

A regular meeting of the Keene City Council was held on Thursday, March 21, 2024. The Honorable Mayor Jay V. Kahn called the meeting to order at 7:00 PM. Roll called: Kate M. Bosley, Laura E. Tobin, Michael J. Remy, Randy L. Filaault, Robert C. Williams, Edward J. Haas, Andrew M. Madison, Kris E. Roberts, Raleigh C. Ormerod, Bryan J. Lake, Bettina A. Chadbourne, Thomas F. Powers, & Mitchell H. Greenwald were present. Philip M. Jones and Catherine I. Workman were absent. Councilor Haas led the Pledge of Allegiance.

#### MINUTES OF THE PRECEDING MEETING

A motion by Councilor Greenwald to approve the March 7, 2024 meeting minutes was duly seconded by Councilor Bosley. Councilor Tobin noted a correction relating to the communication from Peter Espieffs, noting it should reflect that he supported Ordinance O-2023-16-A, but opposed downtown gaming. With 13 councilors present and voting in favor, the minutes were accepted, as amended. Councilors Jones and Workman were absent.

#### ANNOUNCEMENTS

Mayor Kahn and the Council extended best wishes to Councilors Filaault and Chadbourne, who celebrated birthdays in March. Mayor Kahn also announced the Legislative Delegation meeting on March 26 at 6:30 PM at Heberton Hall, noting Councilors should RSVP to the Mayor's Office.

Mayor Kahn went on to share a reminder that to accommodate additional Municipal Services, Facilities, and Infrastructure (MSFI) Committee meetings that will focus on the downtown infrastructure project, special MSFI meeting dates were scheduled for April 10 and May 8, both starting at 5:30 PM. The Planning, Licenses, and Development Committee's meeting time will shift to a 7:00 PM start on these dates. Also, on April 3 and May 1, the downtown project consultants will lead two forums at the Recreation Center: 3:00 PM–4:30 PM and 5:00 PM–7:00 PM. Members of the public are welcome to attend, view plans, and offer comments that will be considered by the MSFI Committee. There will also be a Council Workshop to discuss the downtown project on June 11 at 6:00 PM in Council Chambers.

Mayor Kahn also announced that the Council's summer vacation is scheduled to start with the cancellation of the August 15 Council meeting and will include September 5 meeting. The Council Standing Committee meetings of August 7–8 and August 21–22 are also canceled. The Committees will start meeting again on September 11 and 12. The Council will start meeting again on September 19. Next, the Mayor shared that the State of NH will be hosting a Hate Crime Seminar on April 19 from 8:30 AM–1:00 PM, conducted by John Formella and Sean Locke from the Attorney General's Office; location to be announced. Finally, for the benefit of the public, Mayor Kahn mentioned that later in this meeting the Council would consider setting a public hearing on the Cottage Court Overlay District to be held at the next regular meeting on April 4.

Mayor Kahn led the Council in a moment of silence in remembrance of Nathaniel Stout, who passed away on March 15. Mr. Stout was a Ward 3 City Councilor from 2002–2009 and an at-large Councilors from 2010–2011. He also served as a regular member of Keene's Zoning Board

of Adjustment from 2012–2018, the Library Board of Trustees from 2012–2019, and the Planning Board from 2015–2018.

#### RECOGNITION – KEENE POLICE DEPARTMENT – IN GRATITUDE FOR RECENT PUBLIC SAFETY ACTIONS

Mayor Kahn welcomed members of the Keene Police Department (KPD): Chief Steve Stewart, Captain Steve Tenney, Sargent Mark Cotton, Officer Joel Velez, and Officer Nick Pannell. These KPD members were all involved in an Amber Alert that led to the arrest of a murder suspect. Officer Kyle Macie and Dispatcher Maura Hart were also involved but could not attend this meeting. Detective/Lieutenant Joel Chidester, Detective Jen Truman, Detective Don Lundin, and Detective Andrew were also recognized for their efforts relative to narcotics investigations but could not attend this meeting. Additionally, Mayor Kahn thanked the KPD for its cooperation with the U.S. District Attorney’s Office on a recent arrest related to child pornography charges. Mayor Kahn shared the KPD’s mission statement: *“to protect life and property and to maintain order while assuring fair and respectful treatment of everyone.”* He thanked the whole department for its work.

KPD Chief Stewart thanked Mayor Kahn for this recognition. He said these drug investigations are common for the Detective Bureau. It is time consuming work due to out-of-state gang connections distributing narcotics in the City. He also thanked the two citizens who recognized the Amber Alert vehicle on the news and reported it. The dispatcher handled the call perfectly, which allowed for securing the two small children safely and the arrest of the offender. Chief Stewart said the KPD displays this professionalism and good work on a daily basis. He added that one person most responsible for the success of KPD today is Councilor Tom Powers, who led the KPD from the mid-1980s–early 2000s and set the standard for the professionalism exhibited by the KPD today. The Council and audience applauded the KPD.

