



KEENE CITY COUNCIL
Council Chambers, Keene City Hall
January 4, 2024
6:00 PM

A. Inauguration Agenda

1. Meeting called to order by the City Clerk, Patricia A. Little
2. The City Clerk announces that Jay V. Kahn is present to take the Oath of Office
3. Mitchell H. Greenwald administers the Oath of Office to Mayor-elect Kahn
4. Former Mayor George S. Hansel presents the gavel to Mayor Kahn
5. Mayor Kahn takes the Chair and directs the clerk to call the roll of the Councilors-elect

Laura E. Tobin
Edward J. Haas
Kate M. Bosley
Michael J. Remy
Randy L. Filiault

Robert C. Williams
Raleigh C. Ormerod
Bryan J. Lake
Bettina A. Chadbourne
Thomas F. Powers

6. Edward Burke, Esquire, administers the oath of office to the Councilors-elect
7. Mayor Kahn directs the clerk to call the Roll of the Keene City Council
8. Invocation – Rabbi Daniel Aronson
9. Pledge of Allegiance - led by Shrihan Budakoti
10. Inaugural Address
11. Resolution R-2024-01: Relating to the City Council's Rules of Order
12. Announcement of Standing Committee Assignments
13. Benediction – The Reverend Elsa Worth

B. Adjournment

Jay Kahn's
Mayoral Inauguration Address
January 4, 2024

A not so funny thing happened to me on the way to the Forum, COVID caught up with me. But after some quick footwork by our city staff we are finally holding our 2024 City Council Inauguration Ceremony. In my 35 years in Keene, there have been 8 mayors but only 3 city managers. The continuity of City leadership over that time has been preserved by our City's professional staff. I want to thank them for their service, professionalism and dedication.

I also extend my appreciation for the services provided by the City's 350 employees, 100 of whom are part-time or seasonal. It's because of City staff that Keene residents benefit from quality services in the City. And as I begin to lay out some of the challenges and opportunities that we as a City Council will face over the next couple years, the first priority I recognize is retaining our City's Charter officers – City Manager, Attorney and Clerk and Treasurer -- and supporting their staff from public works to police and fire, to parks and recreation, to finance, library and human services so that we ensure the City has the talent needed to sustain city services. Having recently served state government, I know that governments at all levels, is facing staffing challenges currently and over the coming years.

And while recognizing staff, I want to thank the City Clerk, Patty Little and the Clerk's staff for their efforts bringing us to this day. Administering an election process takes enormous coordination, as does preparing to seat a new city council. And this is my opportunity to ask the public to support our well run elections by

know Jim well enough to tell stories about him, but I did know one of his predecessor Bob Mallat very well. Bob was mayor of Keene from 1962 to 1966, during which time Keene was designated an all-American city.

Bob served Keene State College long enough and well enough that he rose to be a vice president for resource administration prior to my arrival. I was recruited to Keene State College as a candidate for Vice President for Finance and Planning in 1988. Bob was on the search committee through which I was recommended. Inevitably our roles would overlap and when Bob retired his functions passed over to me. But for 6 years we served the College together. Bob's favorite term when he faced a problem, was bull and jam. When Bob played football at Keene High, he was the blocking bull in bull and jam. Bob was a big personality like Jim Masiello and he could be a bull.

In my first 6 months on the job, when Bob would introduce me at events, he'd say meet Jay Karn, our VP for Finance and Planning. It would annoy me that he'd always mispronounce my name. Around the holiday season, I finally got to meet Bob's family. At the President's residence Bob introduced Cheryl and me to his wife, Normer. And I finally understood something about Bob's Boston east coast accent, because I always call Normer, by the way her name was spelled, Norma.

I've learned a lot about New England and New Hampshire over my 35 years in Keene. Granite Staters are resilient, independent, persistent, frugal and witty. I cover at least 4 of those 5. We are equally a region with people born here and those who moved here to enjoy a life style that in spite of progress made over time remains unique, represented by a love of history, innovation and the great

Keeping talent in our community is a key strategy to planned population growth. That begins with education leaders building work-based learning into their curricula and employers creating incentives for students to explore work in their needed fields. The NH School Administrator Association set a goal that by 2025 all New Hampshire high school students would graduate with a workforce ready credential. It's not only high school students that need internships and work-based learning opportunities, its college graduates as well. Many studies show that pre-graduation internships are pathways that lead people living locally to fill local employment needs.

For example, we can relate to the need for a more responsive mental healthcare system. The state's approach includes more beds at the state hospital and also more responsive and better community-based services. We have input to the state hospital through our elected state officials. But the Keene community has responsibility for assuring our community-based services are up to the task.

