

A regular meeting of the Keene City Council was held on Thursday, March 20, 2025. The Honorable Mayor Jay V. Kahn called the meeting to order at 7:00 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, Catherine I. Workman, Bettina A. Chadbourne, Thomas F. Powers, and Mitchell H. Greenwald were present. Councilor Chadbourne led the Pledge of Allegiance.

MINUTES FROM PRECEDING MEETING

A motion by Councilor Greenwald to adopt the minutes of the March 6, 2025, meeting as presented was duly seconded by Councilor Bosley. The motion carried unanimously with 15 Councilors present and voting in favor.

ANNOUNCEMENTS

The Mayor announced that Linda Mangones—who had written many grants for the City of Keene, Cheshire County, and the Keene Housing Authority—would be retiring on April 9, 2025 after 50 years of service. Councilors were invited to the celebration which will be held at the Community Room named after Ms. Mangones at 105 Castle Street.

Mayor Kahn also encouraged the Council to attend a Master Plan Future Summit on June 3, 2025, at 5:00 PM at the Keene Public Library, Heberton Hall. The three rounds of Task Forces, which were diving into each of the six Strategic Pillars in the Master Plan, concluded in March. The Future Summit would be a chance to engage the broad community before the Master Plan returns to the Council and the Planning Board for their approval.

Lastly, the Mayor shared that the Legislative Delegation would be held this year on Wednesday, April 16, 2025, from 6:00–8:00 PM in Heberton Hall and encouraged the Council to attend. He said the City was concerned about several bills (e.g., State cap on school funding and a Federal loss of funding for interlibrary loan programs). The City Manager would bring this issue to the Finance, Organization, and Personnel Committee.

PROCLAMATION - KEENE HIGH SCHOOL BOYS BASKETBALL TEAM

Mayor Kahn welcomed Coach Ray Boulay and the Keene High School Boys Basketball Team. The Mayor said he had the privilege of attending many games and called it a remarkable season, commenting on the endearing way the community responded—both financially and in terms of attendance at the games. The Mayor said the community is strong when teams are performing at the highest level.

The Mayor read into the record a Proclamation honoring the 2025 Keene High School Boys basketball team for their remarkable season, their demonstrated resilience and teamwork, and their significant contribution to the spirit of the Keene community. All team members were presented with copies of the proclamation.

PROCLAMATION - KEENE HIGH SCHOOL WRESTLING TEAM

Mayor Kahn welcomed Coach Bill Gillard and the Keene High School Wrestling Team. The Mayor noted that this team not only took third place in the Division One Boys Wrestling State Championship and fourth place in the Meet of Champions, but several of the individual members also had achievements and accolades.

The Mayor read into the record a Proclamation recognizing and commending the Keene High School Boys wrestling team and coaches for their exceptional 2024–2025 season. Their accomplishments highlight the value of youth sports and programs, which begin at the elementary and middle school levels, making our local student-athletes more competitive on the Statewide and New England stages. All members of the team were presented with copies of the proclamation.

PRESENTATION OF RETIREMENT RESOLUTION - THOMAS P. MULLINS

Mayor Kahn welcomed former City Attorney, Tom Mullins, and presented him with a Retirement Resolution to honor his 17 years of service. The Mayor read the Resolution into the record.

Mr. Mullins said that, like Patty Little, the longest-serving City Clerk in Keene’s history, he was retiring as the longest-serving City Attorney. Mr. Mullins called it a wonderful opportunity and he thanked the Council for having the confidence to offer him the position. He thanked the Mayor and former Councilors and Mayors he had served with, as well as the City Manager and former City Managers. Mr. Mullins said the City is well served by its department heads and employees, and residents should be aware of how effectively the City operates under the City Manager. Knowing how difficult the coming few years could be, Mr. Mullins challenged the public to know that the City employees make it all happen. He thanked everyone who came to honor him, noting how much he would miss them.

CONFIRMATION - BICYCLE, PEDESTRIAN PATH ADVISORY COMMITTEE

Mayor Kahn nominated Andy Holte to serve as an alternate member of the Bicycle/Pedestrian Path Advisory Committee, with a term to expire December 31, 2025. 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.

COMMUNICATION - PATHWAYS FOR KEENE - REQUEST FOR USE OF CITY PROPERTY - 4 ON THE 4TH ROAD RACE - JULY 4, 2025

A communication was received from Janelle Sartorio requesting the annual license for Pathways for Keene to sponsor a footrace on July 4, 2025. Mayor Kahn referred the communication to the Planning, Licenses & Development Committee.

COMMUNICATION - KEENE PRIDE FESTIVAL - REQUEST FOR USE OF CITY PROPERTY - PRIDE FESTIVAL - SEPTEMBER 21, 2025

A communication was received from Adam Toepfer, requesting the annual license for use of downtown City property on September 21, 2025, to conduct the 2025 Keene Pride Festival. Mayor Kahn referred the communication to the Planning, Licenses & Development Committee.

COMMUNICATION - CARL JACOBS - INSTALLATION OF A PEACE POLE - CENTRAL SQUARE

A communication was received from Carl Jacobs, requesting the proposal to donate, install, and provide maintenance for a Peace Pole on Central Square be brought back before the Municipal Services, Facilities and Infrastructure Committee for consideration as an element separate from the renovated fountain design. Mayor Kahn referred the communication to the Municipal Service, Facilities and Infrastructure Committee.

COMMUNICATION - COUNCILOR JONES - REQUEST FOR RESOLUTION HONORING THE LGBTQIA+ COMMUNITY

A communication was received from Councilor Philip Jones, recommending that the Keene City Council authorize staff to draft a resolution honoring the LGBTQIA+ Community. Mayor Kahn referred the communication to the Planning, Licenses and Development Committee.

