

04/16/2026

A regular meeting of the Keene City Council was held on Thursday, April 16, 2026. In the Mayor's absence, the City Clerk called the meeting to order at 7:00 PM. Roll called: Randy L. Filiault, Michele A. Chalice, Catherine I. Workman, Bryan J. Lake, Jacob R. Favolise, Laura E. Tobin, Robert C. Williams, Philip M. Jones, Kris E. Roberts, Bettina A. Chadbourne, Edward J. Haas, Laura E. Ruttle-Miller, Molly V. Ellis, and Thomas F. Powers were present. Mitchell H. Greenwald was absent. A motion by Councilor Filiault to appoint Councilor Powers as temporary Chair was duly seconded by Councilor Jones. The motion carried unanimously with 14 Councilors voting in favor. Councilor Greenwald was absent. Chair Powers took his place at the dais. Councilor Tobin led the Pledge of Allegiance.

MINUTES FROM PRECEDING MEETING

A motion by Councilor Filiault to adopt the April 2, 2026 City Council meeting minutes as presented was duly seconded by Councilor Jones. The motion carried unanimously with 14 Councilors present and voting in favor. Councilor Greenwald was absent.

ANNOUNCEMENTS

Chair Powers led the Council in honoring Councilor Ruttle-Miller, who celebrated an April birthday.

The Chair also shared upcoming dates of interest in April and May 2026:

- The afternoon of April 17, 2026: Academic Excellence Celebration at the Keene State College Student Center.
- April 25, 2026: Green Up Keene, supplies available from 8:00 AM to 12:00 PM at Keene Public Works.
- May 3, 2026: Old Man of the Mountain Day
- May 3, 2026 through May 9, 2026: National Small Business Week
- May 5, 2026: Teacher Appreciation Day

Lastly, Chair Powers shared a reminder that the proposed Operating Budget for FY 26/27 would be distributed in Council mailboxes on Friday, May 1, 2026. The Budget Resolution would be presented at the City Council meeting on May 7, 2026 for referral to the Finance, Organization and Personnel (FOP) Committee. FOP will conduct special Budget review meetings on May 12, 2026 and May 19, 2026, both starting at 5:30 PM in the Council Chambers. The regular FOP meetings of May 14, 2026 and May 28, 2026 will start early at 5:30 PM for Budget review as well. The Public Hearing on the Operating Budget will be conducted at the regular City Council meeting on June 4, 2026 at 7:00 PM.

PROCLAMATION - FRIENDS OF KEENE THE PUBLIC LIBRARY - SPRING BOOK SALE

Chair Powers welcomed former Mayor Kendall Lane, Vice Chair of the Friends of the Keene Public Library. Chair Powers read into the record and presented a Proclamation to Mr. Lane declaring April 24, 2026 through April 26, 2026 as Friends of the Public Library Days and urged

citizens of the Monadnock Region to visit the Spring Book Sale at the Public Library in support of continued excellent Library programs and facilities.

Mr. Lane explained that the Book Sale is very important to the Library. Every year, there are two Book Sales, and they provide an opportunity to support the Library by buying supplies, paying for services, and paying for items at the Library that the taxpayers do not have to. The last two Book Sales set records for funds raised. They are tremendous opportunities to access books. Mr. Lane much prefers books to devices. There are new titles and fiction, nonfiction, biography, cookbooks, art, and large print. At the Spring Book Sale for \$5, you bring any bag and fill it up with books; that is all it takes. Mr. Lane called it a tremendous opportunity for the community and strongly encouraged everyone to take advantage of it.

COMMUNICATIONS - ROBERT AND SANDRA HAMM; BARBARA AND FRANK RICHTER; TOM DUSTON - CONCERNS AND RECOMMENDATIONS REGARDING THE PROPOSED PARKING LOT AT THE SKATE PARK; *AND* VICKY MORTON - IN SUPPORT OF BARBARA RICHTER'S LETTER ABOUT CONCERNS AND RECOMMENDATIONS REGARDING THE PROPOSED PARKING LOT AT THE SKATE PARK

The first communication was received from Robert and Sandra Hamm, expressing concern that the proposed parking lot near Beaver Brook does not meet the requirements of the Surface Water Protection Ordinance and would increase risks of runoff into Beaver Brook and cause erosion. They further suggest that all areas within 100 feet of Beaver Brook would benefit from the Beaver Brook Restoration Plan prepared in 2009 by Moosewood Ecological LLC for the City. The report recommends establishing a healthy riparian zone of native, flood-tolerant, deep-rooted plants that stabilize stream banks, filter runoff, cool the water, and support wildlife. Additionally, they believe that adding a community garden with raised beds and pollinator gardens would better align with Keene's commitment in 2021 as a "bee-friendly" community.

A second communication was received from Barbara and Frank Richter, expressing concern that the proposed parking lot near Beaver Brook conflicts with the requirements of the Surface Water Protection Ordinance and the Beaver Brook Restoration Plan prepared in 2009 by Moosewood Ecological LLC for the City. They recommend instead of installing this new parking lot, that the soil is capped, a pollinator garden is planted, and the area is fenced off. Additionally, they believe that adding more trees, rain gardens, and possibly raised beds with sealed bottoms would provide greater public benefit.

A third communication was received from Vicky Morton, supporting Barbara Richter's letter and stating that she would like to see more interactions between City personnel and the neighborhood prior to initiating these types of proposals.

A fourth communication was received Tom Duston, expressing concern that the proposed parking lot would add impervious ground that he believes would be detrimental to the needs of the neighborhood. Instead, he would like the City to consult with gardening consultants about what types of plants and trees could be planted in the contaminated soil.

