amend and create Resolution R-2024-20-B carried unanimously with 15 Councilors present and voting in favor. The City Clerk read Resolution R-2024-20-B into the record.

Councilor Filiault thanked Councilor Powers and the FOP Committee for their hard work. He said it was a very lean budget and still the taxes were too high. He said it would only change if Keene and all NH residents start holding elected officials of the State of NH—including the Governor—accountable. He said the City could stop hiring staff in all departments but even that would not change the situation until something changes in Concord. He said the City's position taking in the homeless from across the State was one example, as was the pension/retirement from the NH Retirement System and the Rooms and Meals Tax. The schools are also continually underfunded. The tax rate in Keene and other communities was unsustainable and he reiterated that it would not change until leadership in Concord changes. The motion to adopt Resolution R-2024-20-B carried unanimously. Mayor Kahn thanked the City Manager, the FOP Committee, and the Finance Department for executing a successful budget.

**TABLED ITEM – RELATING TO CLASS ALLOCATIONS AND SALARY SCHEDULES
ORDINANCE O-2024-08**

Mayor Kahn called this item forward that was tabled at the June 6, 2024, meeting.

A Finance, Organization, and Personnel Committee report read, unanimously recommending the adoption of Ordinance O-2024-08. A motion by Councilor Powers to adopt Ordinance O-2024-08 was duly seconded by Councilor Remy. The motion carried unanimously on a roll call vote with 15 Councilors present and voting in favor.

**TABLED ITEMS – RELATING TO THE APPROPRIATION OF FUNDS FOR THE FY 2024–
2025 BOND ISSUES: CITY HALL STRUCTURAL REPAIRS – RESOLUTION R-2024-10;
LOWER WINCHESTER STREET – RESOLUTION R-2024-11; STORMWATER
RESILIENCY PROGRAM – RESOLUTION R-2024-12; LOWER WINCHESTER STREET
SEWER UTILITIES – RESOLUTION R-2024-13; MARTELL COURT BYPASS –
RESOLUTION R-2024-14; WWTP HVAC REPLACEMENT – RESOLUTION R-2024-15;
WWTF SERVICE WATER SYSTEM UPGRADE – RESOLUTION R-2024-16; LOWER
WINCHESTER ST WATER UTILITIES – RESOLUTION R-2024-17; WATER
DISTRIBUTION IMPROVEMENTS – RESOLUTION R-2024-18**

Mayor Kahn called these items forward that were tabled at the June 6, 2024, meeting.

A Finance, Organization, and Personnel Committee report read, unanimously recommending the adoption of Resolution R-2024-10. A motion by Councilor Powers to adopt Resolution O-2024-10 was duly seconded by Councilor Remy. The motion carried unanimously on a roll call vote with 15 Councilors present and voting in favor.

A Finance, Organization, and Personnel Committee report read, unanimously recommending the adoption of Resolution R-2024-11. A motion by Councilor Powers to adopt Resolution O-2024-11 was duly seconded by Councilor Remy. The motion carried unanimously on a roll call vote with 15 Councilors present and voting in favor.

A Finance, Organization, and Personnel Committee report read, unanimously recommending the adoption of Resolution R-2024-12. A motion by Councilor Powers to adopt Resolution O-2024-12 was duly seconded by Councilor Remy. The motion carried unanimously on a roll call vote with 15 Councilors present and voting in favor.

A Finance, Organization, and Personnel Committee report read, unanimously recommending the adoption of Resolution R-2024-13. A motion by Councilor Powers to adopt Resolution O-2024-

13 was duly seconded by Councilor Remy. The motion carried unanimously on a roll call vote with 15 Councilors present and voting in favor.

A Finance, Organization, and Personnel Committee report read, unanimously recommending the adoption of Resolution R-2024-14. A motion by Councilor Powers to adopt Resolution O-2024-14 was duly seconded by Councilor Remy.