COMMUNICATION - COUNCILOR JONES - REQUEST FOR CITY COUNCIL COMMUNICATION TO STATE OF NEW HAMPSHIRE - PROPOSED ROUNDABOUT AT RT 9 AND WHITCOMBS MILL ROAD

A communication was received from Councilor Philip Jones, requesting the City Council send a communication to the State of New Hampshire proposing a roundabout be constructed at the intersection of Rt. 9 and Whitcomb's Mill Road. Mayor Kahn referred the communication to the Municipal Services, Facilities and Infrastructure Committee.

PLD REPORT - KEENE SWAMPBATS - DISCHARGE OF FIREWORKS - INDEPENDENCE EVE CELEBRATION - JULY 3, 2025

A Planning, Licenses & Development Committee report read, recommending granting the Keene SwampBats permission to discharge a fireworks display on Thursday, July 3, 2025, at Alumni Field, no later than 10:00 PM. A "rain date" will be coordinated with City staff in case of inclement weather. This approval is contingent upon the following conditions:

- Signing a revocable license and indemnification agreement.
- Providing a certificate of liability insurance from both the Keene SwampBats and the fireworks vendor, each listing the City of Keene as an additional insured with coverage of \$1,000,000.
- Submitting a signed letter of permission from SAU 29 for the use of their property.
- Obtaining a State Fireworks permit.

Additionally, the petitioner must comply with any recommendations from City staff and cover any City service costs exceeding the funding allocated in the FY 26 Community Events Budget. Payment for these costs must be made within 30 days of invoicing.

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

PLD REPORT - BIRDIES - REQUEST FOR PERMISSION TO SERVE ALCOHOL - SIDEWALK CAFÉ

A Planning, Licenses, & Development Committee report read, recommending that Birdies be granted permission to serve alcoholic beverages in connection with their Sidewalk Café License, subject to the customary licensing requirements of the City Council, compliance with the requirements of Sections 46-1191 through 46-1196 of the City Code, and compliance with any requirements of the NH Liquor Commission. This license shall expire on March 1, 2026.

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

PLD REPORTS - FARMERS' MARKET OF KEENE - REQUEST FOR USE OF CITY PROPERTY - 2025 FARMERS' MARKET; COPPER CANNON DISTILLERY - REQUEST TO PARTICIPATE IN THE KEENE FARMERS' MARKET; CABANA FALLS - REQUEST TO PARTICIPATE IN THE KEENE FARMERS' MARKET

The Clerk stated that the Council would consider the next three reports together and that an amendment would be considered on the first report, relative to the Farmer's Market of Keene.

A Planning, Licenses & Development Committee report read, recommending the Farmers' Market of Keene be permitted to use 22 parking spaces along Gilbo Avenue and 18 spaces on the opposite side of the median strip in the Commercial Street parking lot from Saturday, April 26, 2025, to Saturday, October 25, 2025. This approval is contingent upon the following conditions:

- Submission of a certificate of liability insurance for \$1,000,000, listing the City of Keene as an additional insured;
- Execution of a standard revocable license and indemnification agreement;
- Payment of a total rental fee of \$932.00, with monthly installments of \$155.00 due on the first day of each month;
- Access to City electrical service for a seasonal fee of \$60.00;
- Obtain all necessary permits and licenses, comply with applicable laws, and adhere to any recommendations from City staff.

Additionally, it is recommended that the Farmers' Market of Keene be permitted to place sandwich board signs on City property before sales begin, subject to City staff review and approval regarding quantity and placement. These signs must be removed immediately after sales conclude.

A Planning, Licenses & Development Committee report read, recommending that the Copper Cannon Distillery be granted permission to sell alcohol and provide individual product samples to patrons at the 2025 Keene Farmers' Market on City property licensed to the Keene Farmers' Market in accordance with the requirements of the State Liquor Commission. Said permission is contingent on submitting a signed letter of permission from the Keene Farmers' Market, obtaining all necessary permits and licenses, and compliance with all laws.

A Planning, Licenses & Development Committee report read, unanimously recommending that the Cabana Falls Winery be granted permission to sell alcohol and provide individual product samples to patrons at the 2025 Keene Farmers' Market on City property licensed to the Keene Farmers' Market in accordance with the requirements of the State Liquor Commission. Said permission is contingent on the following: submitting a signed letter of permission from the Keene Farmers' Market, obtaining all necessary permits and licenses, and compliance with all laws.

A motion by Councilor Jones to carry out the intent of all three Committee reports was duly seconded by Councilor Filiault. A motion by Councilor Jones was duly seconded by Councilor Madison to amend the Committee Report on the annual license for the Farmer's Market to allow the placement of a portable toilet, at the licensee's expense to be available during the operation of the market and for the duration of their license. Licensee must comply with all recommendations of city staff and the portable toilet is subject to removal if directed by city staff. The motion to amend the report carried unanimously with 15 Councilors present and voting in favor. Referring to the amended Committee report on the Farmer's Market as well as the reports on Copper Cannon Distillery and the Cabana Falls Winter, voted unanimously to carry out the intent of the reports.

PLD REPORT - KEENE YOUNG PROFESSIONALS - REQUEST TO USE CITY PROPERTY - TASTE OF KEENE FOOD FESTIVAL - JUNE 7, 2025

Councilor Remy pointed out his stated conflict of interest, though it was not a pecuniary conflict. He was willing to step away. There was no objection to Councilor Remy recusing himself from the conversation.

A Planning, Licenses & Development Committee report read, recommending granting the Keene Young Professionals Network permission to use downtown City rights-of-way on Saturday, June 7, 2025, for a Food Festival, subject to the following conditions:

- Submission of a certificate of liability insurance in the amount of \$1,000,000, naming the City of Keene as an additional insured;
- Execution of a standard revocable license and indemnification agreement;
- Agreement by the Petitioner to cover any City service costs exceeding the allocated City funding, with payment due within 30 days of invoicing;
- Permission for the Petitioner to place porta-potties in City parking spaces at the base of Washington Street and on Railroad Street (north side near Cherry Garden) from Friday, June 6, 2025, to Monday, June 9, 2025. These units must be secured to prevent vandalism when unattended overnight. Additional porta-potties may be placed in the alley between

the former Miller Brothers building and the Colonial Theatre with consent from private property owners;

- Permission to serve alcoholic beverage samples for consumption within the event footprint, in accordance with the terms of a one-day license from the NH Liquor Commission and any conditions set by City staff;
- Submission of signed letters of permission from private property owners for any use of their property;
- Compliance with all required permits, licenses, applicable laws, and any recommendations from City staff.