For five years while I served in the state senate, I worked with Gary Barnes who was the executive director of MAPS Counseling Services and Phil Wysik of Monadnock Family Services to lower barriers to expanding the mental health workforce in Keene. One of those barriers was getting the State's Medicaid insurance companies to reimburse for clinical counseling interns who counsel Medicaid recipients. Because of Medicaid reimbursements being so low, those clients tell Gina Pasquale, today's MAPS director, that they make 10 or more calls to get an appointment which is often weeks out from their point of need. Today MAPS has 3 unpaid interns under supervision of licensed counselors and 6 paid resident students, who are providing mental health services to the region's most underserved population. One of the past residents has been hired by MAPS as a

In-migration has been a significant component of New Hampshire's growth over the past decade. University of New Hampshire demographer, Ken Johnson, published this past October, that a majority of New Hampshire's residents were not born in the state, but moved here from another state or country. That contrasts with the statistics for the nation overall, as well as the figures for the other New England states.

This in-migration population is more diverse than NH-born residents, adding another dimension to our growth objective, diversity. In-migration residents need to find ways of bonding in our community with people similar to them. This means nurturing organizations that support diverse populations, be they ethnic, religious, age or gender-based organizations. And then we need to make certain we're building bridges across organizations so populations and support groups aren't siloed but are welcomed. This role is played by the City's Human Rights Committee and the Monadnock Diversity, Equity, Inclusion and Belonging organization, groups that are important to a planned growth objective.

A welcoming environment means we've planned well for hosting an in-migrating person or family. Beyond offering competitive wages, we need to put some muscle behind the adopted City Council goal of finding creative ways to make quality housing as affordable and available as possible. The Council goal calls for 230 new housing units. Compare that to the Washington Park Apartments. That added 135 new units when opened in 2019, and that single project increased the city's tax base by \$13M, making it the 7th highest assessed property in Keene.

Not every housing project needs to be in a 4-story building in the center of the city. The City Council's recent actions have improved housing opportunities in rural

One thing that can set Keene apart is the pride we take in the accomplishments of our people and organizations. There's a collective responsibility to sharing our pride in the accomplishments of our people and organizations. With the Council's support, at every city council meeting for the remainder of 2024, that would be our next 23 meetings, I'm asking all people living and working in Keene to share with the Mayor and City Clerk, names of students, employees, volunteers, retirees and organizations that we should recognize for their accomplishments. These are stories that we can amplify across NH and simultaneously promote our community.

I am so grateful to the citizens of Keene for giving me the honor of representing our city as its mayor. The mayor's role is defined as the ceremonial head of the city. I assure you that at every ceremony, every council meeting and every day that I spend on city business – in City Hall, in Concord, and in visits across our state - I will articulate our vision and our accomplishments, our needs and our creativity. Keene is a vital city for western NH and our state. Our future is full of expectations to which we need to rise to meet.

I often turn to quotes that link education and inspiration. On speaking about the importance of education, Malcolm X said, "tomorrow belongs to the people who prepare for it today."

May we be blessed along our journey with success, good health, love, peace, understanding and compassion in this new year and new city council term.

Thank you,
Jay Kahn



CITY OF KEENE

In the Year of Our Lord Two Thousand and Twenty Four

A RESOLUTION Relating to the City Council’s Rules of Order

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

That the City Council of Keene, New Hampshire, in accordance with Section 20 of the Keene City Charter, hereby adopts as its rules for the transaction of its business during 2024 and 2025, hereinafter called its Rules of Order, the following:

COUNCIL MEETINGS

SECTION 1. REGULAR COUNCIL MEETING.

Regular meetings shall be held on the first and third Thursdays of each month (holidays, and summer City Council vacation excepted). The meetings shall take place in the City Council Chambers, City Hall, unless otherwise authorized by vote of the City Council. Except in the event of an emergency declared by appropriate authority, the City Council shall meet at least once per month.

SECTION 2. SPECIAL MEETINGS.

Special meetings may be called by the Mayor, or at his or her refusal, incapacity or absence from the City, by seven (7) or more members of the City Council, subject to Section 4, "Quorum [and remote participation]," of these Rules of Order. The City Clerk shall prepare a notice of the special session stating the time, place, and subject matter, and this notice shall either be mailed or delivered by cell phone text message at least forty-eight (48) hours before the time of the meeting to the Mayor and to each member of the City Council, or in the event of an emergency as determined by the Mayor in accordance with applicable law, the notice shall be served personally upon each member of the City Council, or left at their usual place of residence at least two (2) hours before the time of the meeting. It shall also be the duty of the City Clerk, immediately upon receipt of a request to do so, to make diligent efforts to notify each member of the City Council by telephone or otherwise of such special session.