Chair Powers recognized the City Manager for comments. City Manager Elizabeth Ferland said this project, which many of the letters reference as a proposed design, is well beyond the proposal stage. The reason that there is the need for a parking lot or pavement in this location is because there is soil that is contaminated under the ground. Therefore, the City cannot use pervious type materials and pavement must be kept there. Having said that, the City Manager thought there could be a discussion about what the City does on the pavement, noting that it could be a lot more than parking. She said there are all sorts of opportunities for things that can happen, so that is what she anticipated for this conversation at the next MSFI meeting.

Chair Powers referred the communications to the Municipal Services, Facilities and Infrastructure Committee.

COMMUNICATION - VICKY MORTON - PROPOSAL TO REPURPOSE GRANITE PIECES ON ISLAND STREET FOR USE AT THE SKATE PARK PROPERTY

A communication was received from Vicky Morton, requesting that the City move some of the leftover construction granite located on Island Street to the Skate Park to beautify the space. Chair Powers referred the communication to the City Manager.

COMMUNICATIONS - MONADNOCK INTERFAITH PROJECT; AND COUNCILOR RUTTLE-MILLER - IN OPPOSITION TO REVIEW OF LAND DEVELOPMENT CODE AMENDMENTS CODIFIED WITH THE ADOPTION OF ORDINANCE

The first communication was received from Tom Julius and Angela Pape of the Monadnock Interfaith Project, opposing amending O-2025-15-A, emphasizing the widespread impact of housing challenges across incomes and age groups. They oppose reopening the ordinance so soon, urging the City to allow time for its impact to be evaluated and to focus instead on other housing strategies identified in the 2023 City of Keene Housing Needs Assessment and Strategy report.

A second communication was received from Councilor Ruttle-Miller, in opposition to revisiting the Land Development Code amendments adopted under Ordinance O-2025-15-A, particularly the change allowing up to six dwelling units per lot in the Medium Density District. She indicates that insufficient time and data exist to evaluate the policy's impact and emphasizes that the amendment supports the City's housing goals and broader state data encouraging reduced development barriers. She urges the Council to rely on comprehensive data and long-term evaluation rather than anecdotal concerns when considering any changes.

Chair Powers noted that these communications were in reference to a pending item on the Planning, Licenses and Development Committee agenda, and were filed into the record as informational.

PLD REPORT - COPPER CANNON DISTILLERY - REQUEST TO PARTICIPATE IN THE KEENE FARMERS' MARKET

A Planning, Licenses and Development Committee report was read, unanimously recommending that the City Council grant permission to Copper Cannon Distillery to sell alcohol and provide individual product samples to patrons at the 2026 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: submittal of a signed letter of permission from the Keene Farmers' Market; obtainment of all necessary permits and licenses and compliance with all laws. A motion by Councilor Filiault to carry out the intent of the Committee report was duly seconded by Councilor Jones. The motion carried unanimously with 14 Councilors present and voting in favor. Councilor Greenwald was absent.

PLD REPORT - KEENE SWAMPBATS - REQUEST TO DISCHARGE FIREWORKS - INDEPENDENCE EVE CELEBRATION - JULY 3, 2026

A Planning, Licenses and Development Committee report was read, unanimously recommending the City Council grant a revocable license to the Keene Swamp Bats for the discharge of fireworks on Friday, July 3, 2026 at Alumni Field, with a rain date to be determined in coordination with City staff, subject to the licensing requirements identified in the staff report. All permissions granted herein are subject to compliance with the City-approved safety protocol document, which becomes a part of this license. A motion by Councilor Filiault to carry out the intent of the Committee report was duly seconded by Councilor Jones. The motion carried with 13 Councilors voting in favor and 1 Councilor voting in opposition. Councilor Chalice voted in the minority. Councilor Greenwald was absent.

PLD REPORT - ALANA FIERO/KEENE YOUNG PROFESSIONALS - REQUEST TO USE CITY PROPERTY - TASTE OF KEENE FOOD FESTIVAL - JUNE 6, 2026

A Planning, Licenses and Development Committee report was read, unanimously recommending that the City Council grant a revocable license to the Keene Young Professionals Network to use downtown City rights-of-way to conduct the Taste of Keene Food Festival on Saturday, June 6, 2026, subject to the licensing requirements identified in the staff report, including associated road closures and authorization of free parking. All permissions granted herein are subject to compliance with the City approved safety protocol document, which becomes a part of this license. A motion by Councilor Filiault to carry out the intent of the Committee report was duly seconded by Councilor Jones.

Councilor Ruttle-Miller asked whether Committee recommendations like these first five could be grouped into a mass motion when they are about the same types of events/situations (e.g., street fairs). The City Attorney replied that it could be a discussion for all the licenses together and noted that the recent adjustments had saved quite a bit of time already, but she heard the Councilor. Councilor Filiault said one reason they had not grouped license requests like these up to this point is because of unique road closures for each event. At the past week's meeting, he said they reduced the number of things that had to be said during each motion (and he welcomed further reductions) but reiterated that the footprints for each event are different.

04/16/2026

The motion carried unanimously with 14 Councilors present and voting in favor. Councilor Greenwald was absent.

PLD REPORT - PATHWAYS FOR KEENE - REQUEST TO USE CITY PROPERTY - 4 ON THE 4TH ROAD RACE - JULY 4, 2026

Councilor Jones recalled that he has a standing Conflict of Interest for this event and would be recused because he is on the Pathways for Keene Board.

