

# MUNICIPAL SERVICES, FACILITIES AND INFRASTRUCTURE COMMITTEE Council Chambers B, Keene City Hall September 3, 2025 6:00 PM

# A. AGENDA ITEMS

- 1. Howard Mudge Request to Remove a Tree on City Property Westerly Edge of 9 Evergreen Avenue
- 2. Frederick MacMillan Request to Install a Sculpture at Patricia Russell Park
  - Council Policy R-2018-22: Acceptance and Placement of Public Art
- 3. Councilor Haas Request for Historical Marker Keene Bottle Works
- Sale of City Property 100 Church Street
   Finance, Organization and Personnel Committee Report
- 5. Installation of Trail Sign Identifying the Charles Redfern Bridge BPPAC Committee
- 6. Downtown Infrastructure Project Suggested Bike Lane Rules BPPAC Committee
  - **Draft Bicycle Lanes Ordinance**

# B. MORE TIME ITEMS

 Relating to an Amended Return of Layout for a Public Right-of-Way known as Grove Street and Relating to a Deed for land removed from the Right-of-Way and an Easement for Public Infrastructure Petition - Public Works Director Resolution R-2025-26 Resolution R-2025-27

NON PUBLIC SESSION

**ADJOURNMENT** 

Howard Mudge 9 Evergreen Ave Keene, NH #03431

August 10, 2025

City Clerk Attn. Mayor and City Councilors 3 Washington St Keene, NH #03431

Dear Mayor and City Councilors,

In accordance with City Code Chapter 82; Article VII; Section 82-187; Subsection 2906.2, I respectfully request for your permission to remove a large pine tree at the western edge of my lot which Mitchell Smith has determined to be on city property.

My reasons for removal include the tree's age, size, multiple structural bifurcations and with the recent weather severity may help prevent damage to the street's utility lines and/or surrounding homes.

Please don't hesitate to contact me at concerns.

with any questions or

Thank you for your time and attention to this matter.

Sincerely,

Howard Mudge

39 Hathersage Ln Dublin NH 03444 May 12,2025

Honorable Mayor and City Council City of Keene 3 Washington Street Keene, NH 03431

Re: Request to Install a Sculpture at Patricia Russell Park

Dear Mayor and City Councilors:

It has been the vision of Friends of Public Art (FPOA) and Frederick MacMillan to establish sculpture art in the Monadnock Region as an added attraction to the cultural amenities in our area. While we have an abundance of performing arts and two-dimensional art, we lack three-dimensional art. For the past several months we have sought a "cornerstone" project, seeking a high-quality installation to get things started. Opportunities were pursued in Peterborough, and on the campus at Dublin School. And while the Dublin School has installed sculptures along their Nordic ski trails, our other efforts have fallen short until now. We believe the installation of a "cornerstone" sculpture will breed interest from the sculpture/art community, which will bloom into a robust sculpture trail through-out the Monadnock Region.

Recently we were introduced to Christopher Curtis, a nationally known sculptor residing in Duxbury, VT. Known for his contemporary work in stone and metal, Curtis has been creating sculpture for more than fifty years. His affection for stone started as a young boy collecting rocks in the woods of Vermont. Over the decades, his fascination expanded from pebbles to cobbles to large boulders. Curtis claims to have looked at literally millions of stones, collected multiple thousands, and discarded nearly as many, which has honed his discerning focus on shape as well as material.

As an avid rock climber in his youth, Curtis developed a highly tactile understanding of stone as a medium. That passion, coupled with his ongoing interest in geology and astronomy, fueled his close observation of the natural world and stars, both of which inform his art.

Curtis attributes much of his artistic approach to his mentor, Professor Paul Aschenbach, during his formal art training at the University of Vermont in the 1970s. Aschenbach insisted his students become proficient in a wide variety of media and promoted the use of stone, a plentiful Vermont resource. Works by Christopher Curtis are in more than 250 public and private places throughout New England and the United States. Among his sculptures on public

view are works at the Tulsa Botanic Gardens, Tulsa, OK; the Appleton Museum, Ocala, FL; Lemon Fair Sculpture Park, Shoreham, VT; United States Federal Reserve Bank, Washington, DC; University of Arkansas, Little Rock, AR; and State of Vermont Public Art Collection, Montpelier, VT, and the U.S. Embassy, Copenhagen, Denmark.