The event footprint and layout shall include the traveled portions of Central Square, both sides of Main Street from Central Square to Emerald Street and Eagle Court, and part of Railroad Street. Road closures may also extend to other streets as necessary for detour routes, with final closure and detour plans determined in coordination with City staff. The event will take place from 11:30 AM to 4:00 PM, with setup and cleanup times to be coordinated with City staff. Free parking is granted under the City's free parking policy for designated spaces on Washington Street and Railroad Street for equipment storage from Friday, June 6, 2025, to Monday, June 9, 2025, as well as for spaces within the event footprint on the day of the festival.

A motion by Councilor Jones to carry out the intent of the Committee report was duly seconded by Councilor Madison. The motion carried unanimously with 14 Councilors present and voting in favor. Councilor Remy abstained.

PLD REPORT - COUNCILOR REMY - POTENTIAL IMPLEMENTATION OF CONSENT AGENDA BY COMMITTEE - CITY COUNCIL MEETINGS

A Planning, Licenses & Development Committee report read, recommending directing the Charter Officers to investigate and present to the City Council a plan for development and potential implementation of a consent agenda format for City Council meetings. A motion by Councilor Jones to carry out the intent of the Committee report was duly seconded by Councilor Madison.

Councilor Jones summarized the Committee report, stating that this was well done, and the request that came to the Committee was a way to discuss the possibility of streamlining the way the Council does business. Instead of putting it on more time, the Committee brought it to the Council to determine whether there was interest in having staff further pursue the possibility of a consent agenda process.

Councilor Remy said he was unsure whether this would be the right thing for the Council to do, but he wanted to initiate the conversation. He recalled that the Council tried a consent agenda at its December 19, 2024, meeting, grouping Committee actions as one motion. He thought it went well for a first attempt, so he considered it worth investigating the possibility of implementing it further, noting that it had worked well when grouping three motions earlier in the meeting. With some practice, he thought it could work to streamline the Council meetings. He liked an idea mentioned at the Planning, Licenses and Development (PLD) Committee to have the Standing committees decide at the end of their meetings which agenda items could be grouped on a

consent agenda at the next Council meeting; that would remove staff's concern about having to make the decisions. For Councilor Remy, it was mostly about the non-controversial Committee reports or matters on similar topics that could be grouped and voted on together (e.g., grouping votes on sewer mains and sewer manholes). With research and practice, he thought a method could be developed. Councilor Remy hoped to hear the will of the rest of the Council.

Councilor Filiault respected the goal of having faster Council meetings on some nights, but he was opposed to it as an "it's not broken, don't fix it" situation. He agreed that there would be instances where grouping things and speeding up the process would be beneficial, as seen earlier in this meeting (e.g., the Farmers' Market), if recommended by the City Clerk. Still, Councilor Filiault said that with consent agendas, the Council would be taking actions on things and the public would not know what is happening. While it would take longer, he said it needs to be done right for the constituents. He encouraged his fellow Councilors to imagine what these discussions look like from the outside. He said faster is not always better. Councilor Greenwald recalled years past when Council meetings would last until past 11:00 PM and now meetings might last less than two hours. In the interest of transparency and information, Councilor Greenwald agreed with Councilor Filiault and opposed this measure. At times in the past, Councilor Greenwald stated that the Committee Chair would not even explain the motions, so the public would not know what was happening. He thought the current process was a good compromise and if certain issues could be grouped—like earlier in this meeting—he thought that would accomplish the same thing.

Councilor Haas thought the example from earlier in this meeting of the City Clerk grouping the Farmers' Market items was the exact direction to go in. He thought the Council was looking for more direction and motivation like that, so things are discussed and advertised at the right times and common things are grouped. Councilor Haas thought this could give the Council some direction, noting that this was not a vote to pass anything, just to sense the opinion of the Council.

Councilor Tobin thought back to her early days as a Councilor, when it was unclear how things worked with items going back and forth between the Council and Standing Committees. So, when Councilor Remy presented this idea, Councilor Tobin said she checked the views of the Council and Standing Committees videos on the City's YouTube channel. She found that views were much higher for Council meetings, which suggested to her that was where people were getting more of their information. That was an important consideration for her. She was open to exploring more options to combine motions like those concerning the Farmers' Market, but she wanted those decisions to be separate; she said sometimes people think that government is something that happens to them and she wanted to make sure people understand how they could participate in the process.

Councilor Jones said that the Council had tried to streamline things over time. For example, the Clerk's office now handles Sidewalk Café Licenses, eliminating the need for 15+ applications per year to go through the Council. Similarly, there is now a special Committee for Congregate Living and Social Service Licenses, which considers applications for lodging house licenses. This again was a license that was previously considered by the City Council. Councilor Jones

agreed with Councilor Filiault's concerns about the public not understanding what the Council is voting on if they group items this way. He said sometimes things get lost in translation, so it is good to have full explanation.

Councilor Favolise said he is typically in favor of moving things forward to have something the Council can vote on. In this case, he did not think he felt strongly enough in support of consent agendas that the PLD Committee or staff should be spending as much time as would have to be spent on this. He said that at the PLD meeting, Councilor Jones alluded to the questions: Who decides what gets on the consent agenda? Is it a vote of the Committee? Does the Mayor put it on? Does it require a unanimous vote of the Committee? Does everybody have to be present at the Committee meeting? Councilor Favolise could see the Committee and staff getting stuck on these issues, which was not worth it to him, so Councilor Favolise said he would be voting against the Committee recommendation. He said he associated himself with some of the comments that if the Council could group reports together, on the floor, he did not see anything wrong with that. So, Councilor Favolise thought he heard the Council directing the Mayor and City Clerk that it liked what happened at tonight's meeting, but he was not willing to have the PLD Committee and staff spend more time on this than that.