#### UNION LEADER – 40 UNDER 40 HONOREES: ALEXA PLEWA & CODY MORRISON

Mayor Kahn recognized two community members who were recently recognized among the Manchester Union Leader’s annual 40 Under 40 honorees. Mayor Kahn noted that Alexa Plewa is the Executive Director of the Cheshire Children’s Museum and has been actively involved in supporting family childcare for 16 years. As an educator, childcare provider, program director, and a mom, Ms. Plewa is a driving force behind the Brining It Home project, an initiative to bolster childcare options in the Monadnock Region. The project funds the creation and growth of 10 new home-based childcare businesses by 2025. Mayor Kahn commended Ms. Plewa’s dedication to supporting families and children that positively impacts the community. Mayor Kahn also shared that the Children’s Museum would be hosting its 5<sup>th</sup> annual Shamrock 5k and Family Day on Saturday, March 24 from 9:30 AM–1:00 PM. This was the Children’s Museum’s biggest fundraiser of the year, and the public was invited.

Next, Mayor Kahn reported that Cody Morrison is the Executive Director of the Monadnock Economic Development Corporation (MEDC) and had been a consistent leader throughout his career. He had addressed community and economic challenges in Newport, NH, before his work with MEDC. Mr. Morrison’s notable accomplishments include securing over \$8 million in

funding for infrastructure and economic revitalization projects, coordinating production of NH's first distillery to make hand sanitizer during the Covid-19 pandemic. He also launched the Bringing It Home project with Ms. Plewa. Brining It Home is a first of its kind program that expands access to childcare in southwestern NH by creating family-based providers. Mayor Kahn added that Mr. Morrison graduated from Franklin Pierce University, and he was pursuing a master's degree from John Hopkins University. He volunteers as the President of the NH Alliance of Regional Development Corporations, as well as other boards and committees, including several in the City.

Ms. Plewa thanked Mayor Kahn for this recognition. Ms. Plewa wears several hats in the community. As Executive Director of the Children's Museum, she works with family-based providers to build an established, staffed family childcare network, and supports families and children in as many different capacities as possible, thus supporting the economic workforce of this community. There is a childcare shortage in NH, with 83,000 placements needed for children. From her experience as a family-based provider for many years, Ms. Plewa understands the challenges and is working to recruit and retain family childcare providers, while giving them technical and business assistance, as well as quality support. Ms. Plewa felt privileged for this honor and she was proud to report that Bringing It Home was expanding to be the first staffed family childcare network in the Monadnock Region, called the Monadnock Family Childcare Network.

Mr. Morrison thanked Mayor Kahn for this honor. He was both excited and privileged to earn the 40 Under 40 award. As a relatively newer Keene resident (2 years), he was grateful to have been welcomed with open arms. He was grateful to continue the wonderful experience of meeting the people, businesses, and organizations that make Keene what it is.

The Council applauded Ms. Plewa's and Mr. Morrison's efforts and Mayor Kahn presented them with pins of the key to the City.

#### CONFIRMATION – HUMAN RIGHTS COMMITTEE

At the last regular meeting, Mayor Kahn nominated David Morrill to serve as an alternate member of the Human Rights Committee, with a term to expire December 31, 2026. A motion by Councilor Greenwald to confirm the nomination was duly seconded by Councilor Bosley. The motion carried unanimously on a roll call vote with 13 Councilors present and voting in favor. Councilors Jones and Workman were absent.

#### NOMINATIONS – LIBRARY BOARD OF TRUSTEES & ENERGY AND CLIMATE COMMITTEE

Mayor Kahn nominated Hollie Seiler to serve as a regular member of the Library Board of Trustees, with a term to expire June 30, 2025. Mayor Kahn also nominated Gordon Leversee to serve to serve as a regular member of the Energy and Climate Committee, with a term to expire December 31, 2026. Mayor Kahn tabled the nominations until the next regular meeting.

**COMMUNICATION – BREWBAKERS CAFÉ – REQUEST TO USE CITY PROPERTY – ADJACENT TO WILSON STREET – OUTDOOR DINING**

A communication was received from Jeff Murphy, requesting permission to have outdoor dining on the Wilson Street side of his business located at 48 Emerald Street. This activity was permitted as an extension to Mr. Murphy’s seating during the COVID-19 emergency order. The City Clerk used her discretion under the City Code to refer this request to the City Council for consideration. Mayor Kahn referred the communication to the Planning, Licenses, and Development Committee.

**COMMUNICATION – KEENE PRIDE – REQUEST TO USE CITY PROPERTY – KEENE PRIDE FESTIVAL – SEPTEMBER 15, 2024**

A communication was received from Adam Toepfer, Keene Pride Board President, requesting the annual license to conduct the Keene Pride Festival on September 15, 2024. Mayor Kahn referred the communication to the Planning, Licenses, and Development Committee.