Curtis has agreed to loan FPOA one of his works, now installed at the Trapp Family Lodge in Stowe, VT. The title of the sculpture is "Thought Cage", which carries this reflection of its inspiration.

"A Thought Cage can be contemplated from different viewpoints. Physically, each side presents a different viewpoint, yet all of them are equally true. When we are trapped in our own thought cages, we believe that our personal views are superior to other's. This may or not be objectively true. The only escape from a thought cage is through an open mind."

A photo of "Thought Cage" is attached. Details can be found at: <a href="https://www.christophercurtis.com/portfolio/thought-cage">https://www.christophercurtis.com/portfolio/thought-cage</a>

More information on the artist can be found at @ www.christophercurtis.com. Additional information is at Instagram: #christophercurtis1. and www.sculpturetour2022.com

Curtis has agreed to provide transportation and installation services, which will be done upon completion of landscaping and improvements at Patricia Russell Park.

<u>Marketing/Advertising – Press Coverage</u>- Promotion of this project is essential to attracting a viewing public.

The Sentinel, My Keene Now, The Union Leader, Leader Transcript, Arts Alive, City of Keene-Social Media, Friends of Public Artt social media. Website feature on established City forums.

# **Sculpture Project Particulars**

- 1. **Description of art** Granite, Steel- 8'x2'6"x2'6"- 2019- Carved from a column of stone, mounted on a steel base, *Thought Cage* is bold in its simplicity. The polished interior contrasts with the raw, unaltered exterior and the brutalist 1" thick steel plate base and clamp.
- 2. **Length of the Loan** 12 months- Contract between Friends of Public Art and Element 3 Inc. EIN 04-3354351 (Artist)
- 3. **Location** Patricia Russell Park

- 4. **Installed and removal** Artist will be responsible for delivery, installation, deinstallation and recovery. Installation requires access to site by 18,000 lb. boom truck within 10 feet of site.
- 5. **Site requirements:** The 30"x 30" steel base rested directly on flat, level hardscape. The sculpture, weighing nearly one ton, is held upright by gravity. It has been in its current location since 2019. Any further anchoring required will be the responsibility of the site management. No electricity is needed
- 6. **Funding** Instillation costs and Insurance would be provided through the Grand Monadnock Rotary Foundation (Estimated costs \$1,200)
- 7. **Maintenance requirements**: No routine maintenance is required other than keeping the site free of detritus.
- 8. **Value** -Retail price of sculpture is \$23,000.00. Artist will pay sponsoring agency (Friends of Public Art) 10% commission if sold.
- 9. **Signage** Artist will supply signage with QR code directing viewers to his website.
- 10. **Insurance** Prudence would dictate precautions against spray paint vandalism. Being ready with graffiti removal and applying it quickly is wise. Lighting at the site would help, but not required. Insured value is 90% of retail or \$20,700.

The Parks and Recreation Department has communicated to us that it has reserved two spots in the newly created Patricia Russell Park for outdoor sculpture. I hope the above details for this project address the information you need in order for us to proceed. Please let me know if I can provide any additional information.

Sincerely,

Frederick W. MacMillan





# CITY OF KEENE

R-2018-22

In the Year of Our Lord Two Thousand and Eighteen

# A RESOLUTION COUNCIL POLICY: RELATING TO THE ACCEPTANCE AND PLACEMENT OF PUBLIC ART

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

WHEREAS: Public Art plays an important role in increasing the understanding and enjoyment of art by the community. Art is more accessible and visible to people when displayed in public areas. A key feature of Public Art is the importance of integrating art into the fabric of the community in order to enrich and enhance the physical attractiveness of the community. Public Art transforms spaces and provides a valuable contribution to the appreciation of the community and the quality of public places; and

WHEREAS: The City of Keene desires to participate in the promotion and display of Public Art to contribute to the unique identity of the City; enhance the City's economic and cultural vitality; and to encourage Public Art that is accessible to the public visually and physically.