Councilor Madison felt he sometimes still did not understand what happened at Council meetings, but he supported this motion. He said it would be worth having a conversation about streamlining these meetings. He stated that he would not be running for his Council seat again, and in talking to people interested in running, he learned that the greatest concern was the time commitment. He informed them that it varies from 1.5 hours to 3 hours or more for Council meetings, but then Committee meetings are additional; this week he had two, three-hour meetings, much of which is spent on "fluff." So, Councilor Madison agreed that there could be a way to streamline things, if not for the Council, then for the citizens who attend meetings and wait for certain items, or for staff who have worked a full day and are still here at 8:00 PM. Mayor Kahn said he had spent some time discussing this with the Charter Officers, and regardless of the outcome of this vote, the Mayor believed this discussion had made an impact. He thought everyone recognized that things could be done to organize the presentation of the motions and combine them when possible. He noted that some things that seem routine, like accepting donations or spending money, still these items must be approved by the Council. The City Clerk agreed that she would be happy to consider these ways to streamline the process.

On a vote of 6–9, the motion directing the Charter Officers to investigate and present to the City Council a plan for development and potential implementation of a consent agenda format for City Council meetings failed. Councilors Remy, Williams, Madison, Roberts, Chadbourne, and Greenwald voted in the minority.

Councilor Remy was grateful because the point was to have the conversation. Councilor Jones agreed that the Council accomplished something with this conversation just by the Councilors telling the Mayor and the Charter Officers the positive feedback about the Farmers' Market applications.

FOP REPORT - DOWNTOWN BUSINESS AND EMPLOYEE PARKING UPDATE

A Finance, Organization & Personnel Committee report read, recommending accepting this item as informational. Mayor Kahn filed the report as informational.

**FOP REPORT - FUTURE DEVELOPMENT - BLACK BROOK TAX INCREMENT
FINANCE DISTRICT**

A Finance, Organization & Personnel Committee report read, recommending that the City Manager be authorized to negotiate a development plan and a tax increment financing plan regarding parcels in the Black Brook Corporate Park Tax Increment Financing District. As part of any plans, the City Manager may explore whether it is beneficial to enlarge the area of the development district to include additional parcels. 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 - APPROVAL TO ACCEPT DONATIONS SOLICITED, AND ACCEPT AND
EXPEND FUNDS RAISED TO SUPPORT EMPLOYEE EVENTS AND SIMILAR
ACTIVITIES**

A Finance, Organization & Personnel Committee report read, recommending that the City Manager be authorized to solicit and accept items donated to support fundraising or other activities related to employee events, accept and expend cash donations, and accept and expend funds raised through fundraising activities including raffles, conducted pursuant to RSA 287-A, in support of such events. 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 AGREEMENT WITH MCFARLAND JOHNSON INC. FOR
THE AIRPORT PERIMETER FENCE PROJECT**

A Finance, Organization & Personnel Committee report read, recommending that the City Manager be authorized to do all things necessary to negotiate and execute an agreement with McFarland Johnson Inc. for engineering services associated with the Airport Wildlife Perimeter Fence project (05J0004B) for an amount not to exceed \$325,000. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy.

Councilor Madison asked the City Manager if the final layout of the fence was determined or if that was still pending the permitting phase. The City Manager, Elizabeth Ferland, deferred to the Airport Director, David Hickling, who said that this would be the design phase of the project. During the previous phase, the environmental assessment was conducted, allowing the layout of the fence to be finalized.

Councilor Williams asked if the current fence design would leave the wetlands intact. Mr. Hickling said at this time, the design placed the fence along the Runway Safety Area, which is away from Airport Road.

Mayor Kahn asked for the total amount appropriated. Mr. Hickling said the design would be multi-phased and the design engineering contract would be the total part of this project. When

there is more work in those parts of the project, Mr. Hickling would come back to the Council. Mayor Kahn asked if the City had received the necessary appropriations from the Federal Aviation Administration to complete the project. Mr. Hickling said yes, he would do a grant application based on this action and then award the contract after the grant.

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

FOP REPORT - ENGINEERING AGREEMENT WITH MCFARLAND JOHNSON INC. FOR THE AIRPORT TAXIWAY A RECONSTRUCTION PROJECT

A Finance, Organization & Personnel Committee report read, recommending that the City Manager be authorized to do all things necessary to negotiate and execute an agreement with McFarland Johnson Inc. for the construction administration of the Taxiway 'A' Reconstruction project (05J0004B) for an amount not to exceed \$308,300. 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 - RECOMMENDED AMENDMENTS - KEENE COMMUNITY POWER PLAN

A Finance, Organization and Personnel Committee report read, recommending that the next Community Power Plan electricity options have four levels. These levels would include the Keene Basic as an elective option with the minimum renewable energy content required by the State of New Hampshire which is 25% total renewable energy, the Keene Green Local with 35% total renewable energy, the Keene 50 as the default option with 50% total renewable energy, and the Keene 100 as an elective option with 100% total renewable energy. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy.

Councilor Powers summarized the first recommendation in the FOP Committee report was intended to update the Community Power Plan and the second recommendation would adopt the Plan. He recalled how many people invested time and energy in this Plan. He said that most of the amendments the FOP Committee spent time on were at four levels: 25% total renewable energy, Keene Green Local at 35%, Keene 50 as the default with 50% total renewable energy, and Keene 100 as an elective option with 100% total renewable energy. He said the Committee spent a lot of time trying to devise a solution that would be acceptable and work out for everyone. The Plan was developed several years ago with the honorable idea that levels would be cleaner by 2030. Councilor Powers discussed the current circumstances, stating that it was difficult to know if the City would reach its goals. He discussed the cost of doing business and the impact on community members who could not afford the two cents that would add up over time at the grocery store. So, he said the FOP Committee developed a proposal that three members supported four recommended levels.

