

City of Keene
New Hampshire

FINANCE, ORGANIZATION AND PERSONNEL COMMITTEE
MEETING MINUTES

Thursday, April 13, 2017

6:30 PM

Council Chambers

Members Present:

Mitchell H. Greenwald, Chairman
Carl B. Jacobs, Vice-Chair
Thomas F. Powers
Terry M. Clark
Bettina A. Chadbourne

Mayor Kendall Lane

Staff Present:

City Manager, Medard Kopczynski
City Attorney, Thomas Mullins
ACM/Planning Director Rhett Lamb
City Assessor, Dan Langille
Finance Director, Steve Thornton
Public Works Director, Kurt Blomquist
City Engineer, Don Lussier
Assessing Technician, Diane Stauder
Airport Manager, Jack Wozmak
Police Chief, Steve Russo

Chair Greenwald called the meeting to order at 6:30 PM.

1) Acceptance of Grant Funds – NH Division of Historical Resources Certified Local Government Grant for Historic Preservation Workshop Series - Planning Department

Asst. City Manager/Planning Director Rhett Lamb began by introducing Rosie Perry, the Chair of the Heritage Commission. Ms. Perry stated she was before the Committee to recommend that they accept a grant received from the NH Division of Historical Resources in the amount of \$4,500 to host three separate workshops. This grant will help educate people about historic homes, as well as research, preserve and investigate the different types of home. All the workshops will be open and free to the public. The first workshop will be held in September 2017, the second workshop in spring 2018 and the third in June 2018.

The CLG Grant provides 60% of Federal funding as support for eligible projects, and requires a 40% local match. The Keene Heritage Commission has committed to providing \$1,800 of in-kind match through the donation of staff and volunteer time.

Councilor Clark thanked the Commission for their work and indicated he was pleased to hear there was a course regarding the rehabilitation of historic homes which will help many historic homes to be saved.

Councilor Clark made the following motion which was seconded by Councilor Chadbourne.

On 5-0 vote, the Finance, Organization and Personnel Committee recommends the City Manager be authorized to do all things necessary to accept and execute a \$4,500 grant award from the NH Division of Historical Resources Certified Local Government Grant Program for the Heritage Commission's 2017 and 2018 Historic Preservation Workshop Series.

2) Acceptance of 2015 Homeland Security Training Grant- Police Department

Police Chief Steve Russo stated he was before the Committee regarding a grant in the amount up to \$1,279.95 from Homeland Security Law Enforcement Terrorism Prevention Program. Chief Russo stated this grant will enable the department to send two personnel to the 2017 New York Tactical Officers Association Conference in April, 2017.

The State of NH recognizes the need to provide advanced tactics training for active threat situations to Law Enforcement. The State is providing funding for tactical teams throughout the state to train together.

Councilor Clark asked whether the department has a Special Operations Team. Chief Russo stated Keene's team is referred to as a Tactical Team. The Councilor asked whether there was a need for this team. Chief Russo answered in the affirmative and stated there are 11 teams in the State. Chair Greenwald stated he witnessed the need for such a team when he accompanied a Keene police officer in a ride along.

Councilor Powers made the following motion which was seconded by Councilor Jacobs.

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept a grant of up to \$1,279.95 from the FY 2015 Homeland Security to send two personnel to the 2017 New York Tactical Officers Association Conference in April, 2017.

3) Acceptance of Forfeiture - Case # 2015117408 - Police Department

Chief Russo stated this item is in reference to forfeiture funds in the amount of \$343.50 from the New Hampshire State Attorney General's Office. These funds are the result of joint operations between the Keene Police Department and NH Attorney General's Drug Task Force. This incident happened in 2015 which resulted in the arrest of two individuals and the seizure of a large amount of heroin, marijuana, cocaine, a firearm, and cash. Keene's portion of the seizure is \$343.50.

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

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept forfeiture funds, in the amount of \$343.50, awarded to the Keene Police Department from the New

Hampshire State Attorney General's Office.

4) Acceptance of Monetary Donation - Police Department

The next donation of \$50 is from Edward and Krishni Pahl made in honor of Brian Costa's service to the community and the funds are to be used toward the department's K-9 program. Chief Russo noted Brian Costa was heavily involved with the department's K-9 program for many years.