SECTION 3. ADJOURNED SESSIONS.

Any session of the Council may be continued or recessed from day to day, or for more than one (1) day, but no recess shall be for a longer period than until the next regular meeting thereafter.

SECTION 4. QUORUM AND REMOTE PARTICIPATION.

The majority of the Councilors elected shall constitute a quorum. Roll call attendance will be taken before the start of all meetings of the City Council. In the event that a quorum is not achieved, the meeting shall be rescheduled by the Mayor or the Temporary Chair ("Chair"). Unless otherwise permitted by law, a quorum shall be present at the physical location of the meeting. One or more members, but less than a quorum, may participate in the meeting electronically or telephonically when permitted to do so by the City Council, and when their physical attendance is not reasonably practical, provided that all members of the public body, and the public, can hear and/or be permitted to speak to each other. Remote participation by members is discouraged. A member wishing to participate remotely must notify the City Clerk at least 24 hours prior to the meeting or remote participation shall not be permitted. Upon such notification, the City Clerk shall take appropriate action to provide for remote electronic or telephonic access by the member to the meeting, and shall provide the requesting member with the information necessary to access the meeting. At the time appointed for the meeting, the Chair shall recognize the member requesting remote participation. The member participating remotely shall state for the minutes the reason for their request, and shall identify any other person(s) present in the location from which the member is participating. The Chair shall call for any objection to the request for remote participation. In the absence of objection, the request shall be granted. If there is objection, the request shall be placed before the City Council for a vote. The denial of the request shall require a $\frac{2}{3}$ roll call vote of the members present. If one or more members are participating remotely in the meeting, all votes shall be by roll call. Physical attendance shall be deemed to not be "reasonably practical" in the event of serious health issues, disability, out of town employment responsibilities, or otherwise permitted in the reasonable discretion of the public body. The foregoing Rule with respect to a quorum and remote participation shall also apply to participation in Committee meetings of the City Council.

OFFICERS

SECTION 5. PRESIDING OFFICER.

The Mayor shall take the chair at the hour appointed for the City Council to meet, and shall immediately call the members to order. The roll shall then be called by the Clerk, who shall enter in the minutes of the meeting the names of the members present and absent. The name of any member entering after roll call shall be entered in the minutes.

SECTION 6. TEMPORARY CHAIR.

In case of the absence of the Mayor, the Clerk shall call the City Council to order and call the roll of the members. If a quorum is found to be present, the City Council shall proceed to elect a Councilor, by a majority vote of those present, as Temporary Chair of the meeting to act until the Mayor appears. The Temporary Chair shall have the obligation to vote in accordance with Section 15, "Voting and Conflict of Interest," of these Rules of Order.

SECTION 7. CITY CLERK.

The City Clerk shall be the Clerk of the City Council and shall perform such other duties as the Mayor and a majority of the City Council may prescribe.

SECTION 8. CITY ATTORNEY.

The City Attorney shall attend all meetings of the City Council unless excused by the City Council or Mayor. Any member of the City Council or the Mayor may at any time call upon the City Attorney for an opinion as to law, ordinances, or parliamentary procedure, but the final decision as to any matter of parliamentary procedure shall be the responsibility of the Mayor or Temporary Chair, subject to the provisions of Section 13, "Right of Appeal," of these Rules of Order.

SECTION 9. CITY MANAGER.

The City Manager shall attend all meetings of the City Council unless excused by the City Council or Mayor. The City Manager shall have all of the rights and restrictions for participation in City Council meetings as defined by the City Charter, applicable state law, and the Rules of Order.

SECTION 10. DECORUM AND ORDER.

The Mayor or Temporary Chair shall preserve decorum and if a member transgresses the Rules of the City Council, the Mayor or Temporary Chair shall, or any member may, call him or her to order, in which case he or she shall be seated, subject to the member's right to appeal under Section 13, "Right of Appeal," of these Rules of Order. Appropriate dress during regular meetings of the City Council shall consist of professional business attire. Cell phones are to be silenced while the City Council is in session. The Mayor and City Council members are expected to devote their attention to the business of the City Council, and to refrain from the use of electronic devices during City Council meetings not germane to the business before the City Council. Any electronic communication by and among members of the City Council during any City Council or Committee meeting which is not capable of being heard or observed by members of the public or other Councilors is prohibited.

DUTIES AND PRIVILEGES OF MEMBERS

SECTION 11. RIGHT OF FLOOR.