Councilor Filiault said he would vote in favor of the Committee report. He said the Council used to joke about their phones ringing off the hook, but he said for this matter, he received many

emails of overwhelming support for this committee report. So, he intended to vote with his constituents.

A motion by Councilor Workman was duly seconded by Councilor Bosley to amend the Committee report to only include three levels: 35%, 50%, and 100%, with the default level being 35%.

Councilor Workman said this was not the time. She told the Council that she understood this goal and she did not want to discredit the work that the Energy and Climate Committee (ECC), the FOP Committee, or City staff. However, Councilor Workman noted that this would be an optional increase, and she did not think the City should be unnecessarily adding to residents' bottom lines. She called this a want, not a need. Councilor Workman also said she received all the constituent emails Councilor Filaault received and Councilor Workman respected their input. She hoped those who could contribute more to the Community Power Plan would continue to do so, but she did not think the Committee recommendation was the correct method to reach the goal.

Councilor Bosley said that when she initiated this conversation at the previous Council meetings, it became very clear to her that a compromise was needed, and she hoped that the FOP Committee would return with a resolution. She did not see anything about an adder fee on the table at this meeting as a partial compromise; she thought it was left in the Plan so it could be discussed in the future. The real crux of her issue was that the City adopted an admirable and aspirational goal in 2019—which she was not yet on the Council to vote on—but five years later in the current climate (i.e., inflation), this felt like a huge hurdle. She did not feel like she could support a 50% default rate with these costs to reach this goal in good conscience. When she read the FOP minutes, she learned that 4% of people opted down, 2% opted for 100%, and 1% opted for 50%; 7% of people did not change the default rate. Councilor Bosley said that was probably because they did not understand how the program works; they were opted into Keene Community Power at the default rate. She said the City had not done a good job of educating residents about their options and how to opt in-and-out of these plans. Councilor Bosley said residents are too busy working to put food on their tables to educate themselves on how to make the best financial decisions. She said that when she was learning about the Keene Community Power Plan she recalled being told it was an opportunity for the City to create a savings mechanism for its constituents by buying power in bulk. It was not explained to her as the only tool the City had to reach this one particular goal prior to her being a Councilor. In good conscience, Councilor Bosley said she could not vote to increase rates but in two years she might change her mind.

Councilor Favolise said he prepared some remarks. He, too, received the communications from folks across the community, some of his constituents. “So, I want to be very clear about why I am supporting this amendment and why I support 35% as the default rate. He continued that he wasn't on the Council in 2019 when these initial goals were adopted, but the world was vastly different then. I wanted to put some actual hard numbers and statistics to what Councilor Powers, Councilor Bosley, and Councilor Workman have alluded to in terms of the costs facing people across the country, across the state, and right here in the community. In 2019, the median home

price in New Hampshire, according to the New Hampshire Association of Realtors, was \$300,000. Today, it is pushing \$600,000. In 2019 a loaf of bread according to the Bureau of Labor Statistics, National Government Statistics, was 50% less expensive today than it was six years ago. That number is about 300% more expensive for a dozen eggs. Our residents, ratepayers in the City, are being hit from so many different directions. I don't feel good about adding an additional punch to them right now. This doesn't mean that we're not making progress toward clean energy. It doesn't mean that we're not continuing to punch above our weight as a small rural community. The 35% default is still 10% above what we are required to have under State Statute. It's 10% above the State minimum renewable portfolio. I understand the desire to get to 100% by 2030, but I fully agree with Councilor Bosley—we can't climb up to that by stepping over our constituents in the process. I would like to conclude with this. I've heard some discussion around this Plan that it's eight additional dollars a month, and it's not that much in the grand scheme of things. I'm not going to look at my constituents living on a fixed income—deciding between paying for prescriptions this month, clothes, food, transportation—well, it's only \$8/month. I can't do it. I won't do it. I'll vote to support this amendment, and I think this is a way to strike a balance between continuing to move toward and supporting our clean energy goals and initiatives as a City and recognizing the economic situation that many of our constituents find themselves in.

Councilor Lake spoke against this amendment because he did not support eliminating the 25% option. He said some Councilors spoke about this possibly increasing costs for some individuals struggling in the community. At the same time, Councilor Lake said this amendment would get rid of their cheapest option, so he did not understand why the concern was cost. He did not think eliminating this option was the right way forward and hoped to find another compromise. He spoke more broadly to the cost for the average consumer, explaining that this Plan has a Resolution for those customers who cannot afford the higher rates. Councilor Lake stated that any person on this Plan—at any time—can opt out, opt down, switch to Cheshire Community Power, or explore other public options in the community at a better rate. If a constituent tells Councilor Lake that they cannot pay for this Plan, he sends them the link to opt out; he said it is easy to get the bill, go online, and opt out. So, Councilor Lake did not think his fellow Councilors should say that residents could not handle this. He said the Councilors should continue to be leaders in the community, work toward these energy goals, and inform all constituents of what they can do in their situations. This would only be successful at scale and Councilor Lake was worried that this amendment would undermine one of the important parts of this program. So, he would vote against this amendment but was open to other amendments.

Councilor Madison echoed Councilor Lake about the importance of keeping the 25% option. Councilor Madison said he was hearing Councilors discuss a lack of public education about the options available to residents. He said the City would need to do a better job of ensuring people are informed rather than simply hamstringing itself against reaching its goals. He appreciated the comments about people staying with the default, which potentially increases the default cost. Respectfully, Councilor Madison viewed the solution as more outreach and education rather than changing the levels and eliminating the cheapest option. He also appreciated the comments about the distinction between wants and needs in this climate, specifically in a climate where 100-year

floods are now becoming annual events. This climate, where our forests are burning. This climate, where devastating hurricanes are happening several times per season. This climate, where millions of our fellow citizens are facing climate-related disasters. So, Councilor Madison asked his fellow Councilors to consider wants vs. needs in this climate.

