

SITE VISIT - PUBLIC HEARING - RESOLUTION R-2026-37: RELATING TO THE ALTERATION OF THOMPSON ROAD

A site visit was held on Thursday, September 17, 2026, relative to a petition from Donald Lussier, Public Works Director to alter the layout of Thompson Road, a Class V highway. The site visit commenced at 5:30 PM. Councilors in attendance included: Randy L. Filiault, Michele A. Chalice, Catherine I. Workman, Bryan J. Lake, Jacob R. Favolise, Laura E. Tobin, Robert C. Williams, Edward J. Haas, Molly V. Ellis, and Mitchell H. Greenwald were present. Councilors Philip M. Jones, Kris E. Roberts, Bettina A. Chadbourne, Laura E. Ruttle-Miller, Thomas F. Powers were absent. Mayor Jay V. Kahn, City Clerk Terri Hood, Deputy City Clerk Kathleen Richards, City Attorney Amanda Palmeira, Deputy City Attorney Brandon Latham, Public Works Director Donald Lussier, and City Engineer Bryan Ruoff were also present.

The alteration was deemed necessary by the Public Works Director because it was realized during the recently completed Thompson Road Stabilization project that the traveled path of Thompson Road did not fully align with the Right-of-Way as it was originally laid out by the City Council. In two locations, the paved portion of the road actually encroached onto the abutting properties. In addition, the construction of retaining walls as part of the stabilization project required additional right-of-way width. The proposed alteration, which was already completed, added a total of 5,098 square feet (+/-) to the public right-of-way and incorporated all public infrastructure into the layout.

With the aid of a drawing from Bailey Associates entitled “Thompson Road, Keene N.H., Right of Way Boundary Plan, Land Located along the Branch River,” and dated 3/1/2025, the Public Works Director oriented the Councilors as to the location of the Thompson Road Stabilization project. He said that in a nutshell, Thompson Road was originally not built in the location that the Council had agreed on. Not only was it not built in the correct location, but it was also not built as wide as specified (33 feet, which he later explained is 2 rods).

Councilor Haas asked when the road was originally constructed. Mr. Lussier said it was in the 1800s and he would get back to him about that later.

Mr. Lussier went on to explain that the three tracts of land that were altered recently during the stabilization project were intending to correct the historic record. He explained that Tract 1 (which according to the drawing is named Proposed ROW Taking #1 on the plan and contains 1,795 square feet, more or less) is owned by Mrs. Walker. Mrs. Walker was in attendance at the Site Visit. Mr. Lussier went on to explain that Tract 2 and 3 (which according to the drawing are named Proposed ROW Taking #2 on the plan and contains 699 square feet, more or less and Proposed ROW Taking #3 on the plan and contains 2,604 square feet, more or less) are owned by Mr. and Mrs. Ball.

Mayor Kahn asked if the property owners are in agreement with what we will be offering them (in compensation). Mr. Lussier said yes.

Councilor Lake asked for a clarification about where Tract 1 starts and Mr. Lussier pointed to the location and explained the old right-of-way location and the new right-of-way location.

09/17/2026

Mayor Kahn asked if the recent project required any tree removals. Mr. Lussier said two old oaks were removed from Mrs. Walker's property. She is being compensated for that removal in the compensation portion for Tract 1.

Mr. Lussier went on to explain that Thompson Road used to be 12.5 feet wide and it is now 18 feet wide. Councilor Favolise asked if the homeowners will traverse the road in the same way we are today. Mr. Lussier said yes, because the road improvements are already completed.

Councilor Tobin asked what was meant by matching the historic record. Mr. Lussier said that is matching the lines of the road defined by the City Council in the 1800s. It was not intended that the road would be constructed and run in and out of private property, but that was what happened. Now the City ROW is matching where the road is actually built.

Councilor Ellis asked what was meant by the 33 feet. Mr. Lussier explained that 33 feet equals 2 rods which is what the full width the road should be including the shoulders, guard rails, and retaining walls.

The Mayor asked how many properties are located on Thompson Road. Mr. Lussier said three are affected by the right-of-way changes and there are other property owners on the road.

The site visit concluded at 5:43 PM.

A true record, attest:


City Clerk

A regular meeting of the Keene City Council was held on Thursday, September 17, 2026. The Honorable Mayor Jay V. Kahn called the meeting to order at 7:01 PM. Roll called: Randy L. Filiault, Michele A. Chalice, Catherine I. Workman, Bryan J. Lake, Jacob R. Favolise, Laura E. Tobin, Robert C. Williams, Kris E. Roberts, Bettina A. Chadbourne, Edward J. Haas, Laura E. Ruttle-Miller, Molly V. Ellis, Thomas F. Powers, and Mitchell H. Greenwald were present. Philip M. Jones was absent. Councilor Ellis led the Pledge of Allegiance.

MINUTES OF THE PRECEDING MEETING

A motion by Councilor Greenwald to adopt the August 6, 2026 minutes was duly seconded by Councilor Powers. The motion carried unanimously with 14 Councilors present and voting in favor. Councilor Jones was absent.

ANNOUNCEMENTS

Mayor Kahn announced upcoming dates of interest in September 2026 and October 2026:

- All of September:
 - NH Recovery Month. Mayor Kahn thanked people from the Serenity Center and State Representative Jodi Newell for having organized a moving event at Ashuelot River Park in honor of those who perished to addiction and those having recovery success
 - Childhood Cancer Awareness Month
- September 17, 2026 to September 23, 2026: Constitution Week, with New Hampshire having had the honor to cast the 2/3-vote to pass the U.S. Constitution
- Friday, September 18, 2026: U.S. Air Force 79th Anniversary. The Mayor thanked all who served.
- September 13, 2026 to September 19, 2026: Disability Support Professionals Week. The Mayor said there was a ceremony with Monadnock Developmental Services at their staff recognition picnic, and Mayor Kahn provided a Proclamation dedicating the beginning of the week, September 13, 2026, as a day honoring their service.
- SAU 29 celebrated a week dedicated to honoring those who provide the service and those who benefit from the service of adult literacy
- Sunday, September 20, 2026: Keene Pride Festival from 12:00 PM to 6:00 PM
 - There were events scheduled throughout the week. The Colonial Theater would have a production on Saturday night and on Sunday. The parade and the Festival would move to the downtown area and be hosted by Keene Pride, so Mayor Kahn said folks in the City would hopefully join those in the community to honor that week and in particular the Festival they organize. He said they put a lot of time and effort into it.
- September 26, 2026: Keene International Festival from 11:00 AM to 2:00 PM
 - Mayor Kahn called this another highlight of the year. He encouraged everyone to join those who give a more diverse side to our community and provide food and entertainment at another very well-organized event.
- Sunday, September 27, 2026: Clarence DeMar Marathon

- The Mayor called this another well-organized event. There are runs for kids and seniors, with festivities kicking off at 7:00 AM. He thanked all from the City who take up service to help these organizations be successful with their events.
- October 4, 2026 to October 10, 2026: Fire Prevention Week
 - Chief Seymour would be hosting the Fire Prevention Parade on October 4, 2026 at 1:00 PM. There would be a viewing station for Councilors on Main Street near Cherry Garden.
- October 8, 2026: The Annual Fireman's Dinner volunteer event at 6:00 PM. The Finance, Organization and Personnel Committee meeting that evening will be canceled to allow all Councilors to attend.
- October 26, 2026: Keene State College will present “Orchestra with Concert Choir” at 7:00 PM in the Redfern Arts Center Main Theatre, featuring René Clausen’s Memorial: a 30-minute orchestral and choral work commemorating the 25th anniversary of the 9/11 tragedy, organized by Sandy Howard

The Mayor noted that the State Primary Election was held on September 8, 2026. Keene’s voter turnout was just under 30% overall with over 4,100 voters casting a ballot. 236 new voters were registered Citywide on Election Day. Mayor Kahn thanked all the City staff, election officials, and volunteers who assisted in administering another successful election in Keene.

Related to elections, the City Clerk's Office posted an online volunteer form for those wishing to volunteer at the upcoming State General Election on November 3, 2026. Anyone interested should go to the City's website homepage (keenenh.gov), where they will find the link. He said that just a few hours of your time on Election Day can make a big impact, so he asked members of the public to please consider signing up.

Next, the Mayor shared a note on upcoming Public Hearings. In May 2026, an Ordinance was adopted related to the process to amend the Zoning text and Zoning Map. In keeping with the updated process, the Mayor would be announcing two upcoming City Council Public Hearings related to Zoning amendments that have been publicly noticed by the City Clerk. All background related to the joint public workshop, including associated staff reports, would be provided to the City Council in their packet of the meeting when the hearing is conducted. The first Public Hearing would be held on Thursday October 1, 2026 at 7:00 PM relative to Ordinance O-2026-13: an amendment to the City of Keene Zoning Map for property located at 0 Howard Street from Medium Density to Conservation. The Mayor wanted the Council and public to be aware that this matter was heard by the Joint Planning Board-Planning, Licenses and Development Committee on Monday, September 7, 2026 and that Committee chose not to endorse the petitioner’s request. However, by state statute, the Council must follow through the process all the way by coming back to the Council for a Public Hearing on October 1, 2026; it will go to the Planning, Licenses and Development Committee subsequent to that, and back to the Council on October 15, 2026 with a recommendation. Mayor Kahn announced a second Public Hearing that would be held on Thursday, October 15, 2026 at 7:00 PM relative to Ordinance O-2026-09-A, which would amend the Land Development Code relative to Short-Term Rental Uses.