NOW, THEREFORE, BE IT RESOLVED: Public Art may be located on public property in areas that are frequently visited, viewed, or accessed by the public. Locations may include public right-of-ways, intersections, City parks, City-owned property, and City-owned buildings, and

BE IT FURTHER RESOLVED: Artists and/or organizations wanting to create, provide, or develop Public Art shall submit a proposal to the Keene City Council that provides sufficient information for consideration of each proposal. When the City Council is considering Public Art, temporary or permanent, to be installed on, or in, property under City ownership or control it may consider:

- Whether the Public Art reflect aspects of the City's history, unique environment, cultural identity, or community at-large;
- Whether the Public Art aesthetically enhances public spaces or environments to which it relates or interacts;
- Whether the Public Art is commensurate in scale with its surroundings;
- Whether the Public Art is technically feasible to produce and to display;
- Whether the Public Art is unique and original and not mass produced or standardized:
- Whether the Public Art is durable, constructed of materials that will survive in the environment in which it will be placed, and reasonable to maintain in terms of time and expense;
- Whether the artist(s) and/or organization(s) submitting a proposal for Public Art can demonstrate that the artist(s) and/or organization(s) is (are) recognized by critics and peers as one who produces works of art;

PASSED

- Whether the Public Art is in a location that allows for necessary maintenance;
- Whether the Public Art is designed to be reasonably protected from environmental degradation, damage, vandalism, or theft;
- Whether the Public Art is affixed to a structure or building and whether the structure or building is expected to remain in good condition for twenty (20) years;
- Whether the Public Art creates a public safety, health, or security concern.

### BE IT FURTHER RESOLVED:

- Temporary Public Art is intended to not be owned by the City, to remain in the care, control, and ownership of the artist(s) and/or organization(s), to be easily installed and removed, to be displayed for a specific period of time or on loan for an undetermined period of time, and as specified in a Memorandum of Understanding between the artist(s) and/or organization(s) and the City Council prior to display.
- Permanent Public Art is intended to be owned by the City, is attached to a structure or property owned by the City, is of a size or type of construction that it cannot be easily removed, and which the artist(s) and/or organization(s) agree to relinquish and transfer all rights of ownership and control to the City of Keene.
- Public Art proposals will be in writing and shall include the following minimum information.
  - O A description of the proposed Public Art, including but not limited to, the name of artist(s) and/or organization(s) involved, description of the experience of the artist(s) and/or organization(s) in the production of the type of artwork, and information establishing that the artist(s) and/or organization(s) is recognized by critics and peers as one who produces works of art.
  - o Whether the Public Art will be temporary and on loan to the City, or permanent and owned by the City.
  - o Identification of the location of the Public Art.
  - O A description of the Public Art that includes a proposed design which is commensurate in scale with the intended location, the size to scale, the dimensions of the physical space required, the materials to be used, the intended theme or context, and if temporary, the length of time of the display, and how the Public Art will be accessible to the public for viewing and enjoying.
  - Whether utility hookups are required.
  - o How the Public Art is funded.
  - o The anticipated maintenance requirements of the Public Art, including recurring expenses.
  - o If temporary, identify how the Public Art will be removed and how the space will be restored to its previous condition.

- o How the Public Art will aesthetically enhance public spaces or environments to which it relates or interacts.
- o Provide appropriate certification that the Public Art does not infringe upon any copyright or trademark.
- o Provide documentation as required by the City with respect to construction or installation of the Public Art.
- The artist(s) and/or organization(s) proposing Public Art shall provide appropriate insurance certificates and indemnification to the City during construction/installation, and/or during display, as determined by the City Council, through a license for temporary Public Art or in the construction documents for Permanent Public Art.
- If the Public Art is not owned by the City, the artist(s) and/or organization(s) proposing the Public Art will be responsible for the expenses of monitoring, operation, maintenance, repair, and removal.
- The City shall have the right, in its sole discretion, to determine when or if it is necessary that Public Art be removed from public display.
- The City Council, in its sole discretion, shall determine whether Public Art is accepted for ownership by the City.
- The City Manager is authorized to develop and administer rules and procedures to determine whether a proposal for Public Art is acceptable and complete for submission to the City Council for consideration; for the management, monitoring, installation, maintenance, repair, operation, and removal of Public Art, and to prepare appropriate and necessary documents for the transfer of the ownership of permanent Public Art to the City; and to adopt City Ordinances as may be necessary and appropriate.
- The City will establish an expendable trust for expenses associated with commissioning, installation, monitoring, maintenance, repair, operation, and removal of Public Art.
- For any Public Art intended to be owned by the City, the donor shall contribute to the City a sum equal to one percent (1%) of the construction cost of the Public Art, to be deposited into the expendable trust and used by the City for the monitoring, operation, maintenance, repair, upkeep, relocation, removal, or other requirements related to the Public Art.

endall W. Lane Mayor

In City Council July 5, 2018.