Councilor Williams noted that Councilor Favolise cited statistics from 2019, so Councilor Williams wanted to do so as well. Councilor Williams said the amount of carbon dioxide in the atmosphere in 2019 was approximately 407 parts per million, and at this time, it is about 427 parts per million. Councilor Williams asked what we would do about this problem; what responsibility do we have to fix this problem? He said the City already had a Plan and should stick with the Plan. He appreciated that there was an opportunity to opt out if people have trouble meeting the 50%. He agreed that the City should take proactive steps to educate people about their options. With this update, he wanted to see mail sent to every member of the Plan indicating that the default rate had changed and how to opt out if they chose to. However, Councilor Williams said that the planet is getting hotter, and this Plan is what this City has to do about it, so he said, "Let's do it."

Councilor Haas agreed with the idea of having a Plan, following it, and going forward. Councilor Haas said there would always be an argument for these being "hard times" or "special times." He cited reading past Council minutes and learning of missed opportunities along the way. He agreed with other Councilors that this was a communications issue that should be addressed immediately. He acknowledged that some people do not have time to go to meetings and take on communications so they just pay higher fees, so Councilor Haas said the City would have to reach out to those people and make sure that they understand the changes and their options. Additionally, Councilor Haas stated that it would be a great idea to retain the State-mandated minimum as a possibility and direct users if they choose to be to set to the 50% default. More importantly to the Councilor, it is what makes Keene attractive. He cited the Farmers' Market, Taste of Keene, and all the other wonderful things in the community because, Councilor Haas said, Keene is aspirational and not just ordinary.

Councilor Chadbourne voted against both motions at the Committee level and was in favor of keeping the four levels, but not in favor of the default being 50%. Regarding the Committee recommendation to adopt the whole Community Power Plan with amendments she maintained consistency and voted in dissent. Councilor Chadbourne explained her position of pride in this very engaged community that cares deeply about one another, the community, including the environment. She said the community set very lofty goals in 2019. She had been a part of vision meetings for the 2010 Comprehensive Master Plan and ongoing Master Plan update. She loosely quoted John Lennon, "life is what happens when you're [busy] making [other] plans." She said the Community Power Plan was developed in 2019 and that it is important to be flexible because sometimes things change. She thought the City could still accomplish its goals, but perhaps not by 2030, given the current state of the world; perhaps by 2035. With so many major market fluctuations to worry about in their day-to-day lives and how to meet those challenges, she thought it was in the best interest to maintain the four levels. However, Councilor Chadbourne disagreed with the default being 50%, so she would support the amendment. Discussion ensued

as Councilor Chadbourne described engaging with a young neighbor family with four kids who moved to Keene two years prior, rented an apartment first, and then bought a home; they switched to Eversource because it was less expensive. Councilor Chadbourne agreed that the City needed to do more to inform people because it did not need angry constituents who opted into the default without realizing it and paying more. She suggested better literature with the first bill. For this amendment, Councilor Chadbourne suggested the 35% as the default. She understood the reasoning behind the 50% default to meet the City's goals on time, but she suggested adjusting the goalpost.

Councilor Greenwald stated that this was all clearly about education, which had been repeatedly emphasized. Customers had the options to go up to 100% or go down. He said the concern over \$8/month was laudable, stating that he could not wait for budget discussions in May when the tax increases would come in at \$8/month.

Councilor Roberts said that nothing happens in a vacuum, and he heard a lot of people in different silos that crossover. He discussed the concept of 100% renewable energy, recalling when California achieved 100% renewable energy while he lived there, noting that 10% of renewable energy coming through the line from other states, for example, might be lost. So, someone could be paying for 100% renewable energy and receiving electricity that is 0% renewable, or pay for 50% from Quebec, for example, and receive more than anticipated. Councilor Roberts went on to discuss the concept of the "average person," questioning who that was, recalling the statistics mentioned about houses going from \$300,000 to \$600,000 since 2019. He said that if he just bought a house for \$600,000, he would not care about the cost of electricity. He said there are programs to help pay the electric bills of low-income individuals, such as electric subsidies in the City. Councilor Roberts said the Council could not state who this Plan or these levels would hurt/help the most. He added caution that if consumers receive informational postcards all the time, they might switch companies every six months looking for a better rate than the City or County; it would eventually cause the City's costs to increase and the Councilor called it a vicious circle. Regarding climate change, Councilor Roberts said it was coming, plain and simple. Who would be affected? He said the City would have to discuss all these issues, including the flooding, mentioning the impact on his home in 2005. He asked who would pay for the infrastructure required to handle the big deluges that Vermont had seen over the previous two years due to rainfall. He mentioned how high the Connecticut River was at the time of this meeting. Councilor Roberts said the City could not make decisions independent of these other factors.

The City Manager said that when the City went out to bid again for the new, revised Community Power Plan, there would be substantial outreach similar to the first time the Plan was adopted. The first time, there were mailings, public meetings, and radio announcements. Still, she agreed that it would be hard to reach everyone. Everyone currently on the City's Plan would receive a direct mailing explaining what is happening with the Plan, including the new default, available options, and instructions on how to make a change.

Councilor Workman clarified that she was proposing the three-level option and associated figures as a compromise based on the information that came out of the FOP Committee, recalling

Councilor Lake saying that three levels would be in line with consumer standards. So, Councilor Workman thought it would be a good thing. Regarding this being a communication problem, she reminded the Council that for the past nine years, she had worked with some of the most marginalized members of this community, such as serving as a case manager for several non-profits, assisting those with basic activities of daily living, including opening their mail. She discussed the understaffed and overburdened non-profit system, noting that simply stating someone could opt in or out of this Community Power Plan would put more work on caretakers and in-home direct support professionals. Councilor Workman said this would impact those who could not afford it the most.

Councilor Lake clarified that the position he took at the FOP meeting was in support of three levels at 25%, 50%, and 100%. He thought it was very important to keep the 25% level, which was why he would not support Councilor Workman's amendment. Councilor Lake thought the FOP recommendation was a good one that aligned with the ECC recommendation.