PROCLAMATION - ACKNOWLEDGING DR. DOTTIE MORRIS FOR HER YEARS OF SERVICE TO KEENE STATE COLLEGE, THE CITY OF KEENE HUMAN RIGHTS COMMITTEE, AND THE COMMUNITY

Mayor Kahn welcomed Dr. Dottie Morris, who Mayor Kahn has known all her time in Keene. The Mayor said it had really been a pleasure to work with Dr. Morris, and he even had the pleasure of supervising her. What the Mayor said he had learned about Dr. Morris is that she is an extraordinary and fairly-skilled listener, a terrific facilitator, and a creative problem solver. He had also learned one very powerful point from Dr. Morris: it is not only the power of the solution, it is the path that gets you there. Mayor Kahn said Dr. Morris had offered that kind of assistance to groups throughout the state of New Hampshire. So, on behalf of the City of Keene, the Mayor read into the record and presented Dr. Morris with a Proclamation declaring September 18, 2026 as Dr. Dottie Morris Day in Keene and expressed the City's sincere and deepest gratitude and appreciation to Dr. Dottie Morris for her outstanding service, unwavering dedication, and transformative contributions to the City of Keene, Keene State College, the State of New Hampshire. The Mayor encouraged all residents to join in recognizing her remarkable leadership and lasting impact. The Mayor thanked Councilor Philip Jones for contributing greatly to this Proclamation because he felt deeply about Dr. Morris' service.

Dr. Morris said she is not often speechless, but this honor left her speechless. She called this such an honor and a privilege. When she first moved to Keene, her plan was to stay for five years, and it turned into much longer than that. She said she still feels very connected to this community, which she truly loves, noting there are so many amazing people in this community who have supported her and mentored her in a lot of ways. She could not express how surprised and happy she felt right now. Dr. Morris said she loves this community and will always be a part of this community if allowed to be. She said thank you for this Proclamation. Mayor Kahn wished her the best of luck and success in New York State.

PROCLAMATION - ADULT EDUCATION AND FAMILY LITERACY WEEK

Mayor Kahn welcomed Heather Jasmin, Director of SAU 29 Adult Education, with Lauren Osowski from Pro Literacy, a nonprofit that promotes adult literacy across the country. The Mayor read into the record and presented the guests with a Proclamation declaring September 13, 2026 to September 19, 2026 as Adult Education and Family Literacy Week in the City of Keene and encouraged all residents to recognize and celebrate the achievements of adult learners, educators, staff, and volunteers whose dedication expands opportunity and strengthens our community.

Ms. Jasmin, Director of Keene Community Education, said they were really grateful for this opportunity to speak to the Council and share the important work that they do both for adult education and workforce development in the region. She said they have been a part of Keene since 1967 and have served over 100 apprentices who are studying to be electricians, plumbers, HVAC technicians, and pre-apprentices. They also serve adults looking to earn their high school diploma or their high school equivalency by taking night classes or studying for the HiSET, which is like the GED. Ms. Jasmin noted that Keene, New Hampshire, ranks fifth in the nation as far as adult literacy and high school attainment, but that means that there are still about 50,000

people in New Hampshire who do not have a high school diploma that are age 24 and older. So, she said they are really grateful for the opportunity to work with them. She explained that attaining a high school diploma dramatically increases their earning power, their health, and their job security. So, it is a really important thing. In fact, for every dollar that they spend to educate a student and get them to a high school diploma, there is \$60.00 returned to the community in increased income, property taxes, savings on legal and welfare costs, and so forth. So, she said it really impacts everyone who works with these students. Of the 100 students served between the High School and Adult programs, the youngest served are 16 years old and the oldest are 60. They also work with English Language Learners and the most popular countries that they work with are Ecuador, Haiti, Peru, and China but there are almost 30 different countries, so there is a great range of diversity and individuals.

Ms. Jasmin noted she also had the opportunity to be at the City Council Workshop on August 17, 2026 with a bunch of teachers and volunteers. She said one of their students was picked up by ICE immediately after that meeting, and two students told them they were moving out of the area because they felt unsafe here. Then, they noticed that intake appointments for English Language Learners went way down, and Ms. Jasmin got really nervous. She said it was a low point for all of them, and they were in a bad way when they came to that August 17, 2026 meeting. So, she could not say how great it was to hear both the support of the Council and the community; she thanked the Council very much for that. Since then, she said their teachers had been reaching out to every student personally, inviting them back, encouraging them, and offering online classes if they did not feel safe to come in person. This was their first full week of having a regular schedule back for the fall: she said they were really well-attended, and she hoped that would bode well for the rest of the semester. She hoped that being a part of a supportive community would give them the opportunity to continue working with these students and get them the skills they need to be productive members of our society. Ms. Osowski provided handouts on literacy and individuals in Cheshire County specifically.

Mayor Kahn noted that he provided Councilors with copies of correspondence from himself to the Governor and Commissioner of Public Safety, saying what the Council heard during the special meeting. He thought it was worth sharing the observations that were shared with the Council about the general lack of transparency and accountability on the part of immigration and custom officials that were disturbing and certainly not living by the standards that have been set by our local police and state law enforcement departments. Mayor Kahn said he looks forward to joining the Governor and Commissioner in trying to work toward greater transparency and accountability. The Mayor said he did receive a reply from the Commissioner regarding ICE operations in Keene, which was provided to the Council. He thought it said things that were very much consistent with what the Council heard from Keene's Police Chief about the difference that the state has not joined the 287(g) protocol, but otherwise Keene is not being informed and not providing direct assistance to ICE work in the state. Mayor Kahn felt better having corresponded and having gotten some reply. Mayor Kahn noted that every Councilor would also be receiving a packet from Project Home that describes various resources that they can share with members of the public should they have concerns. It includes information for the National Immigration Law Center and the ACLU.

PUBLIC HEARING - RESOLUTION R-2026-37: RELATING TO THE ALTERATION OF THOMPSON ROAD

Mayor Kahn opened the Public Hearing at 7:32 PM and the City Clerk read the notice of Hearing. The Mayor welcomed the petitioner, Public Works Director Donald Lussier, for comments.

Mr. Lussier said this is a petition to alter the layout of Thompson Rd. He recalled that there was a question earlier this evening during the site visit about when the original layout occurred. He said we actually do not know when the original layout happened from our records. What we do know is that the Council had it resurveyed and confirmed the layout in 1836. So, it was a public highway sometime before 1836. However, in those intervening 190 years, the road apparently is not where it was supposed to be. He said that was the point of this hearing. The road was laid out two rods wide, which means 33 feet. It is one of the narrower roads in the city. The constructed, traveled portion of the roadway before the reconstruction project got as narrow as about 12.5 feet, which was exacerbated by geotechnical concerns, and it got even narrower when the City had to put barriers in front of the guardrails. So, in 2020, the City began planning for the reconstruction that was driven by those geotechnical concerns. The road was cracking, the guardrail was settling, and the whole thing was sliding down the hill. In conjunction with that planning, they intended to build retaining walls on the uphill and downhill sides to be able to allow for widening the road but they also wanted to be able to add guardrails that would make the road a little safer than what the current condition was. The survey for that project identified a bit of a problem, which was that the road as it was currently being trimmed and where the pavement was constructed was not entirely where the City Council had laid out the roadway in 1836. In a couple of locations, the pavement itself actually encroached onto private property. So, the City wanted to correct the historic record. The project itself also added infrastructure: it added those retaining walls, (what you see of that retaining wall is only one foot thick but those blocks are actually about six feet deep) Mr. Lussier said all of that infrastructure was now in the public right-of-way and clearly identified for City maintenance and responsibility.

Mr. Lussier said the Thompson Road project is now complete. The City Council appropriated \$1.267 million as part of that project through the Capital Improvement Program (CIP). The actual expenditure to date was \$876,000. So, he was happy to report that it was completed well under budget. He said the Council may recall when the City was making the downtown project whole, the Council approved a transfer from this project's unspent balance of \$350,000 to help fund the downtown project. However, the Thompson Road project is still under budget, so the petition before the Council requested four specific actions:

1. Add three strips of land across three separate parcels to the public right-of-way. They total 5,098 square feet but they are in three separate strips, which Mr. Lussier showed on a map. The first one, has the retaining walls in front of it, is the sloped portion of the roadway, and is identified as proposed right-of-way 1; it is 1,795 square feet. The second strip is smaller across 27 Thompson Rd., is a total of 699 square feet, and is identified as proposed right-of-way 2. Third, there is a separate lot that is currently vacant with no home, where the roadway is most encroaching on private property; the project did not really do anything except repave the roadway but in order for that roadway to be on the

public right-of-way, the City is adding 2,604 square feet, which includes the pavement seen today and two feet beyond the edge of the pavement. So, he said the City just captures a utility pole; they are not taking any more from the property owners than they really need to. He said the point of this exercise is to look and make sure all the public infrastructure is actually in the public right-of-way.