A Planning, Licenses and Development Committee report was read, unanimously recommending the City Council grant a revocable license to Pathways for Keene to use City property and rights-of-way to conduct the 4 on the 4th Road Race on Saturday, July 4, 2026, subject to the licensing requirements identified in the staff report, including associated road closures and authorization of free parking. All permissions granted herein are subject to compliance with the City-approved safety protocol document, which becomes a part of this license. A motion by Councilor Filiault to carry out the intent of the Committee report was duly seconded by Councilor Williams. The motion carried unanimously with 13 Councilors present and voting in favor. Councilor Jones abstained. Councilor Greenwald was absent.

PLD REPORT - KEENE PRIDE FESTIVAL - REQUEST TO USE CITY PROPERTY - PRIDE FESTIVAL - SEPTEMBER 20, 2026

A Planning, Licenses and Development Committee report was read, unanimously recommending that the City Council grant a revocable license to Keene Pride to use downtown City rights-of-way to conduct the Keene Pride Festival on Sunday, September 20, 2026, subject to the licensing requirements identified in the staff report, including associated road closures and authorization of free parking. All permissions granted herein are subject to compliance with the City-approved safety protocol document, which becomes a part of this license. A motion by Councilor Filiault to carry out the intent of the Committee report was duly seconded by Councilor Jones. The motion carried unanimously with 14 Councilors present and voting in favor. Councilor Greenwald was absent.

FOP REPORT - ACCEPTANCE OF DONATION - TRANSPORTATION HERITAGE TRAIL

A Finance, Organization and Personnel Committee report was read, unanimously recommending that the City Manager be authorized to do all things necessary to accept a donation of \$20,000.00 from the Monadnock Conservancy and that the money be allocated for the Transportation Heritage Trail, Phase 1 (65M0008A). A motion by Councilor Chadbourne to carry out the intent of the Committee report was duly seconded by Councilor Roberts.

Councilor Chalice publicly acknowledged and thanked the Monadnock Conservancy. This is the second grant they have given the City free of charge to help the community, and Councilor Chalice thinks that this is a fabulous addition to the other work that they do in our region.

04/16/2026

The motion carried unanimously with 14 Councilors present and voting in favor. Councilor Greenwald was absent.

FOP REPORT - EXECUTION OF AN ENGINEERING SERVICES AGREEMENT FOR THE ROBIN HOOD IMPROVEMENTS DESIGN PROJECT

A Finance, Organization and Personnel Committee report was read, unanimously recommending the City Manager be authorized to do all things necessary to execute an agreement with CHA Consulting, Inc. for the Robin Hood Improvements Design Project for an amount not to exceed \$300,000. A motion by Councilor Chadbourne to carry out the intent of the Committee report was duly seconded by Councilor Roberts.

Councilor Favolise said he would be voting in support of this and was sure the rest of his colleagues would be. He privately did but also wanted to publicly thank City staff for the level of information and background that they included in this report. He said this was the most recent report that immediately succeeded the presentation from staff around how the City selects contractors and about what that scoring process looks like, so he appreciated the background being there. Councilor Favolise said it spoke for him to the relationship that staff are trying to build with Council in terms of collaboration and transparency. He knew that his constituents appreciated being able to find some additional information about how these decisions are made as well, so he said, “thank you.”

Councilor Haas called this a great project and the kind of thing that makes Keene special and will continue to make it special into the future. He asked City Parks and Recreation staff to really ramp up the communications on this project. He said everyone had learned a lot about the Skate Park parking lot, but he said not everybody pays as much attention as the Council. He thought it would be great to have displays or meetings in the Park itself to communicate exactly the plans being explored and differentiate the good/bad ideas and what might end up happening. He said people are often confused because they do not go to every meeting or read every communication. Councilor Haas looked forward to improving communication for this. The City Manager appreciated the suggestion and said communication is always really the crux of the issue. She thought these were good suggestions for how to communicate more. She believed the design was complete for this project, so communications could begin about what work is planned and when.

The motion carried unanimously with 14 Councilors present and voting in favor. Councilor Greenwald was absent.

FOP REPORT - CONSTRUCTION SERVICES — WASTEWATER TREATMENT PLANT TANK REPAIR PROJECT PHASE 1

A Finance, Organization and Personnel Committee report was read, unanimously recommending the City Manager be authorized to do all things necessary to negotiate and execute a sole-source professional services contract with Weston and Sampson Engineers, Inc., for construction-phase services for the WWTP Tank Repair Project - Phase 1 for an amount not to exceed \$104,000.00. A motion by Councilor Chadbourne to carry out the intent of the Committee report was duly seconded by Councilor Roberts.

Councilor Ellis went with her family to the Wastewater Treatment Plant (WWTP) Open House and said they gave an outstanding tour, and the City staff person they spoke with was so knowledgeable. Her whole family really enjoyed it, and her husband was surprised by how interested he was. Councilor Ellis thinks the wonderful staff at the WWTP are doing a great job there and she thanked them.

Councilor Haas said he could not miss this opportunity to reemphasize an issue that came up during summer 2025, which was the people using the roadway to the WWTP [to view wildlife]. He said there were apparently still difficulties with their behavior, so he encouraged everyone to help enforce staying out of the road, not parking cars in the middle of the road, or other bad habits. He explained that it is where the trucks go through for the WWTP and there are some turns where it is hard to see. Councilor Haas said they would not want to lose this as a beautiful place to go for wildlife observation and nature itself. He heard that it had not been good from people at the WWTP. Councilor Ruttle-Miller asked whether there was formal documentation of these instances. She was not saying that she did not believe that it was happening; she was sure it was. She wondered whether it was the same person each time, for example. City Manager Elizabeth Ferland replied that she could get more information, and she was not sure how the WWTP was tracking it: whether anecdotal or tracking. The City Manager guessed they were keeping track because there was a very long conversation about closing this area and if this continued to be an issue that the WWTP staff would be back. The City Manager said she would get more information.