Referred to the Municipal

Facilities and infrastructure Committee.

A true

Auosi.

City Clerk

# 05-August 2025

Honorable Mayor Jay Kahn and Keene City Council:

On behalf of the Yankee Bottle Club, we request the City add a historical marker to identify the original site of the Keene Bottle Works. There currently is a marker near the Rec Center, indicating that some miles south of that spot was the factory. We ask that a marker be placed on the Rail Trail at the original site. Such a marker would not only enhance the experience of the Rail Trail but recognize Keene's place as early industry in the young nation.

Text for such a marker has been suggested by Alan Rumrill for the Club as follows:

### **KEENE GLASS**

One of Keene's first large scale industries was glass manufacturing. A window glass factory opened on Washington Street in 1814. It was followed a year later by a flint glass factory located near here, where Marlboro Street crosses Beaver Brook. This factory produced tumblers, decanters, and similar types of tableware.

The Marlboro Street factory converted to the manufacture of bottles in 1817. Over the next 25 years the firm made millions of bottles that were sold throughout the Northeast. These bottles were all made by hand by expert glassblowers. The Keene factory was known for its production of inkwells, medicine bottles, decanters, and a wide variety of whiskey flasks. The bottle factory closed in 1842, and the window glass factory closed in the early 1850s.

The bottles made in Keene are collected across the country today because of their artistic craftsmanship, history, and rarity.

This proposal has been presented to the Heritage Commission and the Bicycle Pedestrian Trail Advisory Committee, both of whom expressed resounding support. Given the optics industry in Keene, such acknowledgement on the spot of the original factory will promote the fact that Keene has been and continues to be a leader in glass technology.

Tha k f o prompt attention, please contact any below for more information.

**Edward Haas** 

Councilor-at-Large

cc: Stephen Seraichick

Alan Rumrill





# CITY OF KEENE NEW HAMPSHIRE

Meeting Date: September 3, 2025

**To:** Mayor and Keene City Council

From: Finance, Organization and Personnel Committee, Standing Committee

Through:

Subject: Sale of City Property - 100 Church Street

# **Council Action:**

In City Council August 21, 2025.

Voted unanimously to refer the report to the Municipal Services, Facilities and Infrastructure Committee for further discussion.

# **Recommendation:**

On a 4-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to negotiate and execute the sale of 100 Church Street (parcel ID# #574-015-000-000-000) to an abutting property owner.

# **Attachments:**

None

# Background:

Public Works Director Don Lussier addressed the committee first and stated the item before the committee is regarding sale of a City-owned property to an adjacent property owner. Mr. Lussier explained in 1977, the City acquired a total of five individual parcels surrounding the intersection of Church Street, 93rd Street and Norway Avenue. At the time, Church Street continued through to Main Street and the Cleveland Building had not been constructed yet. As part of the redevelopment of that area is when the City acquired the five parcels on all four corners of that intersection. Three of those parcels on the south side have been sold to adjacent property owners. However, the City still owns the parcel on the northeast corner – closest to the Elks Club across 93<sup>rd</sup> Street.

Mr. Lussier stated this started with a request from the adjacent property owners, bringing to the City's attention some behavior that was happening on that City-owned parcel. He noted this area has been cleaned up and a pocket park has been created, which looks very attractive. However, there have been issues with people congregating on that property and participating in activities that the City would rather not see happening on City-owned property.

City staff met with the adjacent property owners and during the meeting the property owners asked if the City would be interested in selling that property to the adjacent property owners. Staff is in agreement of this proposal. Mr. Lussier noted there is no need for another pocket park as there is Russell Park as well as a pocket park on Church Street.