**COMMUNICATION – PATHWAYS FOR KEENE – REQUEST TO USE CITY PROPERTY – 4 ON THE 4<sup>TH</sup> ROAD RACE – JULY 4, 2024**

A communication was received from Sarah Greene on behalf of Pathways for Keene, requesting the annual license for Pathways for Keene to sponsor a footrace on July 4, 2024. Mayor Kahn referred the communication to the Planning, Licenses, and Development Committee.

**COMMUNICATION – COUNCILOR MADISON – POTENTIAL CHANGES TO COUNCIL DISCIPLINARY PROCESS**

A communication was received from Councilor Andrew Madison, suggesting a review of the City Council’s Disciplinary Policy to provide for a process for issues relating to a councilor’s conduct toward a City employee. Mayor Kahn referred the communication to the Planning, Licenses, and Development Committee.

**COMMUNICATION – FARMERS MARKET OF KEENE – REQUEST TO USE CITY PROPERTY – 2024 FARMER’S MARKET**

A communication was received from Bruce Bickford on behalf of the Farmers Market of Keene, requesting the annual license to operate the Keene Farmers Market on Saturdays starting on April 20 and continuing through October 31, 2024, in their usual location on Gilbo Avenue/Commercial Street Parking Lot. Mayor Kahn referred the communication to the Planning, Licenses, and Development Committee.

**PLD REPORT – JARED GOODELL – ISSUES ASSOCIATED WITH SIDEWALK CAFÉ LICENSES**

A Planning, Licenses, and Development Committee report read, unanimously recommending referring Issues Associated with Sidewalk Café Licenses to City Staff. A motion by Councilor Bosley to carry out the intent of the Committee report was duly seconded by Councilor Ormerod.

Councilor Ormerod said a lot of this issue was about sidewalk widths and how Main Street and the adjacent streets should be designed. The sidewalk cafés had been really important in the City for the last few years, and Councilor Ormerod said Mr. Goodell’s letter was instructive and helped the Councilor to learn more about obstacles to sidewalk cafés. Councilor Ormerod said the City needs good ideas for how to regulate the cafés well and to encourage their continued importance to the look, feel, and culture of downtown Keene.

The motion carried unanimously with 13 Councilors present and voting in favor. Councilors Jones and Workman were absent.

**PLD REPORT – COUNCILOR WILLIAMS – CONSIDERATION FOR ORDINANCE AMENDMENT – REQUIRING DOGS WITH A RECORD OF VICIOUS DOG OFFENSES TO BE MUZZLED WHEN IN PUBLIC**

A Planning, Licenses, and Development Committee report read, unanimously recommending accepting the communication on consideration for Ordinance Amendment – Requiring Dogs with a Record of Vicious Dog Offenses to be Muzzled when in Public as informational. Mayor Kahn filed the report as informational.

**PLD REPORT – KEENE SWAMP BATS – REQUEST TO DISCHARGE FIREWORKS – INDEPENDENCE EVE CELEBRATION – JULY 3, 2024; AND KEENE SWAMP BATS – REQUEST TO DISCHARGE FIREWORKS – JUNE 5, 2024 & JULY 26, 2024**

A Planning, Licenses, and Development Committee report read, unanimously recommending that the Keene Swamp Bats be granted permission for the discharge of display fireworks on Wednesday, July 3rd, 2024 on Alumni Field at no later than 10:00 PM, and reserving a “rain date” to be determined in conjunction with City staff in the event of inclement weather. Said permission is subject to following conditions: the signing of a revocable license and indemnification agreement; that the Keene Swamp Bats provide a certificate of liability insurance with the City of Keene listed as additional insured in the amount of \$1,000,000; that the fireworks vendor also provide a certificate of liability insurance with the City of Keene listed as additional insured in the amount of \$1,000,000; submittal of a signed letter of permission from SAU 29 for use of their property; and obtainment of a State Fireworks permit. In addition, the petitioner agrees to comply with any recommendations of City staff. The Petitioner agrees to absorb the cost of any City services over and above any amount of City funding allocated in the FY 25 Community Events Budget. Said payment shall be made within 30-days of the date of invoicing.

A second Planning, Licenses, and Development Committee report read on a vote of 4–1, recommending that the Keene Swamp Bats be granted permission for the discharge of display fireworks on the following dates: Wednesday, June 5, 2024 and Tuesday, July 26, 2024 on Alumni Field at no later than 10:00 PM subject to following conditions: the signing of a revocable license and indemnification agreement; that the Keene Swamp Bats provide a certificate of liability insurance with the City of Keene listed as additional insured in the amount of \$1,000,000; that the fireworks vendor also provide a certificate of liability insurance with the City of Keene listed as additional insured in the amount of \$1,000,000; submittal of a signed

letter of permission from SAU 29 for use of their property; and obtainment of a Class B fireworks permit for each display date. In addition, the petitioner agrees to comply with any recommendations of City staff. This permission is conditional upon the Petitioner absorbing the charges for any City services provided. Said payments shall be made within 30-days of the date of invoicing.