Mayor Kahn noted that on page 89 of this meeting's agenda packet the sum of the bonding from all of these motions was listed.

The motion to adopt Resolution R-2024-14 carried unanimously on a roll call vote with 15 Councilors present and voting in favor.

A Finance, Organization, and Personnel Committee report read, unanimously recommending the adoption of Resolution R-2024-15. A motion by Councilor Powers to adopt Resolution O-2024-15 was duly seconded by Councilor Remy. The motion carried unanimously on a roll call vote with 15 Councilors present and voting in favor.

A Finance, Organization, and Personnel Committee report read, unanimously recommending the adoption of Resolution R-2024-16. A motion by Councilor Powers to adopt Resolution O-2024-16 was duly seconded by Councilor Remy. The motion carried unanimously on a roll call vote with 15 Councilors present and voting in favor.

A Finance, Organization, and Personnel Committee report read, unanimously recommending the adoption of Resolution R-2024-17. A motion by Councilor Powers to adopt Resolution O-2024-17 was duly seconded by Councilor Remy. The motion carried unanimously on a roll call vote with 15 Councilors present and voting in favor.

A Finance, Organization, and Personnel Committee report read, unanimously recommending the adoption of Resolution R-2024-18. A motion by Councilor Powers to adopt Resolution O-2024-18 was duly seconded by Councilor Remy. The motion carried unanimously on a roll call vote with 15 Councilors present and voting in favor.

NON-PUBLIC SESSION

A motion by Councilor Greenwald to go into a non-public session to discuss the hiring of any employee as a public employee under NHRSA 91-A:3, II (b) was duly seconded by Councilor Bosley. The motion carried unanimously on a roll call vote with 15 Councilors present and voting in favor. The non-public session began at 9:01 PM.

PERSONNEL – CHARTER OFFICER RECRUITMENT


The Mayor opened the discussion by reminding the Council that in February, the City Attorney had informed the Council of his retirement by the end of 2024. He continued that with only two more meetings before August, it was time to start talking about the recruitment process. Steps in the recruitment process would typically include the appointment of a committee, a review of the job description, advertisements, and interviews with selected candidates. The Mayor noted he was hopeful that an appointment could be made in October. This would give some time for any necessary relocation to the area and still provide an overlap of several months. The Mayor stated that the Human Resources Director, Beth Fox, would support the process.

06/20/2024

Beth Fox offered various timelines for the Council to consider that would take advantage of the July 18th City Council meeting and the July 25th Finance, Organization, and Personnel Committee meeting. She suggested that the City Attorney update the job description before any other steps.

The Councilors discussed what should and should not be public discussions as part of the process to ensure compliance with NHRSA 91-A: 3 II (b). The Council was split about this topic and referred to the last City Manager recruitment process as a potential model. The City Clerk clarified that the Council could decide whether to seal the minutes after reconvening in public session.

At 9:44 PM, the Council concluded the discussion and returned to the public session.

A true record, attest: 
City Clerk

ADJOURNMENT FOR COLLECTIVE BARGAINING

Mayor Kahn adjourned the meeting at 9:44 PM for collective bargaining and reconvened in public session at 9:48 PM

KEENE CITY EMPLOYEES AND AFSCME BARGAINING UNIT

A motion by Councilor Greenwald to authorize the City Manager to do all things necessary to negotiate and execute a Memorandum of Understanding modifying the executed collective bargaining agreement with Keene City employees, ATF Local #6288, ATF-NH, AFL-CIO related to the cost of living adjustment provided bargaining unit employees for FY 25 and vacation accrual methodology with an effective date to be determined and that the City Manager be authorized to do all things necessary to negotiate and execute a Memorandum of Understanding modifying the executed collective bargaining agreement with AFSME Council #93, Local 2973 related to the cost-of-living adjustment provided bargaining unit employees with an effective date to be determined was duly seconded by Councilor Bosley.

Having no further business, the Mayor adjourned the meeting.

A true record, attest: 
City Clerk