2. The second item the petition asked the Council for was to grant a waiver from Article 23.2.1 of the Land Development Code. That article says that when a developer proposes a new public roadway or a new subdivision (e.g., Magnolia Way), they are required today to actually give the City not just the right to use the land for the roadway, but to actually deed the underlying land to the City. So, the City owns the roadway and all of the public infrastructure, which had not always been the case; the lawyers call it “fee simple.” Historically, most roads in the City that are very old were laid out as easements for highway purposes. So, the adjoining property owners retained the land/soil under the roadway, but the City had, in public, the right to use that strip of land for highway purposes. If the City abandons those roads, it discontinues them, and that land becomes a part of the adjoining property owners. It is a quirky part of New Hampshire law. Mr. Lussier said Thompson Rd. is one of those roads where the City does not own the underlying soil. It does not really make sense for the City to own these three little strips of land adjacent to the land that does not belong to it. So, the City suggested waiving that requirement: that land will, on paper, still belong to the adjacent property owners, but the public will enjoy the right to use it for a highway. If Thompson Rd., for whatever reason, ever gets abandoned and discontinued as a public highway, that land will revert back to the adjacent property owners.
3. The petition asks to authorize the City Manager to accept and record those deeds for highway purposes. It will give her the permission to do all the paperwork.
4. Finally, it asks authorization so that the City can negotiate and execute payments to the property owners that are affected. The City would be acquiring property rights from these affected property owners; although they are pretty modest, the City is taking a piece of their land and dedicating it for the public's use. Justice and the 4th Amendment say that the City should compensate them for that. Mr. Lussier said this is not a federally funded project, obviously, but the City followed essentially the same process that they use for federally funded projects just because it is a really simple, clear, well-defined way of doing it. So, they had an independent appraisal firm prepare what is called a “waiver valuation.” It is not a full-blown property appraisal; it is a simplified appraisal approach. That came up with a range of values and an estimated value for the strips of land. That was done by Bergeron Appraisals. That valuation was used to develop the offers of compensation that are listed in the Resolution. In the case of the one parcel identified as proposed right-of-way, construction of retaining walls required that the City had to remove a couple of mature trees, either nice oaks or maples (mentioned as oak trees during the site visit), and the property owner requested compensation for those, which was reasonable. So, that was a part of the negotiation. Mr. Lussier said the offer listed in the Resolution reflected the value of those two trees, as well the land the City is acquiring.

Mr. Lussier thanked both property owners involved, who have been incredibly patient and cooperative with the City as they have worked through this. Their cooperation is what allowed us

to complete a great project. Mr. Lussier said the road is much safer than it was: we fixed the problem before it became a real crisis and he thinks everybody is happy with the results.

Mayor Kahn acknowledged that the Council had a site visit before this meeting, so they were very familiar.

Councilor Favolise asked a question about what fund that compensation is coming out of: is there still money left in this project fund? Mr. Lussier said it is coming from that project fund balance. In the Resolution in which the Council moved money for the downtown project, they did not move all the remaining balance from the project because they knew this was still happening, so they kept some here to cover that cost. The remaining would close out the project.

Councilor Haas said he was curious and it struck him: should these boundaries have been determined prior to construction, and that whatever the answer is to that leads to questions about other existing projects that we have going on in the City right-of-way—are we sure about the boundaries of those roadways? Mr. Lussier said the boundaries were identified before construction happened and the City was working with the property owners, negotiating, and sort of resolving the questions. Councilor Haas noted that the construction of the road has improved these properties' values; he said the road was horrible before, it is wonderful now, and what a great neighborhood that is. He called it kind of disappointing to him that this was not settled ahead of time and now he is really worried about the other projects that there may be in the City and whether we are sure of the boundaries. Mayor Kahn thought Councilor Haas could share that concern with the Public Works Director at another time.

Mayor Kahn opened the floor to public comments.

Pat Walker (of 17 Thompson Road) said the problem she has is with her land. She bought the house and the property was 4 acres. The Assessor's Office billed her at 4 acres for 40 years. Now she is told she only has two acres, but she is also told that she cannot get back any reimbursement. She said that if she paid her taxes incorrectly, they would tax her for the difference plus interest. Now she is saying she has been taxed for 40 years for two extra acres and she gets no reimbursement. She asked for explanation. The City Manager, Elizabeth Ferland, said Ms. Walker has met with the Assessing Department, who have explained that at some point her property was subdivided. The larger parcel was subdivided and the part that was left is 1.8 acres. So, the City Manager suggested maybe going back and looking at when that subdivision happened might be the way to determine. Ms. Walker said she should go back to the Assessor's office. Discussion ensued as the City Manager directed Ms. Walker. Ms. Walker noted this would make a difference for her if she is going to sell her house. Ms. Walker confirmed that she had already surveyed her land. Mayor Kahn wondered whether there would be an appeal process for Ms. Walker to follow. The City Manager thought there was some confusion here and that it would probably be better for her to have another conversation with the City Assessor. Ms. Walker wanted to know if she would then get some type of letter from the City stating when it changed / how it changed. The City Manager said to talk it over with the Assessor's Office and the City would be happy to put something in writing for her.

Ms. Walker asked another question about the money for Thompson Road. She said there was a grant and then there was also \$318,000 that came from the state. She said she wanted to see five years' money left in that account so that if there would be problems with this new road, there would be money to fix it, and the City would not say we do not have the money in the Budget. So, she asked what happened to the \$318,000 from the state? Mr. Lussier replied that this project did include some one-time funds that were distributed from the state. It was not a specific grant; it was funds that were given to the state through some sort of formula. The Council decided that the City would use that as a part of the funding for that project. Mr. Lussier said the other half of the question is what happens if there is warranty work or something needs to be done. He explained that as a part of all capital projects, there is a one-year warranty. That warranty is now up for this project and has been released, but there is a project closeout process: for capital projects, it is typically about one year after the project is completed and the City knows there is not going to be any more work done on that project and everything has been paid for. At that point, those capital funds go back into the Unallocated Fund Balance, or they are available for reallocation through the City Council via the Finance Committee who can approve that staff use the unspent funds for another purpose. Typically, however, the funds revert to the bottom line in case there is an emergency in the future, whether it is on Thompson Road or another street in the City, in which case City staff would come to the City Council and explain why additional funding is needed that was not planned for the emergency repair. Mayor Kahn certainly recalled that appropriation from when he was in the State Senate and a surplus was distributed at the end of a year by formula to every City in the state. Ms. Walker said she understood that Mr. Lussier was saying that basically the City never leaves any money left in the Budget at the end of a project. Mayor Kahn said that was right.

Hearing no further comments, The Mayor closed the Public Hearing at 7:51 PM, except that written comments would be accepted up until 1:00 PM on Tuesday, September 22, 2026.

A true record, attest: 
City Clerk

PUBLIC HEARING - COMMUNITY DEVELOPMENT BLOCK GRANT MID-GRANT HEARINGS:

- KEENE HOUSING, ROOSEVELT WEST HOUSING PROJECT
- CEDARCREST CENTER PLANNING GRANT

Mayor Kahn opened the Public Hearing at 7:52 PM and the City Clerk read the notice of Hearing. The Mayor welcomed Jack Ahern of Southwest Region Planning Commission.

Mr. Ahern explained that it is a requirement of the federal Community Development Block Grant (CDBG) program to hold a Public Hearing during the projects while they are still underway to allow the public the opportunity to make comments and inquiries regarding project activities and impacts. So, the following is an update on the Roosevelt West Housing Project, after which Mr. Ahern would accept public comments and questions.

Mr. Ahern explained that a CDBG housing grant in the amount of \$750,000 was awarded to the City of Keene in July of 2025, which was sub-granted to Keene Housing and its affiliate, Monadnock Affordable Housing Corporation, to support the second phase of the redevelopment of the former Roosevelt School property located at 438 Washington St. A previous Block Grant awarded to the City in 2023 helped to fund the renovation of the existing school building into 30 apartment units, known as Roosevelt East. This project serves as Phase Two of the redevelopment plan, which consists of the new construction of an additional 30 units on the property located directly to the west of the first building, known as Roosevelt West. The Roosevelt West Apartments will be 100% permanently affordable housing for low- and moderate-income households and will include 22 one-bedroom apartments and eight two-bedroom apartments on two stories. Keene Housing will provide a comprehensive program of supportive services for all residents and will reserve five apartments for households which are homeless or in immediate danger of becoming homeless. Construction began in November of 2025 and is anticipated to be complete in April of 2027. To date, all of the grant funds have been drawn down for construction costs. There have been no major setbacks to completion and the project scope remains as originally proposed. The total cost of the project is \$11.6 million. Mr. Ahern introduced Carolyn Sweet of Keene Housing to share some additional details about the project.