On a vote of 5–10, the motion to amend the Community Power Plan to three levels—35%, 50%, and 100% —with the default at 35%, failed. Councilors Bosley, Roberts, Favolise, Workman, and Chadbourne voted in the minority.

Councilor Bosley clarified that the Committee's recommendation would be the original, default Community Power Plan, with four levels: 25%, 35%, 50%, and 100%. The City Manager explained that this first motion would be the Council's instructions to her for the bid. The second motion would be amendments to the Plan, regardless of what the Council determined to be the default. Every time the City goes out to bid, staff will need to come back to the Council and ask for the parameters for the bid.

Councilor Greenwald asked what would happen in the case of a “no” vote on this first motion. The City Manager said she would not have the authorization to move forward with a bid because she would not have instructions as to what to bid.

Councilor Bosley asked if we vote no on the Committee recommendation, would that leave us at the original plan as the default? The City Manager said no, for the second vote on the Plan, the language in the Plan was written in a way that allows the Council flexibility from bid-to-bid, including the ability to add an adder fee, change the default, or change the number of levels. The Plan is written with the most flexible language to allow for every type of bid. The Plan would still need to be approved separately by the Public Utilities Commission (PUC).

A motion by Councilor Chadbourne to amend the Community Power Plan to make the default rate 35% was duly seconded by Councilor Bosley.

Councilor Remy called the question. He felt this was the same amendment as the previous one. Discussion ensued about why it was a different motion. The Mayor allowed discussion because Councilor Chadbourne's motion differed: it proposed maintaining all four levels but changing the default from 50% to 35%.

Councilor Lake referred to a suggestion to change the City's total goal target from 2030 to 2035 or some other future goal. He said he was not necessarily opposed to the City, considering it's a

long-term plan, if the City realized halfway through its 2019 Plan that it was a little too ambitious. Still, he said it was important for the City to move forward with a Plan and if 2035 was the new goal, he said there should be incremental change between now and then, so that when 2035 arrives, the City does not increase the default to try to reach its 100% goal. Councilor Lake did the quick math for the City, making the same incremental change for every cycle of negotiations every three years to the 2035 goal; he cited 51% this bid cycle, 67% the next, and 81% in 2031. He said he still did not see how the City would reach any of those renewable energy goals if it did not continue to increase incrementally. So, Councilor Lake said he would vote against the amendment, as he felt the 50% default was correct.

On a vote of 5–10, Councilor Chadbourne’s motion to amend the default rate in the Community Power Plan to 35% failed. Councilors Bosley, Tobin, Favolise, Workman, and Chadbourne voted in the minority.

Councilor Jones recalled that many years ago, when he chaired the Cities for Climate Protection initiative, which created the City’s Greenhouse Gas Plan, Carbon Footprint Plan, and Environmental Plan. Additionally, when he was PLD Chairman, many people were interested in these plans and moving in these directions. Councilor Jones said the good thing about the Community Power Plan is that people have a choice of what to pay for. He said some people in the community were choosing to pay for \$700,000 homes and renewable energy. He thought the recommendation out of FOP was well-discussed and worked because the consumer could choose their level; someone wanting to be an environmental steward could choose a higher rate, and he encouraged them to do so, and those with concerns could opt down. Councilor Jones did not think the Council was hurting the people by voting for this Plan.

Councilor Chadbourne asked the City Manager how to advise community members with new Community Power Plan accounts, so they know information in advance and are not blindsided. The City Manager deferred to Senior Planner, Mari Brunner, who explained that when people move into Keene or to a new address, the consultants mail those customers, notifying them that they are eligible for automatic enrollment. The customer has 30 days before that happens; the letter will include opt-out cards that they can complete and return, or they can opt out by calling or visiting the online portal. The consultants typically do these mailing sweeps every few months. She said they had not been conducting those sweeps since the default Eversource rate was lower than the City’s (for the previous six months), because they had not been automatically enrolling people while the Eversource default was lower than the program. She recalled that Eversource’s rates change every six months. Ms. Brunner said that per NH law, no one would be enrolled in the program without notification and the option to opt out first.

On a vote of 11–4, the motion to carry out the intent of the first FOP Committee report carried. Councilors Bosley, Favolise, Workman, and Chadbourne voted in the minority.

A Finance, Organization & Personnel Committee report read, unanimously recommending that the Community Power Plan with amendments shown in the draft dated February 10, 2025, be adopted with the recommended revisions to have a four-level plan. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy.

Councilor Remy clarified the discussion at the FOP Committee about the levels in the Plan and his intention to ensure there would be an option in the plan for four levels allowed.

Councilor Favolise stated that he would vote in support of this recommendation. He mentioned at the last Council meeting in relation to a different item that the time for discussing something in a contract had passed. He felt the same was true for this, that the time for discussing and voting on what the levels should be had come and gone. He said he did not support the default level being 50%. Councilor Favolise said he continued to see the value in a Community Power Plan and prioritizing clean energy initiatives as a City. He encouraged his fellow Councilors to vote in support along with him, including those who voted against the previous recommendation.

Mayor Kahn believed that the conversation over the past month with the Council presented a challenge to the ECC to reassess the Community Power Plan and consider the current situation, as well as what kind of progress is reasonable for the community. He reiterated that this Plan would need to go to the PUC for approval, but there would still be options to adjust the Plan over time as the Council expressed interest in wanting to see additional thought put into the plan.

The motion carried unanimously with 15 Councilors present and voting in favor.

CITY MANAGER COMMENTS

The City Manager, Elizabeth Ferland, reported that Eversource would be donating more than 100 trees and shrubs to the City through the Arbor Day Foundation's Energy-Saving Tree Program, a larger environmental initiative spanning its three-state service territory. Residents could visit [Eversource.com](https://www.eversource.com) starting Monday, March 24, 2025, to select and reserve a free tree or shrub while supplies last. Applications must be completed online through the application portal. A press release and social media posts would disseminate the information.