The property in question is undevelopable in its current configuration. It is .12 acres/5,000 square feet. Per the current zoning, 10,000 square feet would be required to develop the property. He noted there is the possibility they could do a lot line adjustment with one of the adjacent properties or merge it with one of their properties and locate a building on it. In its current configuration, it would either need a variance from the Zoning Board of Appeals, or Planning Board action to develop this property. The City does not see a lot of value in in continuing it as a park and recommend selling it to the adjacent property owner.

Councilor Chadbourne asked which property owner was interested in this property. Mr. Lussier referred to page five and noted the original complaint letter was signed and sent to the City from both property owners that abutted on the north and east sides. The letter of intent to purchase the property came from Jiffy Real Estate LLC which abuts the property to the north. Councilor Chadbourne stated she has had complaints from residents about homeless people sleeping in hallways and at times sleeping right in front of their doors, and she suggested they go to their landlord. She felt having that owner own this property would be a great improvement. She added there were complaints about a lot of drug activity in that park as well.

City Manager Elizabeth Ferland felt this was a reasonable solution and does support the request but added her only question is whether or not the council wanted to open this up to other abutters. She stated Council has the ability to directly authorize the Manager to negotiate with the abutter because there is a justification for that. The council could also direct the Manager to send a letter to all the abutters so they have equal opportunity to make an offer. Councilor Remy asked whether the motion could be changed to say "to an abutting property owner" which would give staff the flexibility to work with other abutters. The Manager agreed this would work. Councilor Remy asked if MGJ was aware of this. The Manager stated this entity also attended the meeting but decided not to submit a letter of intent to purchase.

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

On a 4-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to negotiate and execute the sale of 100 Church Street (parcel ID# #574-015-000-000-000) to an abutting property owner.





# CITY OF KEENE NEW HAMPSHIRE

Meeting Date: September 3, 2025

**To:** Municipal Services, Facilities and Infrastructure Committee

From: Bicycle Pedestrian Path Advisory Committee

Through: Will Schoefmann, GIS Coordinator

Subject: Installation of Trail Sign Identifying the Charles Redfern Bridge - BPPAC

Committee

# **Recommendation:**

Move to recommend the City Council approve the attached design for trail signs identifying the newly named Charles Redfern Bridge (Formerly South Bridge) spanning NH State Route 101 and that the City Manager be authorized to do all things necessary to install the signage on the rail trail.

# **Attachments:**

Charles Redfern Bridge Sign

# Background:

At its regular August meeting, the Bicycle Pedestrian Path Advisory Committee made the following motion regarding signage for the Charles Redfern Bridge,

"Chair Jackson then moved to send the recommended sign to MSFI for their next meeting. Dr. Russell seconded the motion, and it passed unanimously."

# WELCOME TO THE

# CHARLES REDFEN BRIDGE

HONORING THE MAN WITH THE VISION AND TENACITY TO CREATE THE MAGNIFICENT MULTI-USE TRAIL SYSTEM HERE IN KEENE, N.H.





# CITY OF KEENE NEW HAMPSHIRE

Meeting Date: September 3, 2025

**To:** Municipal Services, Facilities and Infrastructure Committee

From: Bicycle Pedestrian Path Advisory Committee

**Through:** Will Schoefmann, GIS Coordinator

Subject: Downtown Infrastructure Project - Suggested Bike Lane Rules - BPPAC

Committee

# **Recommendation:**

Move to recommend the list of suggested bike lane rules by the Bicycle, Pedestrian Path Advisory Committee be accepted as informational.

# **Attachments:**

1. updated dntwn regs proposed v1 (002)

# **Background:**

At its regular August meeting, the Bicycle Pedestrian Path Advisory Committee made the following motion after a discussion on a list of proposed rules presented by Councilor Haas for the committee's consideration.

"Mr. Fischer moved to pass the list of proposed rules provided by Councilor Haas as a recommendation to the Municpal Services Facilities and Infrastructure Committee (MSFI). The motion was seconded by Councilor Haas."