Ms. Sweet, Special Advisor for Planning and Development at Keene Housing and its nonprofit affiliate development arm, Monadnock Affordable Housing Corporation, first thanked the City of Keene for its decades of support. That support helps Keene Housing to provide housing in support of increasing economic security for members of our community. She said Roosevelt West was moving along beautifully. There are 60 units there: the first 30 units came up for rent in May of this year, and they were all rented 100% within 45 days, most of them within the first 30 days, and are now fully occupied. She said they expected the same to happen with the next set of apartments that would be open and she wanted to invite the Council to come see the location and to see how these types of projects activate streets; you can see a lot of people moving around there now and it has also really beautified one of the City's gateways on Washington St. Ms. Sweet said these type of investments, as the Mayor mentioned at a recent meeting with Keene Housing, often spur other types of investment in the neighborhood and can be a part of our City's beautification. So, she thanked the City for all the support over the years and welcomed questions.

Councilor Tobin asked, when someone is coming out of the shelter or is homeless, how long are they able to stay in that designated unit? Ms. Sweet replied that Keene Housing offers permanent housing, so when somebody comes into one of the units, they become income eligible. Keene Housing partners with Hundred Nights and other entities in the region, including the Keene School District through some of the Homes for School programs. She said that as long as people are income eligible, they stay in the units. So, that could be for the duration. She noted that Keene Housing recently changed their policy in order to make sure they are continuing to serve people who are at the highest need. Roosevelt East and West have an income cap at the beginning of rent at 60% household income on the average median income for the one- and two-bedroom units.

Mayor Kahn thanked Ms. Sweet and asked her to pass thanks to past and current board members of the Keene Housing Authority, who have contributed to that work. The Mayor said the City's part of that package is clearly a small percentage of the overall effort and called it a remarkable accomplishment. He wished them luck with the next phase.

Mayor Kahn opened the floor to public comments. Hearing no comments, Mayor Kahn turned to the next part of the Hearing on Cedarcrest Center.

Mr. Ahern was present to provide an update on the Cedarcrest Center Planning Grant project and to accept public comments and questions. He recalled that the City of Keene was awarded a CDBG Planning Grant in the amount of \$25,000 in June of 2025 to be sub-granted to the Cedarcrest Center for Children with Disabilities, located at 91 Maple Ave. These funds are to support an engineering and feasibility study to assess their facilities: the HVAC system serving the classroom wing of their building. The work will include mechanical design services and an existing conditions assessment. The existing system was installed in 2001 and is no longer adequate to serve Cedarcrest's clientele in terms of air quality and facility goals in terms of energy efficiency. Due to timeline delays involved with their procurement of a mechanical engineering firm, the project requested a timeline extension in May of 2026. A six-month extension was granted by CDFA, extending the project period through to December 31, 2026. It is anticipated that work will be completed before this date. Cedarcrest intends for this feasibility study to lead to the implementation of a full project potentially funded by a CDBG Implementation Grant. The results of this study will be used to support an application for that grant. Mr. Ahern introduced Jay Hayston, President and CEO of Cedarcrest.

Mr. Hayston said the project was well underway. He noted that there are a number of unique considerations with the Center's population in terms of identifying potential partners for the feasibility study after a competitive bid process. He said they had identified a partner, who had done their initial analysis and Cedarcrest was working through the stages of revision with them. He said that as you might imagine, with a medically fragile population like the children at Cedarcrest, it is really important to have an HVAC system that can dial in precise temperature control. Many of the residents and students at Cedarcrest have temperature regulation or other issues, and a 25-year-old system with a conventional refrigerant is no longer adequate. So, Mr. Hayston said Cedarcrest is deeply appreciative not only of the partnership with the City in general, but also of the opportunity to participate in this project.

Mayor Kahn asked if this would improve the existing structure. Mr. Hayston said this is a feasibility study: the HVAC system for half of the building is now 25 years old, and it uses a conventional refrigerant that can no longer be replaced. So, the system requires an upgrade. Both of the units are aged and require additional maintenance, so he said they believe it is time to improve it and both the refrigerant and the age of the system require an upgrade.

There were no public comments.

Mayor Kahn thanked Mr. Ahern.

Hearing no further comments, the Mayor closed the Public Hearing at 8:03 PM.

A true record, attest: 
City Clerk

CONFIRMATIONS - HUMAN RIGHTS COMMITTEE

Mayor Kahn nominated Julie Odatto to move from an Alternate to a Regular member of the Human Rights Committee, with a term to expire December 31, 2028. A motion by Councilor Greenwald to confirm the nomination was duly seconded by Councilor Powers. The motion carried unanimously on a roll call vote with 14 Councilors present and voting in favor. Councilor Jones was absent.

Mayor Kahn let the public know that an updated list of current vacancies, and vacancies due to terms of office expiring on December 31, 2026 on City boards and commissions had been posted online. Anyone interested in learning more should go to the City website (keenenh.gov). An online volunteer submittal form is available to indicate your interest in serving. Councilors should encourage members of the public to get involved.

COMMUNICATION - MICHAEL GUITARD/GUITARD HOMES LLC - PETITION FOR CITY OWNERSHIP OF WATER AND SEWER INFRASTRUCTURE - COTTAGE COURT COMMUNITY ON COURT STREET

A communication was received from Michael Guitard of Guitard Homes LLC requesting that the City assume ownership of the water and sewer infrastructure serving the approved Cottage Court Community on Court Street. The development is proposed in three phases totaling 29 homes, and the applicant requests the City's consideration of municipal ownership of the infrastructure as the project moves forward. Mayor Kahn referred the communication to the Municipal Services, Facilities and Infrastructure Committee.

COMMUNICATION - DUNCAN HILCHEY AND AMY CHRISTIAN - REQUEST FOR A TRAFFIC STUDY AND SAFETY ASSESSMENT OF SCHOOL STREET

A communication was received from Duncan Hilchey and Amy Christian, requesting a Traffic Study and Safety Assessment of School Street. They would like particular attention to be spent on studying and assessing vehicle speeds, traffic volumes, traffic patterns, and excessive vehicle noise. They mention that residents have become increasingly concerned and mention that although they are part of the central business district, they do not want to lose the safety, livability, and residential character of their neighborhood. Mayor Kahn referred the communication to the Municipal Services, Facilities and Infrastructure Committee.

COMMUNICATION - JOHN T. NEWCOMBE - RESIGNATION - BOARD OF ASSESSORS

A communication was received from John T. Newcombe, submitting his resignation from the Board of Assessors. He has served on the Board since 2016. A motion by Councilor Greenwald to accept the resignation with appreciation for time served on the Board was duly seconded by

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

COMMUNICATION - COUNCILOR JONES - CENTRAL SQUARE PEDESTRIAN ACCESS DURING THE 2026 KEENE PUMPKIN FESTIVAL

A communication was received from Councilor Philip Jones, requesting that barriers and obstructions associated with the downtown infrastructure project be removed, where it can be done safely, to allow pedestrian access to Central Square during the 2026 Keene Pumpkin Festival. The request is limited to pedestrian access and does not seek changes to vehicular traffic patterns, the festival's licensed footprint or liability, or the display of pumpkins in Central Square. Mayor Kahn referred the communication to the City Manager.

COMMUNICATION - SHAWN VOISINE/ELMSIDE LLC - REQUEST FOR WAIVER OF CITY PUBLIC UTILITIES STANDARDS FOR WATER METERING INFRASTRUCTURE - ELMSIDE COTTAGE COURT

A communication was received from Shawn Voisine of Elmside LLC, requesting a waiver of City of Keene Public Works public utilities standards requiring a main water meter serving the privately-owned water and sewer infrastructure at Elmside Cottage Court to be located within a stand-alone heated building. The applicant requests instead that each of the development's 18 homes be individually metered, citing concerns regarding reliability, equitable billing, and long-term costs to homeowners. Mayor Kahn referred the communication to the Municipal Services, Facilities and Infrastructure Committee.

PLD REPORTS - COUNCILOR FILIAULT - REQUEST FOR CONSIDERATION OF AN ORDINANCE AMENDMENT REGULATING DOGS AT DOWNTOWN EVENTS; AND PAUL ALLEN-WEBBER - REQUEST TO RECONSIDER ORDINANCE O-2004-15-A SECTION (E) REGARDING DOG RESTRICTIONS DURING THE PUMPKIN FESTIVAL

A Planning, Licenses and Development Committee report was read, unanimously recommending that the City Attorney draft an ordinance restricting dogs at all licensed downtown community events and return it as a draft at the next PLD meeting. A motion by Councilor Filiault to carry out the intent of the Committee report was duly seconded by Councilor Greenwald.