When recognized by the Chair, a member shall rise in his or her place, respectfully address the Mayor or Temporary Chair, confine himself or herself to the question under debate, avoid personal attacks, and refrain from impugning the motives of any other member's or participant's argument, stated position or vote. No member of the City Council may speak for or against a petition at a public hearing thereon, but he or she may ask questions concerning the petition or answer questions if he or she has special knowledge concerning the petition.

SECTION 12. EXCUSAL DURING MEETING.

No member may leave the Council Chamber after the call for a vote without first obtaining permission from the Mayor or Temporary Chair. There shall be, at a convenient point to be selected by the Mayor or Temporary Chair, a recess of approximately (5) minutes, after the City Council has been in session for two (2) hours.

SECTION 13. RIGHT OF APPEAL.

Any member may appeal to the City Council a ruling of the Mayor or Temporary Chair. If the appeal is seconded, the member making the appeal may briefly state his or her reason for the same, and the Mayor or Temporary Chair may briefly explain his or her ruling; but there shall be no debate on the appeal and

no other member shall participate in the discussion. The Mayor or Temporary Chair shall then put the question to the City Council: "Shall the decision of the Chair be sustained?" If a majority of the members present vote in the negative, the ruling of the Mayor or Temporary Chair is overruled; otherwise, it is sustained. Such a vote shall be by roll call. The Mayor or Temporary Chair shall not have a vote.

SECTION 14. LIMITATION OF DEBATE.

No member shall be allowed to speak more than once upon any item of business before the City Council until every other member choosing to speak thereon shall have spoken, and no member shall speak more than three times on any item of business, nor for a longer time than ten (10) minutes in all, without leave of the Mayor or Temporary Chair.

SECTION 15. VOTING AND CONFLICT OF INTEREST.

Every Councilor present when a vote is required shall state their vote except when the Councilor has a conflict of interest in the matter under consideration. A conflict of interest shall be defined to exist when a proposed action, decision, or discussion ("Issue") presented to the City Council for consideration, would affect the Councilor's pecuniary or personal interests. A pecuniary interest is any private financial interest, whether in the form of money, property or other commercial or financial consideration, the primary significance of which is an economic gain to the Councilor which is not otherwise available to the public generally ("Pecuniary Interest"). A personal interest is any interest of a Councilor in the outcome of an Issue which would provide a financial benefit to any individual, group, or organization in which the Councilor has an interest, and which would (or could be reasonably perceived to) inhibit the impartial judgment of, or decision on, the Issue by the Councilor ("Personal Interest"). Membership in an organization generally, and not in a leadership capacity, shall not be considered a Personal Interest. A conflict of interest shall be deemed to exist when a Councilor's spouse, parent, child, or other member of the Councilor's immediate family living in the same household ("Immediate Family") has a Pecuniary Interest in a proposed Issue. A Councilor with a conflict of interest on a Council agenda shall file with the City Clerk the written particulars of the conflict of interest for inclusion on the Council agenda. If the conflict becomes known to a Councilor during a meeting, the Councilor should immediately disclose the particulars of the conflict of interest. The question of whether or not a conflict exists will then be decided by a majority vote of the Councilors present. The Councilor who may have a conflict of interest shall not vote on the question of the existence of the conflict of interest. When a conflict of interest is determined by the City Council to exist, the member having the conflict shall be prohibited from participating in the discussion and the vote on the Issue. Except at a duly noticed public hearing, or a public meeting, in which the public is allowed to speak, no Councilor having a conflict of interest may discuss the Issue in which he or she has a conflict with any other Councilor in any other place or any other time. If a Councilor with a conflict of interest wishes to speak at a public hearing, or in a public meeting, the Councilor shall do so from the audience section of the meeting.

Any Councilor having reasonable grounds to believe that another Councilor has a conflict of interest may raise the issue on his or her own motion. The Mayor shall also be subject to the Rule on Conflict of Interest notwithstanding whether or not the Mayor is entitled to vote on an Issue. The question of whether or not a conflict of interest exists is subject to debate. The question will then be decided by the Council as set forth above.

The Mayor and Councilors shall file with the City Clerk in January of each year a Statement of Interests on a form prepared for that purpose by the City Clerk. The Statement of Interests shall identify for the Mayor and for each Councilor and for each other person in the Immediate Family the person's employer, and for the Mayor and for each Councilor, any board, commission, organization, association, or other

entity which the Mayor and Councilor is a member of, and whether or not the person holds a leadership position in that organization. The Statement of Interests shall be available in the Office of the City Clerk for public inspection.

SECTION 16. DEMAND FOR ROLL CALL.