The motion carried unanimously with 14 Councilors present and voting in favor. Councilor Greenwald was absent.

FOP REPORT - EXECUTION OF A CHANGE ORDER FOR CONSTRUCTION SERVICES FOR THE CITY HALL PARKING GARAGE PROJECT

A Finance, Organization and Personnel Committee report was read, unanimously recommending authorizing the City Manager to do all things necessary to negotiate and execute a contract change order with Structural Preservations Systems, LLC for an amount not to exceed \$120,000 for the City Hall Parking Garage Rehab Project (22M006AA). A motion by Councilor Chadbourne to carry out the intent of the Committee report was duly seconded by Councilor Roberts. The motion carried unanimously with 14 Councilors present and voting in favor. Councilor Greenwald was absent.

CITY MANAGER COMMENTS

The City Manager corrected an earlier comment she made related to Robin Hood Park, noting there are still some design decisions to be made and the opportunity for some additional outreach. There would probably be a committee similar to what was used during the Pat Russell Park process. She said some things are pretty well decided, such as whether to have the pool, but there were still opportunities for some other changes in the park.

Next, City Manager Ferland reported that OpenGov had gone live. The Community Development Department was celebrating this big undertaking. The City Manager thought the

public would really enjoy it, calling it a great portal that makes it easier for residents, businesses, and contractors to work and interact with City staff. The City Manager tried it and said it does make things a lot easier. She specifically recognized Fire Marshal / Building Official Rick Wood and Community Development Director Paul Andrus, as well as their teams, for leading this effort and helping to bring departments together around a one-City approach. She said the more that it happens, the better off we all are. Like every project, the City will continue fine tuning this with feedback and will be looking for ways to incorporate it more throughout the organization. This initiative is not just about improving technology; it also reflects the City's approach to customer service.

City Manager Ferland shared kudos for the Community Development Department receiving feedback from a contractor working with New England Clean Energy, "I have been doing this for almost 20 years, and I can't say I have ever seen a more responsive department." The City Manager said it is huge to get that kind of feedback, so kudos. A shoutout to the team that worked on that permit: City Planner, Emily Duseau, Planning Technician Rob Burns, and Building Inspector, John Hislop. The City Manager said it is great to see them taking these initiatives to engage and try to be more responsive problem solvers. She called it wonderful.

The City Manager also pointed out a press release for the Arbor Day Foundation. The City has been participating for 50 years (2025 was the 50th year). This year, the City's Arbor Day activities will be on Friday, April 24, 2026 at 11:00 AM. Every year, the City plants a tree, usually with students from a school, which would be happening again this year. The Mayor will read a Proclamation and visit with students. Councilors are encouraged to attend if interested: on School Street toward Court Street.

Lastly, the City Manager announced Community Night on August 18, 2026 from 4:00 PM to 7:00 PM. This year, the festivities are moving a little bit further down the parking lot toward Public Works to mitigate some of the impacts last year to Keene Ice parking lot users; Community Night draws a large crowd and tends to take over that space, and the City wants to be respectful. There will be the usual Touch-A-Truck with a lot of City equipment and vehicles, which is always popular with the kids. There are also free hot dogs, burgers, and ice cream. The City Manager said Public Works does a fabulous job and she looks forward to another great crowd this year.

RESIGNATION - CONSERVATION COMMISSION

A memorandum was read from Senior Planner Mari Brunner, recommending the City Council accept the resignation of Katie Kinsella from the Conservation Commission with gratitude for her service. A motion by Councilor Filiault to accept the resignation with gratitude for service was duly seconded by Councilor Jones. The motion carried unanimously with 14 Councilors present and voting in favor. Councilor Greenwald was absent.

MORE TIME - PLD REPORT - REQUEST TO REVIEW RECENT AMENDMENTS TO LAND DEVELOPMENT CODE - CODIFIED WITH THE ADOPTION OF ORDINANCE O-2025-15-A

A Planning, Licenses and Development Committee report was read, unanimously recommending placing “Councilors Filiault, Jones, and Haas - Request to Review Recent Amendments to Land Development Code - Codified with the Adoption of Ordinance O-2025-15-A” on More Time.

Before granting more time, Chair Powers stated he understood there might be a desire to call this item from the Planning, Licenses and Development (PLD) Committee for discussion. Considering that, he looked to the PLD Committee Chair for a motion to grant More Time.

A motion by Councilor Filiault to grant More Time was duly seconded by Councilor Jones.

Councilor Filiault said there had obviously been a lot of chatter about this over the past couple of weeks, some accurate and some not. He stated that the reason the PLD Committee was asking for More Time was honestly to allow further input from concerned citizens who had asked for it. During his 27 years as a City Councilor, he said the Council had never refused a Council Committee’s request to grant More Time; he went through the history. He said once again, the biggest reason for More Time would be to allow more public input from those who wanted to speak. To be clear, he said this is not about opposing additional housing units. He knows the City needs more housing just like everybody on the Committee knows it, noting that it was not the issue. Councilor Filiault stated that there were some issues with the Ordinance, which some of the neighbors saw after the fact and wanted to know how it would affect their neighborhoods. So, they asked for the review, and he said the Council owes them that: right? Councilor Filiault said that it did not mean the Ordinance would go to Committee and come back to the Council totally different. However, he said the Council owed the citizens who wanted to speak a chance to speak. Regarding More Time, he recalled a few months prior, when the previous City Council and Municipal Services, Facilities and Infrastructure (MSFI) Committee heard about the issue of a small green space on Church Street. He was vice chair of MSFI at the time, when they voted unanimously to sell that piece of land to an abutter. However, he said when it was time, mostly neighbors and some City Council wanted a second chance to speak about it. So, despite the unanimous MSFI vote to sell, the Council listened to the neighbors and put it on More Time. He said that it went on More Time for several months and in the end, the MSFI Committee reversed its unanimous decision and went with the neighbors’ request, and now it is green space handled by the neighbors. Councilor Filiault said some of those same neighbors contacted him asking for More Time again because they feel this Ordinance will affect their neighborhood, with several six-unit buildings in a row. He said they wondered if they could lose their green space to parking, and he could not give them an honest answer at this point. He suggested More Time to get those questions answered. Above all the issues by this Council, Councilor Filiault said it is imperative to allow input requested by the constituents. He stated that some Councilors could say they had heard enough but Councilor Filiault said they had not; if a handful of constituents still have something to say, who are Councilors to say they have heard enough? He said they are elected to listen to everybody. He called the reason for More Time simple: so that constituents have a second chance to bring this up just like they did to the MSFI Committee (i.e., with the green space). Councilor Filiault reiterated that the Ordinance may come back to Council in its original