These rules are in conjunction with an earlier set of proposals that came from the Bike Lane Policy Committee set up by the City Manager and Mayor. MSFI heard background and accepted the following rules at an earlier meeting on September 25, 2024. The motion from MSFI resulted in tasking City Staff to draft an ordinance when appropriate for incorporation of the rules (below) into City Ordinance.

Exerpt from MSFI Adopted Minutes 9/24/24, Page 3 of 11

"The City Manager continued that the recommendations of the Bike Lane Policy Committee members and the BPPAC members are included in the memorandum. For key regulations for bike lane use, they are recommending the following:

- Cyclists must yield to pedestrians in bike lanes and at crosswalks, per RSA 265-37.
- Obey traffic controls: Cyclists must follow all traffic signals and stop signs, especially during downtown events.
- No parking and loading in bike lanes: Bicycles and vehicles must not park or obstruct bike lanes to

2025-365

ensure their availability for cyclists.

- Safe speed and direction: Cyclists should travel at safe speeds and ride in the direction of traffic, per Keene's Code of Ordinances, Sec. 94-465.
- Lighting requirements: Bicycles must have front white and rear red lights if operated between a half hour after sunset and a half hour before sunrise."

### Downtown Core Bike Lanes:

Recommendations for usage regulations:

### **Downtown Bike Lane Usage - regulations**

- 1- Bicycles and other personal vehicles for the purpose of these rules include all as defined by State of NH statutes.
- 2- Bicycles should always yield to pedestrians in the bike lanes.
- 3- Bicycles should not park in the bike lanes. Likewise, any vehicle engaged in commercial deliveries should not even temporarily park in the bike lanes, no matter the duration.
- 4- Bicycles and other personal vehicles are not to be operated on sidewalks.
- 5- Bicycles and any personal vehicle should not exceed 8 MPH in these bike lanes.
- 6- Helmets are recommended for all cyclists but are required for persons under 16 years of age.
- 7- 1-4 yr olds up to 40lbs can ride on bicycle that has a harness, sits upright, does not allow feet and/or hands to reach spokes and is permanently attached to the bicycle and/or tow.
- 8- All bicycles and personal vehicles should yield to pedestrians before crossing intersections.
- 9- All bicycles and personal vehicles must fully obey all traffic control signs and devices.
- 10- Bicycles must have front white and rear red lighting if operated between  $\frac{1}{2}$  hr after sunset and  $\frac{1}{2}$  hr before sunrise.
- 11- Bicycles cannot be left unattended unless placed against a proper bicycle rack. Unattended bicycles not at a rack may be removed by City employees.
- 12- All rules and regulations of the state of New Hampshire must be followed; it is the obligation of the cyclist to understand these regulations.

ORDINANCE O-2025-XX



# CITY OF KEENE

In the Year of Our	Lord Two Thousand and Twenty Five	
AN ORDINANCE	Relating to Rules for the Operation of Bicycles	
Be it ordained by	the City Council of the City of Keene, as follows:	
by deleting Se	Code of the City of Keene, New Hampshire, as amended, is hereby further amended oction 94-464, "Rules for Operation" in Article VI of Chapter 94, entitled "TRAFFIC, ND PUBLIC WAYS" in its entirety and replacing it with the following:	
Sec. 94-46	64 Rules for operation.	
	eases, the rules for operation of bicycles on public highways or public property the City of Keene shall be as set forth in RSA 265:143—265:153,	
tricycl propel	ition, the following rules shall apply to the operation of bicycles, unicycles, es, scooters, roller skates, skate boards, or similar devices (including electrically led or assisted versions of such devices) on bike lanes and multi-use paths within by of Keene:	
1)	Within the Downtown Core zoning district, the maximum permissible speed shall be 10 miles per hour.	
2)	Where bike lanes are provided adjacent to roadways, cyclists shall only travel in the same direction as the adjacent travel lane.	
3)	No person shall stop, park or load any bicycle or other vehicle in such a way as to obstruct the public use of bike lanes and multi-use paths.	
4)	Bicycles and other personal vehicles shall not be parked or left unattended within the public way, except at a rack provided for such purpose.	
5)	Bicycles must have front white and rear red lights if operated between a half hour after sunset and a half hour before sunrise.	<b>Commented [DL1]:</b> This item is redundant with Se 94-465
	Jay V. Kahn, Mayor	