Upon the demand of any member, made before the vote has been called for, the roll shall be called for yeas and nays upon any question before the Council. It shall not be in order for members to explain their vote during the roll call.

SECTION 17. MOTIONS.

A long or complex motion shall be reduced to writing if the Mayor or Temporary Chair so directs; or if any member of the City Council requests it. When a main motion is under debate, the Mayor or Temporary Chair may receive the following subsidiary motions, which have their proper position in the order, taking precedence over the motions that rank below it and yielding to motions that rank above it.

Lay on the table	2nd required	Simple majority	Not debatable	Not amendable
Previous question	2nd required	$\frac{2}{3}$ majority	Not debatable	Not amendable
Limit or extend debate	2nd required	$\frac{2}{3}$ majority	Not debatable	Amendable
Postpone definitely	2nd required	Simple majority	Debatable	Amendable
Refer	2nd required	Simple majority	Debatable	Amendable
Amend	2nd required	Simple majority	Debatable	Not amendable
Postpone indefinitely	2nd required	Simple majority	Debatable	Not amendable
Main motion	2nd required	Simple majority	Debatable	Amendable

In addition to subsidiary motions, the Mayor or Temporary Chair may receive the following incidental motions, which have no rank:

Recess	2nd required	Simple majority	Not debatable	Not amendable
Division of the question	2nd required	Simple majority	Not debatable	Amendable
Suspend Rules of Order	2nd required	$\frac{2}{3}$ majority	Not debatable	Not amendable
Take from the table	2nd required	Simple majority	Not debatable	Not amendable
Reconsider	2nd required	Simple majority	Debatable	Not amendable

Appeal from a decision of the Chair	2nd required	Simple majority	Debatable only between Mayor and the member making the appeal	Not amendable
Call from Committee	2nd required	Simple majority	Debatable	Not amendable
Point of Order	None	Ruling by the Chair	Not debatable	Not amendable

SECTION 18. PERMISSION REQUIRED TO ADDRESS CITY COUNCIL.

Persons other than the Mayor, members of the City Council, the City Manager, City Clerk and City Attorney, shall not be permitted to address the City Council except upon introduction by, and permission of the Mayor and only after the person's name and address has been clearly stated.

SECTION 19. ADJOURNMENT.

Adjournment shall be in order at any time, except as follows:

1. Reserved
2. When made as an interruption of a member while speaking
3. When the previous question has been moved
4. While a vote is being taken.

A motion to fix the time to which to adjourn is debatable only as to the time to which the meeting is adjourned.

SECTION 20. RECONSIDERATION.

After the decision of any question, any member who voted with the prevailing side may move for reconsideration of that action at the next regular meeting of the City Council. For the purposes of this Rule, the next regular meeting of the City Council shall be the next regularly scheduled meeting of the City Council which is at least ten (10) days after the meeting of the City Council at which the decision to be reconsidered occurred. The Councilor shall submit a written notice to the City Clerk and the question shall be placed on the agenda in accordance with these Rules. A motion to reconsider shall require a majority vote of the Councilors present.

After a motion for reconsideration has been acted on, no other motion for a reconsideration of the question shall be made. If the original vote is sustained as defined herein, the City Council shall have no further right of reconsideration on the question.

SECTION 21. TIE VOTE.

In case of a tie vote on any question, the Mayor shall cast his or her vote to dissolve the tie vote. In the absence of the Mayor, a tie vote on any question, which includes the vote of a Temporary Chair shall be

deemed to be a nay vote of the question.

SECTION 22. SPECIAL COMMITTEES.

All Special Committees of the City Council such as the City Council may establish, other than Standing Committees under section 23, shall be appointed and announced by the Mayor. The vote on each member appointed by the Mayor to such Committees shall be by roll call. Special Committees shall continue to exist until their charge has been completed or one year from the date of establishment, whichever comes first.

SECTION 23. STANDING COMMITTEES.

On or about January 1st, the following Standing Committees of the City Council shall be appointed by the Mayor. All Standing Committees of the City Council shall consist of five (5) members. No member shall serve on more than one Standing Committee of the City Council at the same time. The first member named on each Committee to be Chair; the second member named on each Committee to be Vice-Chair. Items of business referred to Committee may be in accordance with the areas of concern as set forth below, including any proposed legislation appropriate to the business of the Committee; provided, however, that any item of business coming before the City Council may be referred to other committees as may be necessary for efficiency or to accommodate time constraints:

Finance, Organization, and Personnel Committee

Assessment, budget, cable franchise, claims, purchase and sale of real property and its disposition, elections, finances, information technology, insurance, leases and lease management, organization, personnel, purchasing, and taxes.