form, and if so, he is fine with that. However, he said the constituents had not given input yet. Councilor Filiault said Councilors are elected to listen, so this should go on More Time.

Councilor Workman stated she wanted to make several points after reviewing the PLD Committee meeting, at which she thought almost everything that needed to be said was said. First, Councilor Workman was surprised this letter even went to Committee. She was shocked that it was authored by three members of the PLD Committee. Councilor Workman said it had one signature, but three people's names, and in her opinion, it was authored by three people. She was skeptical relative to the reasoning provided at PLD for how that letter got through and was submitted as an original communication. For that reason alone, Councilor Workman thought this was "beating a dead horse." More importantly, Councilor Workman said there is no reason for this Ordinance to be revisited at this time: there have been no new developments and the Council heard from the public at length many times during fall 2025 before voting on this. Councilor Workman also heard a question about Councilors being confused when voting on this Ordinance. For the record, she stated that she was not confused then and is not confused now. She further noted she was unaware of other Councilors receiving any bulk communications from the community, as is typical for important issues, since the Ordinance passed in fall 2025. She continued that Councilor Ruttle-Miller pointed out at PLD that as a PLD member she had not received any correspondence. Councilor Workman added that the constituents who spoke at the most recent PLD Committee meeting were in support of the Ordinance. She said those members who might have been contacting Councilor Filiault in opposition of the Ordinance had their opportunity the prior week at PLD to come forward and make that known.

A motion by Councilor Workman was duly seconded by Councilor Williams to amend the motion for More Time currently on the floor, to instead accept the communication that was signed by Councilor Filiault, and written by Councilors Filiault, Jones, and Haas as informational.

Councilor Ellis had heard two different reasons why there is a problem with this Ordinance and felt uncomfortable that there were two different reasons going around. She heard that there was impropriety with the way that the Ordinance was created, but the City Attorney had stated there was not. Councilor Ellis had not received any communications about this and thought it was inappropriate to question an Ordinance that was so recently passed when nothing had even been proposed to show any type of effect. She did not think there was any sense in rehashing this so soon; she was unsure that the votes would be different. If the Council was going to discuss this again, Councilor Ellis thought it should be at a later date once there had been more time (maybe one year or two) to see what may happen with this Ordinance.

Councilor Haas wanted to keep the issue active and vote on the question of whether More Time should be granted and not take it as informational. As far as the public advice and notice, he said there were a couple things wrong with this Ordinance that he would talk about after the amendment. Councilor Haas suggested getting back to discussing and voting on the original question of whether this should go to More Time, not whether it should be accepted as informational.

Councilor Williams was in favor of this amendment. In general, he said he is very proud of the work the City and City Council has done on housing over the past six years since he has become Councilor. He did not feel the Council should start backtracking now, and he thought that is what More Time would be. Councilor Williams said there are a lot of things still outstanding that need to be done. To spend City staff time going down this rabbit hole, after spending quite a bit of time in this rabbit hole, he did not find it to be a use of staff time; this includes preparing a next meeting, for which things have been requested as a part of More Time and then assuming that it goes on step after step. He said the Council had been through this and it would not be a good use of staff time, when there are other priorities: Councilor Jones suggested something about Commercial Nodes and making smaller commercial areas more prosperous, former Councilor Andrew Madison would remind the Council that it has yet to act on short-term rentals, and Councilor Williams' constituents keep reminding him that the Kingsbury property is "still a big 22-acre black hole in the middle of [the] City." He reiterated other priorities and said that the Committee should not be spending time revisiting issues that it already spent quite a lot of time on. Councilor Williams recommended that everyone vote for this amendment. He said then, if Councilor Filiault is inclined to introduce this again in 2027, after some time has passed and there has been a chance to see what this Ordinance is actually doing, the Committee could discuss it then.

Councilor Favolise noted that as happens so often in this space, compelling points had been raised on both sides of this question. He explained that his thinking on this vote was not informed by the way he voted on the Ordinance originally, nor was it informed by any arguments about the merits of the Ordinance as it stood on this day. He kept coming back to the precedent question of what this Council had done during the two years that he had been on Council, when the majority of the committee requests for More Time had been, without incident, granted More Time. So, he said his vote against the pending amendment and in favor of the underlying motion would be based on that precedent. However, he said that is not necessarily an indication and should not be construed with how he will vote on this moving forward when the Council returns to the underlying question of the Ordinance and its merits.