Councilor Tobin said, as someone who used to have a fear of dogs, that she really appreciated this.

Seeing no further comments, Mayor Kahn asked people who felt differently about this or cared passionately for this to please come to the Planning, Licenses and Development Committee meeting, so the various perspectives on this could be heard. In particular, he thought about downtown residents. He asked everyone to spread the word.

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

PLD REPORT - COUNCILOR JONES - REQUEST FOR CONSIDERATION OF AN ORDINANCE ESTABLISHING A TEMPORARY MORATORIUM ON DATA CENTERS AND CRYPTOCURRENCY MINING FACILITIES

A Planning, Licenses and Development Committee report was read, unanimously recommending that the Request for Consideration of an Ordinance Establishing a Temporary Moratorium on Data Centers and Cryptocurrency Mining Facilities be referred to the Planning Board. A motion by Councilor Filiault to carry out the intent of the Committee report was duly seconded by Councilor Greenwald.

Councilor Chalice noted that she asked at the time that not only data centers and cryptocurrency mining centers, but ICE detention centers be added to this effort because of the similar constraints and pressures on our community. Her understanding was that would be a part of the process somewhere, but she wanted to make sure that the public was aware that she would like that to be an additional consideration. City Attorney Amanda Palmeira said that for something to be addressed as part of the moratorium, it could be brought up at the Planning Board because they are the ones who make the original start of the process for a moratorium. She thought what Councilor Chalice was referring to was Councilor Jones' letter, which did have a suggestion for definitions to be created through Zoning Ordinance: he had four definitions, two of which were related to private detention facilities. Those are currently on More Time at the Joint Planning Board-Planning, Licenses and Development Committee, separate from the moratorium. This moratorium is intended to address data centers.

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

FOP REPORT - FY25 AUDITED FINANCIAL STATEMENTS PRESENTATION - CBIZ CPAS, P.C.

A Finance, Organization and Personnel Committee report was read, unanimously recommending accepting the presentation on FY25 Audited Financial Statements by CBIZ CPAs, P.C. as informational. Mayor Kahn accepted the report as informational.

FOP REPORT - WARREN STEINBERG - REQUEST FOR TEMPORARY FREE PARKING WITHIN ACTIVE DOWNTOWN CONSTRUCTION ZONES

A Finance, Organization and Personnel Committee report was read, unanimously recommending that the Council grant free parking under the provisions of the Free Parking Policy (Resolution R-2015-11) for on-street public parking spaces within downtown for the remainder of the 2026 construction season. This to be coordinated with the Parking Division. Staff shall report back to the Finance, Organization and Personnel Committee before the next construction phase for re-evaluation. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Lake.

Councilor Greenwald thought it was very important to note that this is for all of Main Street: all the on-street parking, not just with the holes being dug. He said all of Main Street is dealing with

the stress of the decreased traffic and all the chaos downtown, and all the businesses are struggling to keep up and stay in business. He thought it was very important that this Council make a statement of support and, he would hope, unanimously to go along with this.

Councilor Greenwald asked if the City Manager wanted an amendment for the motion to have this extend through the end of 2026. He certainly wanted it to go through the Christmas season. The City Manager said it was phrased right now to continued through this construction season. She added that there has been discussion about extending some of the work into December 2026. So, if the Councilor wanted to say through the end of the year, the City Manager suggested phrasing it as “this construction season or the end of December, whichever comes first.”

A motion by Councilor Greenwald was duly seconded by Councilor Filiault to amend the Committee report so that free parking will be in effect through the end of calendar year 2026.

Councilor Ruttle-Miller asked if there would still be enforcement around time so there is turnover. City Manager replied in the affirmative and said people would still be asked to put their information into Park Mobile app or to use the kiosk system, so the City is able to more easily monitor that two-hour limit.

Councilor Chalice wanted to briefly draw attention to the people who did not have the opportunity to attend that meeting. She noted that the downtown businesses were very interested in having discussions through the wintertime to come up with some more creative options as we come into the next construction season. She thought they had very interesting ideas, and hoped those would go forward and the City would have the opportunity to explore some of those ideas.

Councilor Filiault noted that the motion on the floor was the amendment, and he wanted to applaud Councilor Greenwald because Councilor Filiault agreed with the amendment. Councilor Filiault went to the hardhats meeting and said they were talking about construction season, which may not end and may go right into 2027. He said he would like to see this go a little bit farther down, personally. At the very least, he thinks it shows good faith to the downtown merchants, as Councilor Greenwald said on this amendment. Councilor Filiault said maybe Casella would work all the way through the season, and maybe the project would get done sooner than hoped. He agreed with the amendment because the wording was particular here.

Councilor Williams said amendment or not, he does not think this is a good use of a good chunk of revenue. He said the Council spent a lot of time figuring out the budget for this project and a lot of good parts of the project got cut. Now, here at the end or in the middle, he said they were saying there was a whole bunch of other money they were going to spend on this. He recalled stating that some of this should be paid for by the Parking Fund and he did not get a lot of support on that. Councilor Williams said that when you consider how much of this effort in downtown was made to preserve the parking spaces (with an actual increase by one space), and none of that came out of the Parking Fund: it all came out of taxes or other parts of the Budget. Now, he said the Council would be hitting the Parking Fund to provide parking subsidies, which did not strike the Councilor as a wise use of the money; he said there are a lot of other ways the City could spend that money, noting that one thing pulled from the project was a shelter for

bicycle parking. Now, he said that money would be spent on free parking instead. It did not strike him as a good idea.

On a vote with 13 Councilors voting in favor and one Councilor voting in opposition, the motion to amend the Committee report so that free parking will be in effect through the end of calendar year 2026 carried. Councilor Williams voted in the minority. Councilor Jones was absent.

Councilor Tobin said that when she first heard this idea and started listening to the discussion, it did make sense. She did remember having this discussion briefly about a year, maybe a year and a half ago, in the context of planning for this project. As she listened to the discussion more and thought about it, she had a couple of concerns. One of them is that the Council would actually be creating more demand for spaces in an area that is already attracting a lot of traffic. She thought the intent would be to what would make more sense, which is actually to increase foot traffic. She noted there were a few communications on the agenda tonight from stakeholders being affected by the construction in different ways. When planning the construction, she said the Council took all of these things into account and weighed them: what was the impact on businesses? What was the impact on residents? What did people riding bicycles need and what infrastructure? With that, she said the Council came up with a plan. Coming back to this idea, she said if they did make parking free, first of all that would go to the Parking Fund, which would mean that in the near future the City would not have funding (or would need to find an alternative) for the maintenance of parking and any parking infrastructure, or we would have to decrease the number of projects. She thought that was worth considering. In terms of the other communications the Council received tonight, she noted that one was about School Street and a lot of that traffic would be filtered that way. She understood that was necessary but said if Main Street is free and you have to pay to use the lots, that seems like the opposite of what they want to happen: it would be drawing more people down, incentivizing that traffic pattern, and causing more traffic to the people who are in the surrounding neighborhoods. Councilor Tobin said she absolutely wants to find ways to support businesses. She thought that she did not know that parking would be her first investment if the intent is to draw more people and especially from outside communities, which she thought was another important factor, noting that the Parking Fund is one of the few ways the City collects revenue from outside of this community. She thought at the very least she would like to hear some conversation about that and maybe a consideration of possibly amending it so maybe this should not be Main Street. Rather, maybe it should be one of the lots or some of the spaces in the lots around Main Street, so that it actually draws more foot traffic.

Councilor Favolise said he had spent some time thinking about this, and whether this is the best way to support downtown businesses and the downtown economy through this project. He is not sure that this is a sustainable, fiscally responsible solution for the entire length of the project. So, he was really encouraged by the kind of phased approach here; the idea of phases comes up a lot around this downtown construction project. He said they would kind of do this blanket now as a starter and he really did look forward to the conversations that are going to happen through the winter with business owners, stakeholders, the Council first through the committee process, then the full Council. Councilor Favolise said he was hoping and it was his expectation that those conversations will be data informed and will be able to take a look at the impact that this did or did not have in different areas and be able to make some informed decisions about what worked

well with this for businesses, what did not work as well as we had hoped, and come up with some solutions that are sustainable and creative but continue to send the message that the Council cares about the downtown community. He wanted to ensure the Keene Sentinel reported in its article that the downtown is open for business. He thinks it is important that we continue to say that. So, Councilor Favolise said he would vote in support of this tonight, but he looked forward to some potentially more nuanced, more creative, more sustainable solutions coming out of the working group over the winter that still have the effect of supporting downtown businesses through this project. He thinks we can do both of those things.