Municipal Services, Facilities and Infrastructure Committee

Cemeteries, intermodal transportation facilities, infrastructure management and planning, fire, public health, human services, library, parks, police, recreation, public safety, trail system, traffic control, and youth services.

Planning, Licenses and Development Committee

Airport, Airport leases, Airport land use planning, broadband, college/city relations, enforcement of codes, easements, economic development, floodplain, development, housing, intergovernmental relations, land use, permits, licensing, management of open space, conservation, planning, Rules of Order, wetlands, and zoning.

A Councilor who is not a member of the Committee may ask questions and participate in the public discussion, but may not participate in the Committee deliberations after a motion and 2nd has been made concerning an item on a Committee agenda, unless the Councilor is the petitioner on the item before the Committee. If the Committee votes to remove a matter from more time, it shall be placed on the agenda for the next scheduled Committee meeting and prior notice shall be provided to all interested parties. If the Committee votes to go into non-public session, or if an adjournment permitted by law is necessary, only the members of the Committee, and required City Staff, shall attend the session. Non-public sessions and adjournments by a Committee are discouraged, and shall only occur in extraordinary circumstances.

Except for a special meeting of the Committee called by the Mayor or by the Committee Chair, all Standing Committees, except Finance, Organization and Personnel, shall normally meet on an alternating Wednesday following regularly scheduled City Council meetings. The Finance, Organization and Personnel Committee shall normally meet on the first and third Thursday following the regularly

scheduled City Council meeting. Items to be submitted for the agenda packet must be filed with the City Clerk by 1:00 PM on the Tuesday before the Committees hold their regular meetings. A majority of each Committee shall constitute a quorum. The City Manager and those department heads requested by the City Manager shall normally attend the regularly scheduled Standing Committee meetings. The City Manager may designate a department head or other suitable person to represent him or her unless he or she is requested by the Committee to attend a particular meeting, but the Committee Chair will confer as necessary to avoid conflicting demands on the City Manager's time.

SECTION 24. ORDER OF BUSINESS.

The business of all regular meetings of the City Council shall be transacted in the following order, unless directed by the Mayor or presiding officer.

1. Call to order
2. Roll call of attendance
3. Pledge of allegiance
4. Acceptance of minutes of the preceding meeting
5. Public Hearings, proclamations and presentations
6. Nominations/confirmations/appointments
7. Communications
8. Reports of Committees/Boards/Staff
9. City Manager Comments
10. Acceptance of Donations
11. Legislation (Ordinances/Resolutions)
12. Non-Public Session
13. Adjournment

SECTION 25. COMMUNICATIONS.

Communications to be introduced to the City Council must be addressed to the Mayor and City Council through the office of the City Clerk, be signed by the person(s) submitting the communication, and contain a residential address or mailing address, if different, and an email address. Communications containing a scanned image of the person's actual signature, or an electronic signature created in accordance with applicable law or City Ordinance, may be submitted electronically. Communications not containing all of the above will not be accepted by the City Clerk. Communications of a personal, defamatory, or argumentative nature, shall not be accepted by the City Clerk.

SECTION 26. REVIEW OF ITEMS OF BUSINESS.

Every Ordinance, Resolution, Committee Report, and any other document to come before the City Council for consideration must be filed with the City Clerk by 4:00 PM on the Tuesday before the Thursday on which the City Council holds its regular meeting.

As soon as practicable after receipt of items of business by the City Clerk, the City Clerk shall review the items of business with the Mayor and City Manager. Items of business determined by the Mayor and City Manager to be routine City business, or within the purview of the City Manager, or of a nature that investigation by the City would be appropriate or of a nature that the matter should be dealt with confidentially shall be referred, as appropriate, to the City Manager, the City Council, Council Committee, or other appropriate governmental agency for disposition. In such cases, the sponsor of the item of business shall be given written notification of the referral of the matter and such other pertinent information as the Mayor and City Manager shall determine to be appropriate. The City Council shall be provided with a summary of the items of business not placed on the Council agenda and the disposition of the items. The City Manager shall take reasonable measures to ensure that these referrals are dealt with appropriately. Except as otherwise provided by these Rules, items of business not resolved to the satisfaction of their sponsor, may be placed upon the Council agenda by the Mayor, any member, or the City Manager.

All items to be placed on the City Council agenda for the first time shall be referred by the Mayor as appropriate to a Committee or Committees for consideration and report by the Committee at the next meeting of the City Council, unless more time is requested by the Committee. Any item appearing on the City Council agenda for the first time shall not be debated, and shall have no final action without suspension of the rules. Once more time has been granted on a matter, it shall remain on more time until placed on the Committee agenda for action or a motion to call it out of Committee passes. Notwithstanding any other provisions of these Rules, Resolutions of a congratulatory, aspirational or ceremonial nature and items referred directly to a Committee under this Section and then reported out may be debated and acted upon when they first appear on the City Council agenda without suspension of the rules.