Councilor Ruttle-Miller recalled noting during the PLD meeting that she had not been contacted by any residents about this. She wanted to note that since then, she was contacted by one resident about this issue, who asked for the Council to vote against More Time on this because he feels like it is wasting the City's time. Councilor Ruttle-Miller said that is also how she feels. She understands that she is a newer Councilor but feels there will always be pushback from certain members of the community who are not in favor of the way certain votes have gone; there will rarely be a situation when everybody is in favor of something. She thinks it is a City Councilors' job to help explain what zoning changes do, what the implications are, and that people do not necessarily have to fear these changes. She said that Councilors do not want to encourage additional fear around these zoning changes that the Council is making to help rezone certain areas. Councilor Ruttle-Miller said it is directly in the Master Plan that these are a part of the City's goals to rezone pre-existing areas and use existing housing. She understood that there was precedent here but felt like this was not in the spirit of what the community is trying to do.

Councilor Tobin had thought about this a lot. She agreed with Councilor Filiault that it is important to listen to constituents. She also felt like the question had since changed. She said the

Committee was in the process of hearing feedback about an Ordinance, so now she would expect to hear feedback about the impact of that Ordinance taking effect, but it really had not had enough time to take effect yet; it had not really been used. In order for Councilor Tobin to feel comfortable granting more time, she said she would need a couple of things. She felt like it would be disrespectful and not an efficient use of time to go back and redo the work that was completed before having seen what the impact of this will be. Councilor Tobin said she watched all the original discussions about this topic and did not hear any new information presented or communicated at the last PLD meeting. She would need new information in order to think it was worth warranting More Time. She added that she would need to know a clear goal or clear reason for More Time, so that staff could do something. Councilor Tobin said she made a list throughout the course of the last PLD meeting of possible uses of More Time: possibly rescind the Ordinance, revise the Ordinance, divide it into multiple ordinances, and break down the meaning of each step. Then, Councilor Tobin felt like she was hearing a different use for More Time being proposed during this meeting that was public input, which she said occurred before the Ordinance was in effect. Now that the Ordinance was in effect, it seemed like wanting to have a discussion about something else. So, the Councilor was unclear what this was about and was struggling to justify More Time.

Councilor Jones said there had been a dark cloud hanging over this Ordinance since it was initiated, and he had a list of reasons, but said this was not the Ordinance, it was about the amendment to accept it as Informational vs. More Time. Councilor Jones wanted to remind the Council that this could be futile because the way it was presented to the Council was as a slight amendment. He said that by accepting this motion to amend and accept the letter as informational, any Councilor could send the issue back to Council again in two weeks; they could also ask for reconsideration, which he said was never mentioned in the original letter. He said this could go on once again, so he asked: why make that effort and accept it as informational? He did not know why to do that when those who want to see it addressed to the public could do it. Councilor Jones wanted to add that City staff told the Committee that they could use More Time to clarify the Ordinance better and he said they asked the Committee for direction about what to clarify. He said staff mentioned there are good ways they could clarify the Ordinance to make it better for the public. So, Councilor Jones said there would be a good use of denying the Informational amendment to go with More Time.

Councilor Haas said that the amendment to accept this as Informational, thus taking it away from More Time, would stifle free speech. He felt like there was a proper motion made for More Time and another motion that jumped on top of it in parliamentary procedure to shut that off. Councilor Haas said that it would not look good in anybody's eyes and the Council would not look good for that. He hoped the Council would defeat the amendment and understand why More Time is needed. Councilor Haas cited the reason why, at the PLD Committee meeting, the Committee felt it did not have the answers for whether it should look at the Ordinance further. He said this is about looking at it further; it is an Ordinance that anybody could use at this time. Councilor Haas said it would take many more steps for this to get to the point of it becoming a change of sorts. Councilor Haas continued, explaining that the reason this came up is because it was originally a 2–2 vote out of the PLD Committee, which he said is essentially interpreted as a denial. Then, it went to Council, and it was only an 8 to 7 passing vote. Councilor Haas said that makes this a question, and three of the PLD members who voted on the Ordinance are no longer

on the sitting City Council. Councilor Haas said there is not a new Ordinance at all, but those are the sorts of reasons for people wanting to re-examine the Ordinance. He recalled that there were four disparate pieces bundled into one Ordinance, which he called unfortunate, and said the Council probably should not have let that happen at the time. He said Councilors were faced with liking some parts but not others when voting. Councilor Haas noted that is not how the Council should write ordinances and hopefully they will be more specific in the future. He said there was a whole other reason people were overriding this due to them being uncomfortable with the process at the time, but Councilor Haas noted the City Attorney gave the PLD Committee some clarity on that. With most things in the public eye, Councilor Haas said there is a lag between the public hearing about it, reacting to it, and then speaking to it. So, he thought there would be a lag and that it may take a couple of meetings. He suggested the idea of having this issue on More Time for a couple of meetings and then it could come back to Council in whatever way the vote may go; he said they will have heard arguments that make it more reasonable. Otherwise, Councilor Haas said it looks like the Council is silencing people and that made him incredibly uncomfortable.

Councilor Chadbourne heard good points for both sides. She received one communication by phone and two in the grocery store. She said that for her it is simple, it is black and white; everything else is a shade of grey. Councilor Chadbourne said the Council is elected by the people and if the people want to hear about the issue again then the Council hears it again. That is all.

Councilor Ruttle-Miller said that at this point, she was more apt to vote for more time because she felt like if this meeting was going like the way the last PLD meeting did—where everybody showed up against removing this—in addition to the communication she received, she said it seemed to land in favor of opposing any sort of amendment. So, at this point, if the questions were (1) silencing the majority of these people that most of the Council had not heard from, or (2) continuing to have conversations at PLD, Councilor Ruttle-Miller said she guessed she would change her mind and vote for More Time. She said “that is not the question here, that wasn’t the question: there is no silencing people. People can communicate with the City and us as Councilors whenever they want. That is what we’re here for. But if people feel silenced, we’re totally here to hear it again. So, I’ve changed my mind.”