Councilor Filiault said, getting back to the Committee motion, he heard a couple of comments tonight saying, “well, that is not what we originally thought was going to happen.” He said nothing has happened that they really thought was going to happen. He and Councilor Greenwald served five years ago on the original steering committee, and he said it had been a moving target since day one; what they thought might work, did not, and vice versa. He said it is still a moving target. So, he said just to give the City Manager authorization to the end of the year just to allow parking for businesses downtown is the least the Council could do. Councilor Filiault asked some of the Councilors who were in opposition whether they had ever owned a business and known what it is like to lose money because of a project: you do not get money back. He had been one of those people who owned a business during a project downtown and said you lose thousands of dollars in a weekend, and it does not come back. If you lose your paycheck for a couple of weeks, he added that it does not come back. That is what the downtown merchants are facing: they are losing their paychecks, which do not come back. Councilor Filiault said the very least this Council can do, the absolute very least, is to authorize the City Manager to allow free parking to the end of this calendar year. Then, he said the Council could be sure that on January 1, 2027, he would be bringing this item right back up at the first Council meeting of the year. Once again, for those saying this is not what was originally planned, he said to go back five years and look at the steering committee and take a look what was planned back then and see what we have now: you will be in for a little bit of a surprise.

Councilor Haas said that the motion presented by Councilor Greenwald asked for free parking on all of Main Street, which excludes Washington and Court Streets, where there are adjacent merchants. It also excludes some on Emerald Street, Gilbo Avenue, and Roxbury Street. He wondered if this could be refined somehow. Mayor Kahn wondered if it had to do with the definition of downtown and asked for comments from the City Manager. The City Manager said the side streets were not included in the calculation that was provided to the Council. So, she did not have those numbers off the top of her head as to what the additional financial impact for the side streets would be. However, the City Manager did believe the conversation had been about the Main Street on-street parking because that is where the construction is.

Councilor Ruttle-Miller said she was going to vote in favor of what downtown businesses have asked for but just wanted everyone to keep in mind: she would love to know data/consumer wise because it is \$0.75 or \$1, and if you are already planning on going downtown, she wondered if that would really make a difference in someone deciding where they want to go. She wanted to understand the effect of people realizing they do not have to spend to park to go downtown. She understood downtown businesses really wanted it, so she was totally willing to do that if the Council felt like it was going to help and she would vote in favor of it. However, in the long

term, come January 1, 2027, Councilor Ruttle-Miller thought that the City should find a way to determine what the actual impact of free parking was for supporting downtown businesses and that we can continue to look at other ways to support downtown businesses. She was not sure the City was getting from point A to B with what they were doing here but she thought it was worth trying to make sure.

Councilor Greenwald noted that the two-hour limit would still bring in fines, and the parking lots would still bring in revenue and fines. He asked the Council to bear that in mind. He heard mention about a decrease in revenue and that a lot of the Parking Fund is used for downtown maintenance. There is no downtown maintenance going on: it is all a construction zone, so there is some degree of expense savings, nonetheless. Councilor Greenwald acknowledged the error Councilor Haas pointed out about the side streets.

A motion by Councilor Greenwald was duly seconded by Councilor Haas to amend the Committee Report to include the following side streets: Washington Street, Court Street, Emerald Street, Roxbury Street, and Gilbo Avenue.

Mayor Kahn asked if the City Manager had comments and she had nothing to add.

Councilor Greenwald withdrew his amendment based on the sentiment in the room. Councilor Haas withdrew his second.

A motion by Councilor Haas was duly seconded by Councilor Greenwald to amend the Committee Report so that in addition to the entirety of Main Street, any parking space immediately adjacent to active construction areas be included (which would include Washington and Court Streets).

Councilor Powers said he was not trying to be mean-spirited, but that amendment raised the first question of what is that area to be? How are you going to deal with that? Who is going to know? Councilor Powers thought the Council was going to come into this meeting and have a little bit of a compromise to address a number of issues that we have to deal with over the course of the next three or four months and then look at it for the next year or so. Now, he said we are making chop suey, and it never works when we try to do that on the Council floor. He could accept Councilor Greenwald's first amendment, but said we are going in the wrong direction, noting his experience with parking, and calling it a no-win situation. Councilor Powers said something was presented that seems reasonable; he said, "let's do it."

Councilor Haas withdrew his motion, and Councilor Greenwald withdrew his second.

Councilor Favolise just recognized what the will of the Council was on these two items and said that when a motion is made and seconded, the motion then belongs to the body. So, he said the kind of unilateral withdrawal, two Councilors can say "withdrawn" after motioning and seconding, is not really aligned with the way that we should be doing the procedure. Councilor Favolise did not think there was an active objection from the Council toward this. He raised this formal point of order and said moving forward, if Councilors make a motion and offer a second, they should be prepared that the Council can take it and run with it, even over their future

objections. So, Councilor Favolise said, let's be thoughtful about motions we are making on the floor if we do not really want to commit to them. Mayor Kahn acknowledged that he could have asked if there was an objection to withdrawing the motions prior to accepting those withdrawals.

Councilor Williams noted that these ideas kept getting more complicated and more expensive.

The motion to carry out the intent of the Committee report, as amended, carried with 12 Councilors voting in favor and two voting in opposition. Councilors Tobin and Williams voted in the minority. Councilor Jones was absent.

FOP REPORT - ACCEPTANCE OF NH JUVENILE COURT DIVERSION NETWORK FUNDING - YOUTH SERVICES MANAGER

A Finance, Organization and Personnel Committee report was read, unanimously recommending that the City Manager be authorized to do all things necessary to accept and expend funds provided by New Hampshire Juvenile Court Diversion Network for Youth Services programs. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Lake. The motion carried unanimously with 14 Councilors present and voting in favor. Councilor Jones was absent.

FOP REPORT - FY26 DOJ BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD - POLICE CAPTAIN

A Finance, Organization and Personnel Committee report was read, unanimously recommending that the City Manager be authorized to do all things necessary to co-apply with Cheshire County, NH and to accept and expend the U.S. Department of Justice FY26 Byrne JAG in the amount allocated to the City in the amount of \$6,519.00. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Lake. The motion carried unanimously with 14 Councilors present and voting in favor. Councilor Jones was absent.

FOP REPORT - ACCEPTANCE OF FAA/NHDOT GRANT FUNDING – WILDLIFE PERIMETER FENCE PHASE II CONSTRUCTION - AIRPORT DIRECTOR

A Finance, Organization and Personnel Committee report was read, unanimously recommending that the City Manager be authorized to do all things necessary to accept, execute, and expend grant funding from the Federal Aviation Administration and New Hampshire Department of Transportation for the Wildlife Perimeter Fence Phase II Construction Project, SBG 08-32-2026 and SBG 08-33-2026. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Lake. The motion carried unanimously with 14 Councilors present and voting in favor. Councilor Jones was absent.

FOP REPORT - CARRY FORWARD REQUEST - 2026 UNSPENT WAGES - TO SUPPORT TWO ONE- TIME COMMUNITY DEVELOPMENT DEPARTMENT EXPENDITURES - COMMUNITY DEVELOPMENT DIRECTOR

A Finance, Organization and Personnel Committee report was read, unanimously recommending that the City Council authorize the Community Development Department to carry forward \$32,500 in unexpended Fiscal Year 2026 personnel appropriations and repurpose those funds to pay for the conversion of the Land Development Code to the online Municode system and to provide a local match for a Building Resilient Infrastructure and Communities (BRIC) match. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Lake. The motion carried unanimously with 14 Councilors present and voting in favor. Councilor Jones was absent.

FOP REPORT - 2025 HAZMAT EQUIPMENT GRANT - PERIOD OF PERFORMANCE
EXTENSION - FIRE CHIEF

A Finance, Organization and Personnel Committee report was read, unanimously recommending that the City Manager be authorized to do all things necessary to execute the 2025 Homeland Security Grant agreement amendment. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Lake. The motion carried unanimously with 14 Councilors present and voting in favor. Councilor Jones was absent.

FOP REPORT - FY28 AMBULANCE REPLACEMENT - FIRE CHIEF

A Finance, Organization and Personnel Committee report was read, unanimously recommending that the City Manager be authorized to do all things necessary to execute a contract with Autotronics of Maine for the purchase and construction of the Fire Department ambulance. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Lake. The motion carried unanimously with 14 Councilors present and voting in favor. Councilor Jones was absent.

FOP REPORT - LWCF GRANT ROUND 33 AMENDMENT - SKATE PARK - DEPUTY
CITY MANAGER

A Finance, Organization and Personnel Committee report was read, unanimously recommending that the City Manager be authorized to accept and execute an amendment to Land and Water Conservation Fund sub-grant #33-00761 Patricia T Russell Park-II, with the State of New Hampshire to increase the award limit by \$75,000 (from \$225,000 to \$300,000), and to extend the completion date by one-year (from 9/30/2026 to 9/30/2027), and to increase the agreed-to project scope further including a parking lot and pathway extensions at Patricia T Russell Park in addition to the development of the skate park. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Lake. The motion carried unanimously with 14 Councilors present and voting in favor. Councilor Jones was absent.