SECTION 27. READINGS OF ORDINANCES AND RESOLUTIONS.

Resolutions calling for the appropriation of unbudgeted funds, and all Ordinances, shall be read twice. The first and second readings to be by title only. Such documents are to be posted on the public bulletin board in the City Hall entry way for one (1) week following each reading in City Council. No item which has been the subject of a public hearing may be considered by City Council on the same day as the hearing.

SECTION 28. AMENDED ORDINANCES.

If an Ordinance is amended in Committee, it shall be reported as an amended Ordinance. The Committee report shall explain the recommended amendments.

SECTION 29. VOTES ON ORDINANCES OR RESOLUTIONS.

On passage of a Resolution calling for any appropriation of funds, or on the passage of any Ordinance, the vote shall be taken by roll call, majority vote, and entered in full upon the record. A Resolution calling for the appropriation of funds through the issuance of a Bond, or a Resolution calling for the repurposing of an issued Bond, shall require a $\frac{2}{3}$ roll call vote of all elected members. Every member shall be required to vote unless excused for conflict of interest by vote of the City Council. The vote shall be for or against a pending Ordinance or Resolution and not on the report of the committee thereon.

SECTION 30. ANNUAL APPROPRIATION.

If a Councilor wishes to make an amendment to the proposed capital improvement budget or the annual operating budget during the respective budget adoption process, the Councilor shall submit the text of the proposed amendment, including the line item(s) to be amended, to the City Clerk for inclusion on the City Council agenda no later than 4:00 p.m. on the Tuesday prior to the City Council meeting scheduled for the adoption of the capital improvement budget or the annual budget. After the annual appropriation has been adopted, subsequent unbudgeted expenditures shall not be authorized for any purpose without special appropriation therefore by affirmative vote of a majority of City Council. If the unbudgeted expenditure creates a City debt, the affirmative vote of two-thirds of City Council shall be required. All such votes shall be taken by roll call.

SECTION 31. APPROPRIATION OF UNBUDGETED FUNDS.

After adoption of the annual budget, Resolutions calling for the appropriation of unbudgeted funds shall not be accepted by the City Clerk, unless accompanied by an explanation of the purpose of the appropriation and the fund(s) to which it is to be charged.

SECTION 32. REPORT BY COMMITTEE.

All matters referred to a Committee must be reported out of that Committee at the next regular meeting of the City Council except a matter which is the subject of a pending public hearing or unless otherwise ordered by a majority of the Council Committee members present. Written testimony submitted after a public hearing held before the City Council shall be accepted by the City Clerk up until 1:00 p.m. on the Tuesday immediately preceding the Committee meeting. Written testimony with regard to any other business before the Committee shall be accepted by the City Clerk up until 4:00 p.m. on the Tuesday immediately following the Committee meeting to be included on the agenda of the City Council meeting. A matter which is the subject of a public hearing must be reported out of a Committee at the next regular meeting after the hearing unless otherwise ordered retained by a majority of the Council Committee members present. If not reported out as provided above, or if immediate action is required, a motion by the City Council to call the matter out of Committee will then be in order. Passage of that motion will place the matter before the City Council for consideration. When the Chair of the Committee or the designee offers a motion to carry out the intent of the Committee report, a brief explanation of the Committee's recommendation shall be stated. Moving to carry out the intent of the Committee report does not restrict the proponent of the motion from speaking against the recommendation of the Committee.

SECTION 33. RESUBMISSION OF ITEMS ONCE CONSIDERED.

Once a final vote has been taken by the City Council regarding the disposition of an item of business submitted to it, or on any question properly before it, except for a reconsideration vote under these Rules or the City Charter, the identical subject matter to that item of business or question shall not be taken up again by the City Council during that calendar year.

SECTION 34. NON-PUBLIC SESSION.

As provided for in RSA 91-A:3, the vote on any motion to enter non-public session shall be by roll call, and shall require the affirmative vote of the majority of members present. All persons present, except the Mayor, City Council, the City Manager, City Attorney and City Clerk shall leave the meeting, unless

specifically requested to remain. A motion to seal the minutes of a non-public session shall be by roll call vote and shall require a two-thirds majority vote in favor.

SECTION 35. SUSPENSION OF THE RULES.

Any provision of these Rules not governed by the Charter, Statute, or Ordinance, may be temporarily suspended at any meeting of the City Council, by a two-thirds vote of all members present. The vote on any such suspension shall be taken by roll call and entered upon the records.