Councilor Haas asked if residents could donate the trees they reserve from Eversource back to the City for installation on City property. The City Manager said it was a great question, and while the portal was not available yet, she suggested that when applying, they should enter the "right-of-way" for the location they propose the tree/shrub to be placed. The City Manager added that trees were also being funded through the Transfer Station Fund for the City right-of-way to be located at the former Findings property. Councilor Jones asked if it was the Transfer Station Closure Fund. The City Manager said no, the Solid Waste Fund—the City negotiated a settlement with the Department of Environmental Services that involved some tree planting.

The City Manager also announced that the 2025 Green Up Keene would be Saturday, April 26. Once again, there would be a drive-thru supply pick-up on Saturday. Public Works would place a dumpster prior to the event and drive specific routes the following Monday to pick up trash that is collected by volunteers and placed in NH the Beautiful bags. At this time, there were 25 teams signed up for this year's event. Anyone interested in volunteering could find a link at [KeeneNH.gov](https://www.KeeneNH.gov), as well as a map showing the streets and neighborhoods available.

The City Manager shared that NHDOT scheduled a Road Safety Audit for Rt. 9 and Whitcombs Mill Road for April 1. Additionally, Public Works asked the City Manager to share that there would be Downtown traffic disruptions for Geotechnical testing using a truck-mounted drill from

March 24, 2025–April 1, 2025; users should expect lane closures and some traffic delays. Also, Public Works shared that Airport Road would be closed for construction March 24, 2025–April 1, 2025, but it would be available for waste haulers and official Wastewater Treatment Plant business only. The barricades would be set up just after the Terminal parking lot and would impact traffic to and from the businesses located at the Terminal.

ORDINANCES FOR FIRST READING - RELATING TO AMENDMENTS TO THE ZONING MAP - 425 MARLBORO STREET - NEIGHBORHOOD BUSINESS TO LOW DENSITY - ORDINANCE O-2025-07

An application was received from Jeb Thurmond, requesting to amend the Zoning Map relative to the Zoning designation for property located at 425 Marlboro Street. The application proposed a change from Neighborhood Business to Low Density. Mayor Kahn referred Ordinance O-2025-07 to the Joint Planning Board/Planning, Licenses and Development Committee.

ORDINANCES FOR FIRST READING - RELATING TO AMENDMENTS TO THE LAND DEVELOPMENT CODE, FEATHER SIGNS IN INDUSTRIAL DISTRICTS - ORDINANCE O-2025-08

A memorandum was received from Mari Brunner, Senior Planner, recommending that the City Council refer Ordinance O-2025-08 to the Joint Committee of the Planning Board and the Planning Licenses, and Development Committee for a public workshop. Mayor Kahn referred Ordinance O-2025-08 to the Joint Planning Board/Planning Licenses, and Development Committee.

ORDINANCES FOR FIRST READING - RELATING TO THE LAND DEVELOPMENT CODE, SINGLE-FAMILY PARKING REQUIREMENTS - ORDINANCE O-2025-09

A memorandum was received from Mari Brunner, Senior Planner, recommending that the City Council refer Ordinance O-2025-09 to the Joint Planning Board/Planning, Licenses and Development Committee for a public workshop. Mayor Kahn referred Ordinance O-2025-09 to the Joint Planning Board/Planning, Licenses and Development Committee.

RESOLUTION - RELATING TO ADOPTING THE PROVISIONS OF RSA 79-E “COMMUNITY REVITALIZATION TAX RELIEF INCENTIVE” - RESOLUTION R-2025-09

A memorandum was received from Medard Kopczynski, recommending, that Resolution R-2025-09 relative to revision and readopting of the provisions of 79-E “Community Revitalization Tax Relief Incentive” with a revised map be referred to the Planning, Licenses and Development Committee for consideration and a recommendation back to City Council. Mayor Kahn referred Resolution R-2025-09 to the Planning, Licenses and Development Committee.

RESOLUTION - APPROPRIATION OF FUNDS - PURCHASE OF SIDEWALK PAVER - RESOLUTION R-2025-07

A Finance, Organization & Personnel Committee report read, recommending the adoption of Resolution R-2025-07. A motion by Councilor Powers to adopt Resolution R-2025-07 was duly

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

RESOLUTION - RELATED TO THE APPROPRIATION OF UNASSIGNED FUND BALANCE FOR THE FY 25 FIRE DEPARTMENT PERSONNEL BUDGET - RESOLUTION R-2025-10

A memorandum was received from Kari Chamberlain, Finance Director/Treasurer, and Jason Martin, Fire Chief, recommending that Resolution R-2025-10 be referred to the Finance, Organization and Personnel Committee. Mayor Kahn referred Resolution R-2025-10 to the Finance, Organization and Personnel Committee.

NON-PUBLIC SESSION

At 9:18 PM a motion by Councilor Greenwald to go into a non-public session to discuss the potential the release of non-public minutes under RSA 91-A:3 II (m) was duly seconded by Councilor Tobin. The motion carried unanimously on a roll call vote with 15 Councilors present and voting in favor. The non-public session began at 9:19 PM. The Mayor called for a five minute recess. The City Attorney stated that the Councilors would be considering non-public minutes from 2014 and 2015 this evening. These minutes are recommended for release because the circumstances that warranted their withholding from the public no longer exist. At 9:34 PM the discussion concluded.

Councilor Greenwald moved to unseal the non-public minutes from February 20, March 20, April 3, April 10, and November 20, 2014; as well as the minutes from February 5, February 19, March 5, April 9, April 16, May 21, June 4, July 2, July 16, August 6, September 3, September 17, September 18, October 8, October 27, and October 29, November 16, November 17, November 19, November 24, and December 3, 2015 pursuant to NHRSA 91:A:3 IV (a) because the reason the minutes were originally sealed no longer applied.

ADJOURNMENT

There being no further business, Mayor Kahn adjourned the meeting at 9:36 PM.

A true record, attest: 

City Clerk