FOP REPORT - RELATING TO THE EXECUTION OF AN AGREEMENT WITH
KEYNETGPS - CITY ENGINEER

A Finance, Organization and Personnel Committee report was read, unanimously recommending that the City Manager be authorized to do all things necessary to negotiate and execute a Participant Agreement with KeyNetGPS. A motion by Councilor Powers to carry out the intent

of the Committee report was duly seconded by Councilor Lake. The motion carried unanimously with 14 Councilors present and voting in favor. Councilor Jones was absent.

FOP REPORT - RELATING TO THE EXECUTION OF A CHANGE ORDER WITH STRUCTURAL PRESERVATION SERVICES - CITY ENGINEER

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 change order with Structural Preservation Services, Inc in an amount not to exceed \$65,325 for the City Hall Parking Garage Rehab Project (22M006AA). A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Lake. The motion carried unanimously with 14 Councilors present and voting in favor. Councilor Jones was absent.

FOP REPORT - SALE OF SURPLUS MECHANICAL VENTILATORS - FIRE CHIEF

A Finance, Organization and Personnel Committee report was read, unanimously recommending that the City Council suspend the public auction or competitive quotation requirements of City Ordinance O-2023- 15, Section 2-1341; authorize the City Manager to do all things necessary to sell three surplus Zoll ZVent mechanical ventilators to the Town of Fitzwilliam for \$6,000, with sale proceeds to be deposited to the General Fund; and direct staff to bring forward a separate resolution to the City Council requesting an appropriation for the purchase of swift water rescue dry suits for the Keene Fire Department. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Lake.

Councilor Ruttle-Miller pointed out a typo on page 83 of the agenda packet where it read \$6,006 and should read \$6,000. This correction was accepted as a scrivener error.

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

CITY MANAGER COMMENTS

The City Manager, Elizabeth Ferland, began by acknowledging Fire Chief Greg Seymour for actually getting creative with the sale of that equipment because he doubled the amount of money the City was going to get. Good work, Chief.

Next, the City Manager noted that the Parks and Recreation Director asked her to share an update related to the recent Robin Hood Park public session. We had a successful feedback session hosted at Keene Parks and Recreation and facilitated by the consultants, CHA. This phase of the project is focused on park amenities and features, playground, camp building, public restrooms, multi-sport, sport court, accessible dock, amphitheater upgrades, and circulation and parking improvements. She called it a big project. She recalled that the first phase was focused solely on the pool. This presentation reflected four months of work by the Steering Committee and City staff, along with the community feedback that has been gathered today. Roughly 40 people attended this session: neighbors, Councilors, the Mayor, park users, and summer camp families, and children. They all had ideas to share. The City Manager noted that the City was

also planning to open an online platform for communities who were not able to attend the session to share their feedback as well. Next, the City team would be meeting with the consultant, CHA, and once they have gotten all the feedback and categorize it, they will come up with a scope and fee for park amenity plans, integrating all of that feedback. Then, they will be back to the Municipal Services, Facilities and Infrastructure Committee for further direction.

The City Manager wanted to let the Council know about an upcoming program from the Bike/Walk Alliance of New Hampshire, which is a nonprofit organization that promotes bicycle and pedestrian safety and accessibility. They are coming to Keene to provide an e-bike and personal electric vehicle (PEV) presentation, which covers a lot of different things. The presentation was tentatively set for October 27, 2026 from 3:00 PM to 5:00 PM at Cohen Hall. It is intended for municipal officials, so the City Manager did think this was something the Council would be interested in, and she would confirm once the date is confirmed. The presentation will cover an overview of e-bikes and other personal electric vehicles, New Hampshire laws and how they govern personal electric vehicles, common incidents and patterns and risk factors, lithium-ion battery and fire safety, and municipal policy and decision-making tools, which is something that the Council has wrestled with. So, the City Manager did think this was timely as the City moves forward with the downtown bike lanes. There is also a train-the-trainer module for continued education and outreach.

The City Manager also provided an update from the Greater Keene Transit Steering Committee. This Committee convened through the Southwest Region Planning Commission (SWRPC), had been meeting since April 2026, and been evaluating options to develop a recommendation for the future of transit service in the greater Keene area: a replacement for City Express. The Committee presented its recommendation to Monadnock Regional Coordinating Council for Community Transportation, and the Council supported the Committee's recommendation to work with SCS. There was an RFQ that was put out. They evaluated the RFQ's and right now they are having conversations with SCS to develop a transition plan. This does not mean that SCS has formally been selected as the new City Express operator, or that the transition has been finalized. The next step is for them to bring SWRPC, NH Department of Transportation, and the transit consultants together to work through an operational and a financial plan. This could potentially change the way that public transit works in our community and maybe even our region.

City Manager Ferland went on to discuss an update about downtown event licenses. She would be asking the Council to support greater flexibility and licenses for community events through all phases of the downtown project. Following the Keene Music Festival, the City received feedback that Central Square should be included in the footprint for our future events, when possible. The planning and protocol meetings for these events take place several months in advance, and changing an approved footprint requires considerable coordination by both the event organizer and the City staff: it is not an easy thing to do, which is why there is so much advance work. When the Council approved the Pumpkin Festival event license, the proposed footprint did not include Central Square because we anticipated that downtown construction would create significantly more disruption in that area, but current construction conditions have been less disruptive (kudos to the Public Works Department and crew). That created an opportunity to reconsider the use of Central Square. City staff spoke with the Pumpkin Festival organizers, two of whom were in the audience, and they were willing to adjust the event footprint to include a

display or activity in Central Square. The City Manager noted that the power pedestals in Central Square are not available anymore and have been removed, so any display or activity located there would need to be designed without access to electrical power (e.g., some pumpkins displayed or some other type of activity). Understandably, the organizers do not want to be responsible for any additional expense, but this change such last-minute leading up to their event and they were really, truly considering this based on feedback that the City received and people reaching out to them, asking them to expand into Central Square.

So, the City Manager said a Protocol meeting with the organizers was scheduled for Thursday, September 24, 2026, but because the Council has already approved a license with that specific footprint, staff would need to return to the Council to authorize an adjustment. Following the Protocol meeting, the City Manager planned to come back with some revised language to Council for October 1, 2026, which would allow greater flexibility to adjust the footprint based on actual conditions at the time, which she thinks will give more flexibility throughout the entire downtown project. If the Council is agreeable to that, she and the Pumpkin Festival organizers would like to get some sort of consensus from the Council this evening that it is something they would support. The City Manager thought it was a relatively low risk that if they agree to change their footprint and the City works with them, so that they are able to do that safely through our protocol process, that she anticipated the Council would be supportive. Still, she was hoping for some consensus for them because they have to change vendors and their footprint; before they go through all of that and before the City Manager could ask for an official vote from the Council, she just wanted to ask for a little consensus to give them some comfort. Mayor Kahn asked if there were any concerns or objections from the Council.

Councilor Favolise said the City Manager made reference to festivals throughout the downtown project, but they were talking specifically about this license in front of them. He asked what exact language they would be seeing here. The City Manager replied that she did not have that exact language in terms of the flexibility but had asked the City Attorney to think of drafting something that would allow flexibility; we would still go through a protocol process, but we would not be required to come back for adjustments to the footprint based on current construction conditions. Basically, it just allows some flexibility. The City Manager said there were two different things because she would be talking to the Council about language so that they are not in this predicament in the future, but for the Pumpkin Festival, they would talk about the actual changes to the footprint the next week. Mayor Kahn said the Council would be asked to adopt language that would authorize the City Manager to amend as conditions change in the future. They would work on workable language.

Mayor Kahn heard no objections or further questions from the Council, so the City Manager said she was satisfied and sure the event holder was satisfied. She said she was going to work with them to extend the footprint into Central Square and work with them in terms of City services and what that cost may be, so that they are able to move forward and the City will not inhibit their programming at all.

Next, the City Manager provided an update from the Council's workshop on immigration activities as promised. She reviewed a list of things that staff had been talking about and things that they had done and were working on. She said they heard very clearly that there was a need

for greater clarity and she thought at the workshop the City tried to give some of that clarity in terms of what the City can do and cannot do, and what is the responsibility of the federal government. To try to put that on paper, the City created an FAQ (thank you Rebecca Landry, Deputy City Manager for putting this together; it took more effort than you would imagine). The City Manager thought it was pretty good in terms of answering some of the questions that came up. The City is planning to share this on social media and on our website. The City Manager asked all Councilors to review the document and provide any final feedback before it was published, noting that they could continue to work on this document. The City Manager explained that the FAQ also has links to organizations that offer helpful resources in New Hampshire and Vermont. Many of those resources were identified through the ICE rapid response pamphlet that the Mayor referenced earlier. If someone is on the City's website or social media, they can go directly from those links.