A motion by Councilor Bosley to carry out the intent of paragraph one of the Committee report was duly seconded by Councilor Filiault. The motion carried unanimously with 13 Councilors present and voting in favor. Councilors Jones and Workman were absent.

A motion by Councilor Bosley to carry out the intent of paragraph two of the Committee report was duly seconded by Councilor Filiault.

Councilor Powers said he (and Councilor Jones) received an email from an abutter of Alumni Field who raised concern that there are too many fireworks displays, despite baseball being such a big part of Keene's culture. The fireworks displays had increased dramatically over the last 25 years. The abutter asked the Council to consider approving fewer fireworks events in the future.

Councilor Williams stated that he had voted in opposition to paragraph two of the Committee report. He said that fireworks disturb wildlife, people, dogs, and more. Also, the fireworks right next to the swamp will startle the wildlife therein. He only supported one fireworks display per organization per year.

Councilor Filiault supported the motion. There had always been neighbors in opposition. Still, at least people will know about these events in advance and not be surprised. He said the greater problem is with the unlicensed displays.

Councilor Ormerod agreed that in the past, this organization requested one or two displays per year, which had now increased to four or five. He also agreed with suggestions to consider drone displays instead, which are less disturbing to people and wildlife. He agreed that it is ironic for the "Swampbats" team to conduct fireworks displays that disturb the bats in the adjacent swamp.

The motion to carry out the intent of paragraph two of the Committee report carried with 8 Councilors present and voting in favor and Councilors Tobin, Williams, Ormerod, Lake, and Chadbourne voted in opposition. Councilors Jones and Workman were absent.

#### PLD REPORT – CHARLOTTE AND DAVID LESSER – NOISE DISTURBANCE FROM A COMMERCIAL VEHICLE GENERATOR AT 58 GRANT STREET

A Planning, Licenses, and Development Committee report read, unanimously recommending accepting the communication Noise Disturbance from a Commercial Vehicle Generator at 58 Grant Street as informational. Mayor Kahn filed the report as informational.

#### PLD REPORT – LET IT SHINE – REQUEST TO USE CITY PROPERTY – 2024 PUMPKIN FESTIVAL

A Planning, Licenses, and Development Committee report read, unanimously recommending that a license be granted to Let It Shine, Inc. to use Downtown City rights-of-way on Saturday, October 12, 2024, to host the Keene Pumpkin Festival subject to the following provisions:

- This license is granted based upon the event scope presented to City staff during protocol meetings held to date, changes or additions to the license may require that an amended license be issued by the City Council and no changes to this license or the associated protocol documents will be accepted after September 1, 2024;
- The Petitioner agrees to absorb the cost of any City services over and above the amount of City funding allocated in the FY 25 Community Events Budget, and agrees to remit said payment within 30-days of the date of invoicing;
- The furnishing of a certificate of liability insurance in the amount of \$1,000,000 naming the City of Keene as an additional insured;
- The signing of a standard revocable license and indemnification agreement and associated protocol documents;
- That the footprint and layout for the event shall encumber the traveled portions of Central Square, Main Street both sides from Central Square to Emerald Street and Eagle Court, and a portion of Railroad Street. Road closures may include any portions of other streets needed to facilitate detour routes. The full extent of road closures and detour routes shall be agreed upon with City staff and will include any closures necessary to facilitate safety during pre-event setup and post event cleanup activities;
- That the Petitioner is permitted to use the northbound inside lane of Main Street for pumpkin drop-off by area schools on Friday, October 11, 2024;
- That the actual event will be held from 2:00 PM to 7:00 PM with the times for set up and clean up to be established with City staff;
- The submittal of signed letters of permission from any private property owners for the use of their property;
- That free parking be granted under the provisions of the free parking policy for City parking spaces needed for logistical purposes beginning Thursday, October 10, 2024 at 6:00 AM and extending through Monday, October 14, 2024, and spaces within the event footprint on the day of the event;
- Said permission is granted subject to obtainment of any necessary licenses or permits and compliance with all laws; and compliance with any recommendations of City Staff.

A motion by Councilor Bosley to carry out the intent of the Committee report was duly seconded by Councilor Filiault.

Councilor Remy recalled that he had a conflict of interest on record as a member of the Let It Shine Board.

The motion carried unanimously with 12 Councilors present and voting in favor. Councilor Remy abstained. Councilors Jones and Workman were absent.