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

On 5-0 vote, the Finance, Organization and Personnel Committee recommends the City Manager be authorized to do all things necessary to accept \$50 donation to be used for the Keene Police Department K-9 program.

5) Acceptance of Donation - St. James Episcopal Church - Parks, Recreation and Facilities Department

Chair Greenwald stated pickle ball is held every Monday, Wednesday and Friday at the Recreation Center. Interest has grown for this particular sport. St. James Episcopal Church has made a donation of equipment toward this program in the amount of \$1,050.

Councilor Clark made the following motion, which was seconded by Councilor Powers.

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept the donation of pickle ball equipment from St. James Episcopal Church for the purpose of growing the activity.

6) Acceptance of Monadnock Alcohol & Drug Coalition Donation - Youth Services

Asst. City Manager/Human Resources Director Beth Fox stated that the Youth Service Department has received an award in the amount of \$2,000 from MADAC.

Councilor Clark stated he was as a member of the Board of MADAC and would like to extended his appreciation for the collaboration MADAC has with the City.

Councilor Powers made the following motion which, was seconded by Councilor Clark.

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager to accept an award from Monadnock Alcohol & Drug Coalition in the amount of \$2,000 for use by Youth Services.

7) **Body and Soul Road Runners- Red Cap Run - Request for Community Event Funding**

Ms. Sara Alderfer, coach for the Body and Soul Runners, stated after working with the City for a number of years on this event and as per advice from the City she has submitted an application for community events status.

Public Works Director/Emergency Management Director Kurt Blomquist stated this event has attracted more people over the past few years. Mr. Blomquist indicated the City is seeing about 6-11 races per year and most of the races are a fundraiser for a particular cause. Of these 11 races about eight require police detail and the City's goal is to make sure runners are safe and the event is successful.

Chair Greenwald asked whether there is a monetary amount the race is requesting. Mr. Blomquist stated what they would ask for as a community event is that the City cover the City services provided which in this case would be three hours of police detail which would be approximately \$500; the City will absorb those costs.

Councilor Chadbourne asked whether these types of races would also include events such as Walk a Mile in Her Shoes. Mr. Blomquist stated the City also has walkathon events and this event would fall under that category. Those average about 10-12 a year. The Director continued there are other events which include parades which average about two to three per year. He noted the city averages about 25 types of these events per year.

Ms. Alderfer stated the event has now doubled in number. 2017 was the first time they have needed police detail.

Chair Greenwald asked whether the event could ask for a private security company like Hunter North. Mr. Blomquist stated this would be something for the organizers to look at. Councilor Powers stated the event is happening on City streets, which makes it a City liability and the City has to be responsible for it. Ms. Alderfer stated they have amended their route for the next race to have fewer crossings.

Councilor Clark noted these non-profits which raised funds for these different groups are saving the City a lot of money by raising money for different causes.

Mr. Blomquist called the Committee's attention to the different criteria an organization needs to meet to qualify for community events status.

Councilor Jacobs made the following motion which was seconded by Councilor Clark.

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Council include the Red Cap Run as a community event.

8) Monadnock Family Services and Monadnock Community Services Center - Request to Purchase Property - 93rd Street

Mr. David Bergeron stated he was the Chairman of the Board for the Monadnock Community Services Center, which is the property management arm of Monadnock Family Services (MFS). Mr. Bergeron stated MFS has been at their location on 93rd Street since 1989 and per the site plan approved in 1989 there was a condition for the leasing of certain parking spaces on City owned property at 11 93rd Street. MFS has continuously leased this property from the City for the past 26 years and the lease is now being required to be renewed. MFS is interested in purchasing this property from the city. There was also a clause in the 1989 site plan approval that MFS will pave and improve this lot, which has been done and MFS currently maintains this lot.

The City Manager noted MFS is the only entity that exclusively uses this lot, but because the City owns this lot they are under obligation to maintain it and he believes it was in the best interest of the City to move forward with this sale. Councilor Clark clarified the Cleveland Building does not use this parking area. Mr. Blomquist agreed.