SECTION 36. TO AMEND RULES.

These Rules of Order may be amended or new Rules adopted by a two-thirds vote of all members elected. Any such alterations or amendments shall be submitted in writing at the preceding regular meeting of the City Council and shall be referred to the Planning Licenses and Development Committee. Changes to the Rules shall become effective upon adoption.

SECTION 37. PROCEDURE TO FILL VACANCY.

In the event that a vacancy occurs in the City Council or Office of the Mayor from any cause, the following procedure shall be followed to fill the vacancy.

- A. When a vacancy occurs, the Mayor or Temporary Chair (in the case of a vacancy in the office of the Mayor), in accordance with Sections 8, "Vacancies," and 19, "Mayor," of the City Charter, shall declare the office vacant at the City Council meeting immediately following the discovery of the vacancy. The following procedure will be followed to fill the declared vacancy; provided, however, that if the vacancy is declared to exist within One Hundred and Twenty (120) days of the next regularly scheduled City election for the City Council, the vacancy will be filled through that election process, and in accordance with the requirements of Section 8 of the City Charter.
- B. When a vacancy is declared to exist, the Mayor or Temporary Chair (in the case of a vacancy in the office of the Mayor) shall set a filing period no earlier than eight (8) days after the declaration. The Mayor shall cause publication notice of the vacancy in a newspaper of general circulation in the City and establish a fourteen (14) day period exclusive of the date of publication within which time candidates may file notice of their intent to seek election to the vacant office. The filing period shall end at the close of business of the City Clerk's office on the fourteenth day.
- C. The City Council shall choose a qualified person at the next regular meeting of the City Council after the close of the filing period, at which time an election shall be held.

The following procedure shall be followed on the date of the election:

1. The Mayor, or Temporary Chair in the case of a vacancy in the office of the Mayor (see Section 6, "Temporary Chair," of the Rules of Order), shall declare the field of candidates for the vacancy.
2. Each candidate will be given five (5) minutes to address the City Council relative to his or her candidacy. No questions will be asked of the candidates by the City Council and immediately upon completion of the last candidate's presentation, the City Council will proceed with the process of filling the vacancy.

3. In the event that there are more than two candidates, there shall be a primary vote of the City Council to narrow the field of candidates to two (2). The two candidates receiving the highest number of votes following an initial vote will be declared the finalists for election.
4. The final vote will be conducted and the candidate receiving the votes of a majority of the elected City Council, will be declared the winner.
5. Voting shall be by roll call vote, each City Councilor stating the name of his or her choice. In the event that a City Councilor does not wish to vote for any candidate, he or she shall vote "No". In the event that no candidate for the vacancy receives a majority vote of the elected City Council then the Mayor or Temporary Chair may call for a second round of voting. In the event that no candidate receives a majority vote after the second round of voting, the Mayor or Temporary Chair shall establish an additional fourteen (14) day period within which candidates may file notice of their intent to seek election to the vacant office, and an election shall be held as provided above, including publication notice.
6. Following the successful result of an election, the prevailing candidate shall take the oath of office and be immediately seated.

SECTION 38. RULES OF ORDER.

"Robert's Rules of Order," as amended, shall govern points of order not covered herein.

SECTION 39. COUNCIL POLICIES.

Policies to be introduced to the City Council governing the operations of the City Council shall be in the form of a Resolution and, upon its adoption, shall be indexed and appended to the Rules of Order for ease of reference. A City Council policy shall remain effective until superseded by a vote of the City Council. When an issue comes before the City Council, which it believes has merit, but which is inconsistent with an adopted policy, the City Council shall first consider an amendment to the policy before considering the issue at hand. The City Council may, from time to time on its own initiative, or when so requested by City Staff, review adopted policies and determine whether to keep the policy, to revise the policy, or to rescind the policy.



Jay V. Kahn, Mayor

PASSED January 4, 2024

2024-2025 CITY COUNCIL

STANDING COMMITTEES

Municipal Services, Facilities & Infrastructure Committee

Mitchell H. Greenwald, Chair
Randy L. Filiault, Vice Chair
Andrew Madison
Catherine I. Workman
Laura E. Tobin

Planning, Licenses & Development Committee

Kate M. Bosley, Chair
Philip M. Jones, Vice Chair
Raleigh Ormerod
Robert Williams
Edward J. Haas

Finance, Organization & Personnel Committee

Thomas F. Powers, Chair
Michael J. Remy, Vice Chair
Bettina A. Chadbourne
Bryan J. Lake
Kris E. Roberts