Councilor Workman reminded the Council that if this communication were to go back to the PLD Committee, it would be going to a Committee that three of the authors sit on: a majority. Councilor Workman stated again, the public had their opportunity to speak. We’re not silencing anybody. They had an opportunity to raise a point again back in the summer and fall of 2025 when this was being debated and deliberated, and then they had an opportunity for the last two weeks to reach out to 15 of us and we know as Councilors. I’ve been on Council since 2020. We get the mass emails when something’s really important to someone. They cc all 15 of us, the City Clerk, usually the mayor. We did not receive any of that, so I know because I didn’t receive it, so I know it didn’t go out as a whole to the 15 of us and the Mayor, like most things do when the community feel strongly about it one way or another.” Councilor Workman asked her colleagues to keep that in mind. She felt that this discussion was monopolizing a majority of the Council meeting and wasting resources and staff time. She hoped everyone would support the amendment.

Councilor Filiault noted that he strictly follows and never deviates from Decorum and the Rules of Order. Councilor Filiault said, “we all know, maybe the newer Councilors don’t realize it, when something is accepted as informational, it means ‘trash can.’ We all know that. Accepted as informational, and it’s gone.” Councilor Filiault thought that More Time would at least allow conversation. He said they all hear from different people because they have varied connections. Councilor Filiault noted that not all constituents send out mass emails to all Councilors. He heard one example to give the Ordinance another year, so he returned to the example of the greenspace on Church Street, which was overturned it based on allowing more time for people that hadn’t had a chance to speak yet. We could have said you’ve had three months to speak on this. We don’t need to hear anymore. We’re the City Council; we know better. This is a perfect example of that. Councilor Filiault said the Council was here to listen. He urged the Council to grant more time to allow them to listen to the people that they represent.

Councilor Workman heard the question about the precedent of More Time vs. Informational. She asked the City Attorney about the precedent or whether there had ever been a communication submitted to the City Council written by three members of the same Standing Committee. The City Attorney did not have that information in front of her. She couldn’t think of anything like it or anything directly analogous.

On a roll call vote with 6 Councilors voting in favor and 8 Councilors voting in opposition, the amendment failed to accept the communication that was signed by Councilor Filiault, and written by Councilors Filiault, Jones, and Haas as informational. Councilors Workman, Lake, Tobin, Williams, Ruttle-Miller, and Ellis voted in the minority. Councilor Greenwald was absent.

Councilor Filiault called the question on matter of More Time and Councilor Haas requested a roll call vote.

On a roll call vote of 7 Councilors voting in favor and 7 Councilors voting in opposition, the motion to grant More Time failed. Councilors Filiault, Chalice, Favolise, Jones, Roberts, Chadbourne, and Haas voted in favor. Councilors Workman, Lake, Tobin, Williams, Ruttle-Miller, Ellis, and Powers voted in opposition.

City Attorney Palmeira explained that the motion for more time having failed (as a tied vote), it would effectively no longer be on more time at PLD, which puts it before the City Council. She said the City Council could accept this item fresh as informational or make another motion, such as tabling the item until when there are more Councilors present (i.e., a later City Council meeting).

A motion by Councilor Filiault to postpone this item to a time definite (60 days) to allow more input and maybe gather in more information in the meantime was duly seconded by Councilor Jones.

Councilor Lake asked for clarification on what this motion is. The City Attorney said the typical rule is to set to a date definite that is selected, which is usually the next meeting or could be a couple of meetings out (that would be specific enough). The City Clerk asked for a specific date.

Councilor Filiault said he just wanted to follow up on the reason. He knew some Councilors had said they did not hear from people and Councilor Filiault said this would give them time to hear from people. He said that if Councilors come back in the meantime and do not hear from anybody, “so be it. I have a feeling that you’re going to be hearing from people and a significant amount. You don’t hear from anybody, you come back, and I’ll say you were right.” He felt there were enough people out there. He used the green space example again: “We thought we were done. Then we found out the last second, people spoke up, and [we] reversed it.” If nobody speaks up on this Ordinance, Councilor Filiault said “so be it. But I think by at least tabling like this, it allows people to speak up and come out like Council, Chadbourne said. Some people came out the last couple of days and spoke up. Give the constituents a chance. Trust them.” Councilor Filiault said two more meetings would give constituents enough time.

Councilor Tobin asked if there was a way to clarify what the topic of postponing this is: is it amendments to particular aspects of the Ordinance or just talking about the process? Chair Powers said the whole Ordinance that was discussed at the PLD Committee meeting would be before the Council and based on what the majority decides, it would go from there. Councilor Tobin said one thing that felt a little confusing to her was that the letter cited recent changes and specific sections in the Land Development Code, and those did not seem to be the exact topic of the Committee’s conversation. She said the discussion seemed to be the Ordinance, so she asked if it was about the Ordinance. The City Attorney replied that because discussing an item submitted by somebody to City Council that had not been acted on or changed in any way, that letter is the item the City Council is acting upon. To clarify, she said that it would just need to be the authors that either resubmit it or added something else to it. But traditionally, when something gets submitted to the Council, they take it as it comes to them (i.e., the letter).

Councilor Favolise asked a process question. He was not sure that short of voting in favor of this motion in front of the Council right now that there would be an unlimited number of motions that could continue to be offered on the floor by Councilors. He said there had been a vote not on the underlying question itself of Informational, but he thought essentially a proxy vote for whether or not the Council wanted this as Informational. He said they also had a vote about More Time. Neither one of those moved forward. So, he said the Council was now in a place of needing to dispense with the item in front of them. He did not know that there was a better alternative that had not already been tried tonight that was going to move the Council forward from this item and onto the remainder of the Agenda. Councilor Favolise said the vote now for him was less about what he thought about the merits of this Ordinance—it was not even really at this point about what he thought about the merits of More Time. He said the item needed to be dispensed with and he was not sure there was another motion out there that was going to be able to get a majority. Councilor Favolise said the Council could be here for quite some time; there was no limit to the number of motions that could be made on this moving forward.