PLD REPORT – LUCA PARIS/GREATER MONADNOCK COLLABORATIVE – REQUEST TO USE PARKING SPACES – CLASSIC CARS – MAY 5, 2024

A Planning, Licenses, and Development Committee report read, unanimously recommending that the Greater Monadnock Collaborative be granted a license for the use of City property on Railroad Square and designated spaces around Central Square and down Main Street to conduct a Classic Car Show event on Sunday, May 5, 2024, from 8:00 AM to 12:00 PM. The applicant is permitted to close off the outer lane of Central Square and the outer northbound and southbound lanes of Main Street to Railroad Street to provide a buffer for pedestrians viewing the cars on display, as well as a portion of Railroad Street from Main Street to the westerly entrance of the Wells Street Parking Garage, if needed. This permission is granted subject to the signing of a revocable license and indemnification agreement, submittal of a certificate of liability insurance in the amount of \$1,000,000 listing the City of Keene as additional insured, submittal of signed letters of permission from the owner for any use of private property, and compliance with any recommendations of City staff. This license is subject to the Greater Monadnock Collaborative absorbing the cost of any City services provided. Use of the parking spaces is granted free of charge under the provisions of the Free Parking Policy.

A motion by Councilor Bosley to carry out the intent of the Committee report was duly seconded by Councilor Greenwald. The motion carried unanimously with 13 Councilors present and voting in favor. Councilors Jones and Workman were absent.

**PLD REPORT – OPERATING RIGHTS AGREEMENTS WITH MONADNOCK CHOPPERS – FLIGHT TRAINING; AND OPERATING RIGHTS AGREEMENT WITH MONADNOCK CHOPPERS – AIRCRAFT MAINTENANCE SERVICES; AND AIRPORT LAND LEASES WITH MONADNOCK CHOPPERS ASSOCIATED WITH THEIR OPERATING RIGHTS AGREEMENT**

A Planning, Licenses, and Development Committee report read, unanimously recommending that that the City Manager be authorized to do all things necessary to execute an operating rights agreement with Monadnock Choppers to provide flight instruction at the Keene Dillant-Hopkins Airport. A second Planning, Licenses, and Development Committee report read, unanimously recommending that the City Manager be authorized to do all things necessary to execute an operating rights agreement with Monadnock Choppers to provide aircraft maintenance at the Keene Dillant-Hopkins Airport. A third A Planning, Licenses, and Development Committee report read, unanimously recommending that the City Manager be authorized to do all things necessary to execute airport ground leases with Monadnock Choppers for lots 16 and 17 to conduct business at the Keene Dillant-Hopkins Airport associated with their operating rights agreement.

A motion by Councilor Bosley to carry out the intent of the three recommendations in the Committee report was duly seconded by Councilor Greenwald.

Councilor Ormerod recalled that when Monadnock Choppers originally requested a license a few years ago, there was significant public outcry that might not have been justified. While it had been controversial, Councilor Ormerod was proud and happy that the Airport Director and City Manager developed a lease that worked. There had been no public complaints since the original



approval. The Councilor was glad to have Monadnock Choppers at the Airport, as more businesses are good for Keene.

The motion carried unanimously with 13 Councilors present and voting in favor. Councilors Jones and Workman were absent.

**FOP REPORT – CONAN SALADA – CONCERNS REGARDING THE ISSUANCE OF FIRE PERMITS**

A Finance, Organization, and Personnel Committee report read, unanimously recommending that the communication be referred to staff to be handled administratively. A motion by Councilor Remy to carry out the intent of the Committee report was duly seconded by Councilor Filiault. The motion carried unanimously with 13 Councilors present and voting in favor. Councilors Jones and Workman were absent.

**FOP REPORT – THE REVEREND ELSA WORTH – SAINT JAMES EPISCOPAL CHURCH – REQUEST FOR PARKING PASSES – GILBO AVENUE PARKING LOT**

A Finance, Organization, and Personnel Committee report read, unanimously recommending accepting the communication on Saint James Episcopal Church—request for parking passes—Gilbo Avenue Parking Lot as informational. Mayor Kahn filed the report as informational.

**FOP REPORT – CONSTRUCTION ENGINEERING CHANGE ORDER #2 – UPPER WINCHESTER STREET RECONSTRUCTION PROJECT**

A Finance, Organization, and Personnel Committee report read, unanimously recommending that the City Manager be authorized to do all things necessary to negotiate and execute a professional services Change Order with McFarland-Johnson in an amount not to exceed \$16,500.00. A motion by Councilor Remy to carry out the intent on the Committee report was duly seconded by Councilor Filiault. The motion carried unanimously with 13 Councilors present and voting in favor. Councilors Jones and Workman were absent.