Next, as discussed at the workshop, New Hampshire law places specific limits on municipal policies related to immigration enforcement and cooperation with federal immigration authorities: among them is the recently changed state law, which prohibits state and local government entities and law enforcement agencies from maintaining a statutorily defined sanctuary policy. The City Manager said that is not super clear. As discussed in the past, Keene is one of four communities that had its Welcoming Resolution reviewed and did not get anything back. That said, she said that it is okay because it is definitely being monitored. They also talked at the workshop that the Keene Police had not entered into the 287(g) agreement, which was clarified on the FAQ as well. She said they kept repeating that there was no intention to enter the 287(g) agreement: that is the mechanism through which designated state or local officers may be authorized to perform specific federal immigration and enforcement activities under federal supervision. She thought many other communities in the state had signed onto that recently. So, the City wanted to make sure that was clear, that is not something that we have done here. The City Manager said there is an important distinction between not obstructing federal immigration enforcement and local police assuming the role, and so that FAQ is trying to break that down and where those differences lie.

The FAQ also talks about Keene PD's operating approach, but in addition to that, the Police Chief drafted some language for inclusion in the Department's general policies. One of the questions we were asked: do we have a policy on immigration? We have lots of places that we refer to, and the City Manager thought it could be helpful and the Chief agreed to be able to put some language in there. One of the things that they have been doing is the City Attorney has been sharing these things with the Department of Justice to get their feedback to make sure that we are not running afoul of anything. One of the things that came out of the communication is that they are going to be updating their law enforcement manual. She reiterated that this was just the draft FAQ presented to the Council because she was unsure if anything would need to change. She thought this would be a step in the right direction. The City Manager said the proposed language makes it clear that officers will not ask crime victims or witnesses about their immigration status, and that everyone who interacts with KPD will be treated fairly, respectfully, and with dignity. She said that is something the City had been saying over and over again because they do not want people to be afraid to be witnesses or afraid to report crimes. She said kudos to the Police Chief. She noted that he starred in a few videos giving that exact message created by the City's Audio and Video Production Specialist. The City Manager knew that the

Council talked about education and outreach and hoped that these videos would be well-received by the community and thanked the Chief for participating in those videos.

The City Manager continued, stating that in the City Attorney's contact with the New Hampshire Department of Justice (DOJ), one of the things that the City asked them about was providing a statement after ICE is in town: something from the Police Department that says what happened. The City Manager said it should be easy, but it is not for a few reasons. One, they do not always tell the City exactly what happened. She said this last time, the City was learning things later on in the process. She noted that the New Hampshire DOJ was also concerned about the City providing any sort of statement about operations related to ICE because it could be seen as interfering with their operations or somehow creating an issue for their Operations, so the City Manager said that would be trickier than we thought; we may not be able to come up with something, but we are going to continue to think about that and work through that to see if there is something that we can get the New Hampshire DOJ on board with. The City Manager added that the New Hampshire DOJ was not saying this was their final decision. She noted that one of the things the City wanted was to be able to ask federal immigration officers to show identification and to remove their masks to confirm their identities. The New Hampshire DOJ indicated that ICE would likely take the position that masks are necessary for officers' safety and that a local policy requiring additional identification would be viewed as interfering with federal operations.

City Manager Ferland said the City also inquired about where residents can be directed with questions about ICE operations in Keene, including questions about who they may have detained and where they may have been brought. New Hampshire DOJ advised that neither they nor the New Hampshire State Police would necessarily have that information because ICE is not required to notify them of activities or plans, and today they have not routinely done so. So, they said to refer people to ICE, which the City Manager said she knows has not been super effective in doing what we want it to do, which is get additional information for our residents.

After the workshop, City Manager Ferland contacted the Fire Department about the City's black SUVs (black Tahoes). They created some confusion and some fear, so she asked to have them branded, which was in process. The vehicle logos were in production with Gemini Screenprint and an installation day was pending. She showed the Council a photo of what they would look like when completed, with "Keene Fire Department," "City of Keene" and "Chief" or "Deputy" printed on the SUVs.

The City Manager closed by mentioning the Mayor's communication to the Governor and Commissioner (discussed under Announcements), and said it is a process in motion and hopefully the City would not face this again. She said the City had tried to move the needle and hopefully those conversations would be useful.

Councilor Tobin said she shared with the City Manager after the ICE Workshop that she happened to come across a police recruiting video and it was really nice to hear the stories about why people became police officers and what they cared about. She hopes that we can continue to see more of that. Councilor Tobin commented about running into a few Police Officers on Main Street just petting a dog and said she kind of stopped and thought that a lot of those common

experiences where the police become more human are really a step that even though we cannot do a lot about this other issue, we can be more human and improve those relationships.

Mayor Kahn thanked the City Manager for her work on this and Chief Stewart as well. He also thanked Deputy City Manager Landry for creating the FAQ, the final version of which would soon be on the website and social media.

Mayor Kahn called a recess from 9:20 PM to 9:25 PM.

REPORTS - CITY OFFICERS AND DEPARTMENTS - PROPOSED AMENDMENTS TO THE KEENE COMMUNITY POWER PLAN - COMMUNITY DEVELOPMENT

A memorandum was received from Senior Planner Mari Brunner, recommending that the proposed amendments to the Keene Community Power Plan be referred to the Finance, Organization and Personnel Committee. Mayor Kahn referred the amendments to the Community Power Plan to the Finance, Organization and Personnel Committee.

REPORTS - BOARDS AND COMMISSIONS - PROPOSED AMENDMENTS TO THE KEENE COMMUNITY POWER PROGRAM - ENERGY & CLIMATE COMMITTEE

An Energy and Climate Committee report was read, unanimously supporting changes to the Community Power Program. Mayor Kahn referred the recommendation to the Finance, Organization and Personnel Committee.

MORE TIME - PLD REPORT - COUNCILOR WILLIAMS – REQUEST TO CONSIDER RESTRICTING THE SALE OF 7- HYDROXYMITRAGYNINE (7-OH) AND CONCENTRATED KRATOM PRODUCTS

A Planning, Licenses and Development Committee report was read, unanimously recommending placing Councilor Williams' Request to Consider Restricting the Sale of 7-Hydroxymitragynine (7-OH) and Concentrated Kratom Products on More Time. Mayor Kahn granted More Time.

ORDINANCE FOR SECOND READING - RELATING TO AMENDMENTS TO ARTICLE VII. - FOOD SERVICE ESTABLISHMENTS - ORDINANCE O-2026-14

A Planning, Licenses and Development Committee report was read, on a vote of 4–1, recommending the adoption of Ordinance O-2026-14. Ordinance O-2026-14, Relating to Amendments to Article VII. - Food Service Establishments, was read into the record for a second time. A motion by Councilor Filiault to adopt Ordinance O-2026-14 was duly seconded by Councilor Greenwald.

Councilor Haas noted that he voted against this in Committee mainly because of the process. He thought it would have been preferable that the those that will be affected by this would have been notified that the City was considering this change in the Code prior to us making the change in the Code. Now it was coming out as changed and the City was saying they have one year to comply, and he said they should comply. Councilor Haas loves Code and always thinks the City

should have the latest codes. However, the fact that they were not given an opportunity to express their opinion about the change is what concerned Councilor Haas at Committee level. He said he would be voting in favor of doing this but would hope that the City improves the communications on it, not just when their license renewal comes up. City Attorney Amanda Palmeira said there was an Ordinance that went through the City Council process and the Councilor would be familiar with the first reading that went down to Committee. Second, she said every Ordinance gets the same notice provisions: publication in the newspaper, in City Hall, etc. This Ordinance was not treated any differently. City Attorney Palmeira said that when the Council had seen people come in for comments on previous ordinances, that is because they have seen those notices. The same notice went out for this Ordinance.

The motion carried unanimously on a roll call vote with 14 Councilors present and voting in favor. Councilor Jones was absent.

RESOLUTION - RELATING TO THE APPROPRIATION OF FUNDS FOR THE
MARLBORO STREET & CHESHIRE RAIL TRAIL IMPROVEMENTS PROJECT -
RESOLUTION R-2026-40

A Finance, Organization and Personnel Committee report was read, unanimously recommending the adoption of Resolution R-2026-40. A motion by Councilor Powers to adopt Resolution R-2026-40 was duly seconded by Councilor Lake. The motion carried unanimously with 14 Councilors present and voting in favor. Councilor Jones was absent.

NON-PUBLIC SESSION

A motion by Councilor Greenwald to go into non-public session to discuss litigation matters pursuant to RSA 91-A:3, II(e) was duly seconded by Councilor Powers. The motion carried unanimously on a roll call vote with 14 Councilors present and voting in favor. Councilor Jones was absent.

At 9:35 PM, Mayor Kahn called a brief recess. The non-public session began at 9:40 PM.

The session concluded at 9:53 PM. A motion by Councilor Greenwald 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 Filiault. On a roll call vote, 14 Councilors were present and voting in favor. Councilor Jones was absent.

ADJOURNMENT

There being no further business, Mayor Kahn adjourned the meeting at 9:54 PM.

A true record, attest:



City Clerk