Councilor Williams asked whether the motion to postpone definitely is debatable. City Attorney Palmeira said that a second is required, it is debatable, and it requires a simple majority vote.

Councilor Ruttle-Miller said one thing that came up a couple of times that she was fairly shocked to hear was that people voted on something that they were apparently confused about; so far it seemed to her like nobody had been confused. As a new Councilor, she encouraged anyone not

to vote “yes” on something that they are confused about. If that was something anyone did, she asked them not to do that this time or in general. She said that it was a shocking statement to hear Councilors would vote on something they were confused about the outcome of.

Councilor Haas said Councilors are all obliged to vote based on the information that they have when they come into the Council Chambers; there is no abstaining. He stated that sometimes “yes” means “yes,” and “no” means something as definite as “yes.” He said he respects everybody and they come in with the information they all have; nobody has complete absolute information. Councilor Haas clarified that the Council was not voting on the Ordinance; the letter never said to vote on the Ordinance. He said all they asked for from the PLD Committee was more discussion and information about the Ordinance. So, he hoped the Council would table it and come back to it appropriately. Councilor Haas said that if they come back and there is no more information and no new light to be shown on the processes they went through with the 8–7 votes and tie votes—which he said the Council does not like and they should be more aligned with each other—maybe they need to step back and think a little bit more about what they misunderstood. He knew most of the PLD Committee members’ minds were not made up on this as an Ordinance. He said the Ordinance was passed, so be it; he asked if it is worth shedding some light on it again with how the votes went? He supported tabling it to a more appropriate time.

Councilor Chalice confirmed that this was proposed to be delayed for two Council meetings. She asked whether it could be discussed at PLD Committee meetings during that time. The City Attorney said no. Councilor Chalice said it would just be held for the Council’s decision for two City Council meetings. The City Attorney said that was correct. Councilor Chalice said there was not More Time by doing that because there would be no discussion.

On a roll call vote with 13 Councilors voting in favor and 1 voting in opposition, the motion carried to postpone definitely (two Council meetings from this date which is May 21, 2026). Councilor Workman voted in the minority. Councilor Greenwald was absent.

Councilor Filiault stated that he knew this was hard fought and he appreciated everybody’s input and thoughts.

ORDINANCE FOR FIRST READING - RELATING TO DELINQUENT ACCOUNTS - ORDINANCE O-2026-05

A memorandum was read from Public Works Director Don Lussier, recommending that Ordinance O-2026-05 be referred to the Finance, Organization & Personnel Committee for their consideration and a recommendation back to the Council. Chair Powers referred Ordinance O-2026-05 to the Finance, Organization and Personnel Committee.

ORDINANCE FOR SECOND READING - RELATING TO CHAPTER 30 - EMERGENCY MANAGEMENT -ORDINANCE O-2026-04

A Finance, Organization and Personnel Committee report was read, unanimously recommending the adoption of Ordinance O-2026-04. A motion by Councilor Chadbourne to adopt Ordinance

04/16/2026

O-2026-04 was duly seconded by Councilor Roberts. The motion carried unanimously on a roll call vote with 14 Councilors present and voting in favor. Councilor Greenwald was absent.

ORDINANCE FOR SECOND READING - RELATING TO PERSONNEL - ORDINANCE O-2026-06

A Finance, Organization and Personnel Committee report was read, unanimously recommending the adoption of Ordinance O-2026-06. A motion by Councilor Chadbourne to adopt Ordinance O-2026-06 was duly seconded by Councilor Roberts. The motion carried unanimously on a roll call vote with 14 Councilor present and voting in favor. Councilor Greenwald was absent.

NON-PUBLIC SESSSION

A motion by Councilor Filiault was duly seconded by Councilor Jones to go into non-public session for personnel matters pursuant to RSA 91-A:3, II(a), legal matters pursuant to RSA 91-A:3, II(L), and consideration of the release of non-public minutes pursuant to RSA 91-A:3, II(m). The motion carried unanimously on a roll call vote with 14 Councilor present and voting in favor. Councilor Greenwald was absent.

At 8:25 PM, Chair Powers called a five-minutes recess. At 8:30 PM, the non-public session began. The public session reconvened at 9:10 PM.

A motion by Councilor Filiault to seal the minutes of the non-public session held this evening as divulgence of the information would render the proposed actions ineffective was duly seconded by Councilor Jones. On a roll call vote, 14 Councilors were present and voting in favor. Councilor Greenwald was absent.

A motion by Councilor Filiault was duly seconded by Councilor Jones to unseal the following non-public minutes related to land matters because the reason the minutes were originally sealed no longer applies: Item 1 discussed on July 18, 2024, items 2 and 4 discussed April 3, 2025, and minutes of August 21, 2025. The motion carried unanimously on a roll call vote with 14 Councilor present and voting in favor. Councilor Greenwald was absent.

A motion by Councilor Filiault was duly seconded by Councilor Jones to retain the following non-public minutes because the reason the minutes were originally sealed still applies: The minutes of February 15, 2024 and May 16, 2024, Items 1, 3 and 5 discussed on April 3, 2025, and item 2 discussed on September 4, 2025. The motion carried unanimously on a roll call vote with 14 Councilor present and voting in favor. Councilor Greenwald was absent.

ADJOURNMENT

There being no further business, Chair Powers adjourned the meeting at 9:14 PM.

A true record, attest: 
City Clerk