**RELATING TO CAPITAL IMPROVEMENT PROGRAM – FY 2025–2031 – PLANNING BOARD**

A Planning Board report read, unanimously finding the Capital Improvement Program 2025–2031 consistent with the Comprehensive Master Plan. Mayor Kahn accepted the Planning Board report as informational.

**FOP REPORT – CAPITAL IMPROVEMENT PROGRAM – FY 2025–2031**

A Finance, Organization, and Personnel Committee report read, unanimously recommending adoption of the Capital Improvement Program for FY 2025–2031. A motion by Councilor Powers to adopt the Capital Improvement Program for FY 2025–2031 was duly seconded by Councilor Remy. The motion carried unanimously with 13 Councilors present and voting in favor. Councilors Jones and Workman were absent.

Mayor Kahn thanked the FOP Committee, City Manager, and City Staff for their work on the CIP, which starts the budget process for FY 25 and beyond.

## CITY MANAGER COMMENTS

The City Manager reported that the new Keene Police Department Social Worker, Kaitlyn Mello, started this week. She came to the City with some great experience. As a reminder, this position is at least partially funded by Opioid Abatement funds and is primarily focused on follow-up with individuals the Police Department interacts with related substance use. Ms. Mello is a native of Peterborough. She graduated from Florida Gulf Coast University with a Bachelor's in Criminal Justice. She began work at the Shelter for Abused Women & Children in Naples, FL. She later returned to NH and worked with the Federal Bureau of Prisons as program monitor for Manchester's Community Resources for Justice. She served as a behavior health case manager in Concord, a family intervention specialist at Youth Villages in Manchester, as a social worker with the Department of Children and Families in MA, and most recently a case manager for the Hampshire County Sheriff's Office in Northampton, MA. She is a certified domestic violence and human trafficking advocate in Florida and a licensed social worker through 2025 in MA.

Next, the City Manager reported that she was working with an air consultant, BA Group, on a small contract to assist with the RFP process for a prime development location at the Airport. At least three individuals were interested in constructing a large hanger. The BA Group is assisting with the RFP process and reviewing the lease language to ensure compliance with FAA regulations. The contract has a 64-day clock that begins with the initial deposit. The City Manager spoke with the Airport Director this week and authorized him to move forward.

The City Manager also shared that the Patricia T. Russell Park received a NH Engineering Excellence award. She congratulated Parks, Recreation, and Facilities Director, Andy Bohannon, as well as the engineering team: Don Lussier, City Engineer, and Brett Rusnock, Project Manager. Director Bohannon accepted the award in Concord.

City Staff were also asked to give a presentation on the Winchester Street Reconstruction Project with the consultants from McFarland Johnson during the annual ACEC (American Council of Engineering Companies)/NHDOT Technical Exchange Conference in April. Brett Rusnock will be giving this presentation. The City Manager said it is a great honor to our community that the good work of our departments is being recognized.

## RELATING TO AN AMENDMENT TO THE ZONING CODE – ZONING REGULATIONS – COTTAGE COURT OVERLAY DISTRICT CONDITIONAL USE PERMIT O-2024-01

A Planning Board report read on a vote of 6–2, finding that Ordinance O-2024-01 adjusted for the two Scriveners errors to add “building” in Section 17. 5.3 and add “new” in Section 17.5.3A in the appropriate locations consistent with the Master Plan. A Planning, Licenses, and Development report read, unanimously requesting that the Mayor set a public hearing for Ordinance O-2024-01. Mayor Kahn accepted the memorandum as informational and set a public hearing on Ordinance O-2024-01 on April 18 at 7:00 PM.

## ORDINANCE FOR FIRST READING – RELATING TO WATER AND SEWER ABATEMENTS – ORDINANCE O-2024-04

A memorandum read from the City Manager, Elizabeth Dragon, recommending that Ordinance O-2024-04 be referred to the Municipal Services, Facilities, and Infrastructure Committee for consideration. Mayor Kahn referred Ordinance O-2024-04 to the Municipal Services, Facilities, and Infrastructure Committee.

**ORDINANCE FOR SECOND READING – RELATING TO DEPARTMENTS AND CLASS ALLOCATION ORDINANCE O-2024-02**

A Finance, Organization, and Personnel Committee report read, unanimously recommending adoption of Ordinance O-2024-02. Mayor Kahn filed the report. A motion by Councilor Remy to adopt Ordinance O-2024-04, with an effective date of April 1, 2024, was duly seconded by Councilor Filiault. The motion carried unanimously on a roll call vote with 13 Councilors present and voting in favor. Councilors Jones and Workman were absent.

**ORDINANCE FOR SECOND READING – RELATING TO THE AIRPORT DEVELOPMENT AND MARKETING COMMITTEE – ORDINANCE O-2024-03**

A Planning, Licenses, and Development Committee report read, unanimously recommending the adoption of Ordinance O-2024-03. Mayor Kahn filed the report. A motion by Councilor Bosley to adopt Ordinance O-2024-03 was duly seconded by Councilor Madison. The motion carried unanimously on a roll call vote with 13 Councilors present and voting in favor. Councilors Jones and Workman were absent.