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

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Council authorize the City Manager to negotiate with Monadnock Family Services and Monadnock Community Services Center for the sale of City-owned property located at 11 93rd Street.

9) Request for an Expenditure from the Land Use Change Tax Fund for a Forest Stewardship Plan for the Greater Goose Pond Forest - Conservation Commission

Mr. Tom Haynes Chair of the Conservation Commission addressed the Committee and stated this is a request to take \$30,000 out of the Land Use Change Tax funds to hire a consultant for the creation of a stewardship of the Greater Goose Pond Forest as a multiple use forest. The goal of this project is to support public recreation and education, maintain natural communities and habitats, protect threatened plants and animal populations and to increase forest habitat diversity.

In 2009, a conservation easement was put on this land which consists of nearly 1,000 acres. This easement is held by the Society for the Protection of NH Forests.

Chair Greenwald clarified these are funds that do not come out of the property taxes. Mr. Lamb agreed it does not.

Councilor Clark made the following motion which was seconded by Councilor Jacobs.

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that City Council authorize the Conservation Commission to use up to \$30,000 from the Land Use

Change Tax Fund for the purpose of creating a stewardship plan for the Greater Goose Pond Forest.

10) Property Tax Exemptions - Blind - Assessing Department

City Assessor Dan Langille began by introducing Assessing Technician Diane Stauder who has worked for the City for the past 29 years and commended her for her hard work for the department.

Mr. Langille began by explaining the difference between exemption and credit. Exemptions are a reduction on the actual assessed value of a property. A credit is a direct reduction on the tax amount.

The City offers Blind Exemption for any legally blind resident. It is not linked to income or assets. Applicants may also apply for other exemptions and credits. The City currently offers 12 blind exemptions for a total amount of \$16,500. There are two pending applications for 2017. Mr. Langille stated Keene is consistent on this issue with neighboring communities.

Councilor Powers made the following motion which was seconded by Councilor Chadbourne.

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Council make no change to the blind exemption.

11) Property Tax Exemption - Solar Energy System - Assessing Department

Mr. Langille stated the next item is in reference to solar energy system. Solar Energy System helps with heating or cooling of an interior of a building and can also provide electricity. Since 2013, eight applicants have received this exemption. In 2016 there were 11 and there are five more pending applications.

Mr. Langille explained Keene has not assessed solar systems during the time these exemptions have been place which is common practice for most communities in the state. This is because the market data for is limited. Keene has 49 properties that have this system. The exemption currently used by the City was to encourage alternative energy systems in the City.

Currently Keene is offering a \$10,000 exemption on the cost of installation of the unit regardless of what this unit adds to the assessed value of a property. What staff is proposing is because Keene is going to need to start valuing these systems. In keeping with how the Council has handled these types of issues in the past; if a home is valued at \$300,000 and a system adds \$20,000 to the assessed value causing the assessed value to increase to \$320,000;. the City would offer an exemption for up to \$20,000 so in this case the assessment would go down to \$300,000, which would neutralize any effect the solar system has on the property value. Mr. Langille noted this is consistent with what other communities are doing.

Councilor Jacobs asked whether this exemption would continue after the year of installation. Mr. Langille answered in the affirmative and stated the exemption will continue as long as the solar panels are in working condition.

Chair Greenwald asked for the price of these systems. Mr. Langille stated they could range between \$10,000 - \$30,000, but there are bigger commercial units that could cost close to \$50,000 and anything beyond the \$30,000 exemption would go into their taxable value.

Councilor Chadbourne asked how an applicant gets approved for this exemption. Ms. Langille stated property owners would come into the Assessing Department and fill out an application and staff looks at the system and makes a determination. If the system is in working order then the exemption will be granted.

Councilor Powers asked what the loss of revenue would be with a \$30,000 exemption. Mr. Langille stated the City would not see a loss in revenue because they were not being charged before. The City might actually see an increase if the larger systems are valued.

Councilor Jacobs made the following motion, which was seconded by Councilor Clark.

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that staff be directed to introduce a Resolution which would increase the Solar Exemption from the current language, which recognizes a solar energy heating or cooling system in an amount equal to the cost, including installation, of up to \$10,000 in value to up to \$30,000 of the assessed value.