**RESOLUTION – RELATING TO THE APPROPRIATION OF FUNDS AND USE OF UNASSIGNED FUND BALANCE IN THE AMOUNT OF NINE-HUNDRED THOUSAND DOLLARS (\$900,000) FOR THE FY2024 FINANCE DEPARTMENT OPERATING BUDGET – RESOLUTION R-2024-05**

A Finance, Organization, and Personnel Committee report read, unanimously recommending adopting Resolution R-2024-05. Mayor Kahn filed the report. A motion by Councilor Remy to adopt Resolution R-2024-05 was duly seconded by Councilor Lake.

Councilor Filiault applauded the Mayor, City Manager, and Senator Fenton for taking steps to try to alleviate this problem, noting that it was a \$900,000 problem now that would not get better. He said the State's and County's responses had been poor; Keene represents approximately 30% of Cheshire County's population but has 100% of the shelter beds. He called it unfair and unsustainable. He said Keene is burdened because the City makes an effort to care for the homeless. Even if Keene opened 100 more shelter beds tomorrow, Councilor Filiault said the State would fill them instantly with non-Keene residents, while other towns are not held accountable.

Councilor Ormerod spoke on the effort to create room for everyone on the housing ladder. While there were many people and some infrastructure trying to support the unhoused, the City Manager and Senator Fenton shared this concern that help is needed from the County. He added that it would be worth publicizing Keene's leadership in this regard. He hoped there would be more support and organizations working with the City to help solve this problem.

Councilor Bosley supported this effort. When looking at the next fiscal year's budget, there would be a line item to try to prevent this situation in the future, and the Councilor asked the City Manager to be creative and talk to community partners to get as many of these people out of hotels as possible, because that is a less constructive use of funds; what can be done for extra case management and house hunting? She encouraged the City to work with Keene Housing. She suggested a way of triaging people who come to Keene and are rent unstable to get them moved up the voucher list and keep them in apartments instead of hotel rooms. She said the City needed to start now to ensure this huge appropriation is not needed next year.

Councilor Williams said that while this was a lot of money, he supported spending it on people in need in this housing crisis. He said that for years, Keene did not build enough housing for everyone and so those most vulnerable today do not have a place, meaning this falls to the City's budget, and thus the Keene taxpayers. He encouraged more opportunities for housing, like the Cottage Court idea.

Councilor Roberts said it would be nice if this was a one-time \$900,000 expenditure, but that would not be the case. For example, one of the new homes near Market Basket would be selling for \$900,000. He said Keene inflicted this problem on itself 40 years ago when housing permits were rarely issued because there was a push away from single-family homes because they would bring children, meaning the school taxes would increase. That changed when Keene State College grew but the root of the problem was not addressed. Councilor Roberts recalled the decision to change 5-acre zoning to 2 acres in the Rural District, when the Councilor said he heard "some of the most bigoted discussions that I have heard since I have lived in Keene." He also cited problems with properties being preserved for conservation in perpetuity, because it limits the City's ability to construct new, needed housing. Councilor Roberts said that this expenditure would increase each year until the only ones making money will be the hotels.

The City Manager reiterated that this is a difficult problem to solve. The City had considered whether this would be the peak of this challenge. One thing that contributed to the homelessness scope was the discontinuation of the Federal Covid-19 funds that helped people with rent for a long time. As those families got behind on rent, this problem escalated. The City tries to assist people with their rent/mortgage to prevent them from becoming homeless if they are eligible. Rents had increased dramatically, and landlords are more competitive with their applications, requesting two or three times the income required in the past. This made it harder for the City to help move people from temporary to permanent situations, creating longer stays at shelters. When discussing this cost in the next Operating Budget, a consideration will be that the City had moved many people from encampments in the woods into housing, which is good. Cleaning the encampments requires a financial expenditure, but the City Manager thought that closing those encampments was the City's responsibility and a good thing. When talking with the Human Services Director, Natalie Darcy, the City Manager asked whether this will be a peak, but it was unclear. The City had been working to secure an outreach worker but had been unsuccessful until someone was hired recently (part-time, with hours to be increased in the next budget). The outreach worker will liaise with the people in hotels to find them services and move them into permanent situations. If a homeless person is struggling with substance abuse, the City Manager

hopes the outreach worker and KPD social worker will work together. The City will continue pushing the State on this issue. Mayor Kahn was working with other Mayors to apply pressure in relieving this burden on Keene from the State.

Mayor Kahn was pleased to write the letter to all the NH Senators with Mayor Ruiz from Manchester; they signed the letter on behalf of 11 of 13 mayors. There were indications that some shelters might have to close without added funding. In 2024, shelters appropriately received double the appropriations from the State as in 2023. This amendment to Senator Fenton's Bill would replace it all with a \$2.5 million appropriation dedicated to shelters to increase the reimbursement rate from \$18/day to \$22/day. While Mayor Kahn thought this was appropriate, he thought it missed the mark because the burden falls on cities to shelter and provide services to the unhoused, which the Mayor communicated to the Senate President. The NH Mayors would be meeting on March 25 to consider whether further public action is needed. The Department of Health and Human Services needed to provide a baseline measure of unsheltered individuals in NH during a point-in-time census January, but that data had not been released yet, disallowing municipalities ability to quantify the difference in population growth. The data will allow for creating long-term public policy and partnerships.

The motion carried unanimously on a roll call vote with 13 Councilors present and voting in favor. Councilors Jones and Workman were absent.

**RESOLUTION – SOLE SOURCE - MARTELL COURT PUMP STATION MOTOR AND PUMP REPAIR; REALLOCATION OF FUNDS FOR THE MARTELL COURT PUMP & CONTROL REPLACEMENT PROJECT; AND RELATING TO THE REALLOCATION OF UNSPENT BOND FUNDS FOR THE MARTELL COURT PUMP CONTROL AND REPLACEMENT PROJECT – RESOLUTION R-2024-07**

A Finance, Organization, and Personnel Committee report read, unanimously recommending in the first paragraph that the City Manager be authorized to do all things necessary to sole source Farrar Corporation for repairs and maintenance of four (4) raw sewage pumps at the Martell Court Pump Station.

Unanimously recommending in the second paragraph that the City Manager be authorized to do all things necessary to reallocate \$50,000 from the Rose Lane Maintenance Program (32MW012A) to the Martell Court Pump & Controls Replacement Project (32JM008A).

And finally recommending unanimously in the third paragraph the adoption of Resolution R-2024-07.

A motion by Councilor Remy to carry out the intent of paragraph one of the Committee report was duly seconded by Councilor Roberts. The motion carried unanimously on a roll call vote with 13 Councilors present and voting in favor. Councilors Jones and Workman were absent.

A motion by Councilor Remy to carry out the intent of paragraph two of the Committee report was duly seconded by Councilor Lake. The motion carried unanimously on a roll call vote with 13 Councilors present and voting in favor. Councilors Jones and Workman were absent.

03/21/2024

A motion by Councilor Remy to adopt Resolution R-2024-07 was duly seconded by Councilor Roberts. The motion carried unanimously on a roll call vote with 13 Councilors present and voting in favor. Councilors Jones and Workman were absent.

RESOLUTION – IN APPRECIATION OF COLLEEN M. SWIDER UPON HER RETIREMENT – RESOLUTION R-2024-08

A memorandum was read from the Human Resources Director recommending that Resolution R-2024-08 be adopted by the City Council. Mayor Kahn filed the memorandum. A motion by Councilor Powers to adopt Resolution R-2024-08, with appreciation for Ms. Swider’s 34.5 years of service, was duly seconded by Councilor Greenwald. The motion carried unanimously with 13 Councilors present and voting in favor. Councilors Jones and Workman were absent.

RESOLUTION – IN APPRECIATION OF THOMAS P. MULLINS UPON HIS RETIREMENT RESOLUTION R-2024-09

A memorandum read from the Human Resources Director recommending that Resolution R-2024-09 be adopted by the City Council. Mayor Kahn filed the memorandum. A motion by Councilor Powers to adopt Resolution R-2024-09, with appreciation for Mr. Mullins’ 16 years of service, was duly seconded by Councilor Greenwald. The motion carried unanimously with 13 Councilors present and voting in favor. Councilors Jones and Workman were absent.

NON-PUBLIC SESSION

A motion by Councilor Greenwald to go into non-public session to discuss a land matter under RSA 91-A:3, II (d) was duly seconded by Councilor Bosley. The motion carried unanimously with 13 Councilors present and voting in favor. Councilors Jones and Workman were absent. The non-public session began at 8:43 PM.

Councilor Jones entered the session at 9:10 PM.

A motion by Councilor Greenwald to exit non-public session was duly seconded by Councilor Bosley. The motion carried unanimously with 13 Councilors present and voting in favor. Councilors Jones and Workman were absent. The non-public session concluded at 9:20 PM.

Councilor Greenwald motioned to keep the minutes of the non-public session sealed as the discussion, if public, would likely benefit a party or parties whose interests are adverse to those of the general community. Councilor Bosley duly seconded the motion, which carried unanimously with 14 Councilors present and voting in favor. Councilors Workman was absent.

ADJOURNMENT

There being no further business, Mayor Kahn adjourned the meeting at 9:21 PM.

A true record, attest:



Assistant City Clerk