12) Property Tax Exemptions - Elderly, Deaf and Disabled - Assessing Department

Mr. Langille stated this exemption is for anyone 65 older who meets certain income and asset criteria. For the disabled exemption, the applicant should be receiving social security disability income. For the deaf exemption, it is for anyone with a certain amount of hearing loss.

The elderly exemption is broken into three categories: 65-74 (age by April 1) 29,700 \$1,080.78 Elderly 75-79 (age by April 1) and Elderly over 80 (age by April 1) \$44,900. Once you are in the system you automatically go to the next level on your birthday. Mr. Langille noted staff is not making a recommendation in terms of any changes on exemption type. Mr. Langille called the Committee's attention to page 2 of the Memorandum where certain applicants were denied and the reasons for the denial. Page 3 outlines the number of eligible applicants. Mr. Langille noted close to four million dollars of property value is being exempted (elderly and deaf).

Neighboring communities were looked at and Keene is in keeping with other communities in Cheshire County. Mr. Langille stated should the Council wish to increase anything, staff would recommend looking at the level of income as social security has increased 3.5% since 2013. Councilor Powers asked how often these income levels are looked at. Mr. Langille stated they are reviewed every three years.

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

That the Finance, Organization and Personnel Committee recommends that City Council make no change to the income or asset criteria or the exemption amount for the Elderly, Deaf and Disabled exemptions effective April 1, 2017.

Councilor Powers moved to amend the motion to adjust the income level for a single person to \$28,700 and for married persons to \$38,700 recognizing the adjustment of social security. The amendment was seconded by Councilor Jacobs. Referring to the amendment, the Committee voted unanimously to amend the original motion.

On a vote of 5 – 0, the Finance, Organization and Personnel Committee recommends the elderly exemption income level for a single person be increased to \$28,700 and the income level for married persons be increased to \$38,700 to reflect adjustments in social security.

13) Property Tax Exemptions - Wood and Wind Energy Systems – Assessing Department

Mr. Langille stated the City has had no applications for an exemption for wind energy systems. As far as wood heating system, there is a \$10,000 exemption of the assessed value being granted. No further changes are being recommended.

Councilor Clark stated there has to be about 10,000 wood stoves in this City, but only nine applications have been approved and asked for added clarification on this exemption. Mr. Langille stated the primary heating system needs to be wood; a fire place would not qualify. The Councilor stated he has not heard of this exemption in the past and felt it should be better advertised.

Councilor Clark made the following motion which was seconded by Councilor Powers.

On 5-0 vote, the Finance, Organization and Personnel Committee recommends no change to the Wind and Wood Energy System exemptions.

14) Property Tax Credit - Veteran, Veteran Surviving Spouse, Veteran Service Connected Disability and All Veterans' Tax Credit - Assessing Department

Mr. Langille stated currently the City is offering exemptions to Veteran, Veteran Surviving Spouse, and Veteran Service Connected Disability. Veterans are those serving 90 days of active duty during a conflict which is outlined in State Statute. There are 719 of these credits at \$225 each. With respect to Veteran Surviving Spouse, and the Veteran Service Connected Disability, the City is maxed out on this credit at \$2,000 so there is nothing further to be adjusted.

With respect to the All Veteran's tax credit, this is a new tax credit being offered under the statute. This is for anyone serving 90 days of active duty in the armed forces, but the exemption does not have the conflict requirement. According to 2015 census there are

1,280 veterans in the City and of this number 719 are already eligible and receiving a credit, leaving another 569 who might be eligible. At the \$225 rate this would be \$128,000 in tax revenue and if that was turned into value it would be 3.5 million in assessed value.

Councilor Powers asked whether Mr. Langille was recommending the All Veteran's tax credit. Mr. Langille stated he was here to present the information but ultimately it will be a policy decision. The Councilor felt a lot of National Guard Members would become eligible which will increase the city's numbers.

Councilor Powers made the following motion, which was seconded by Councilor Jacobs.

On 5-0 vote, the Finance, Organization and Personnel Committee recommends no change in the amount of the optional Veteran Credit at \$225.

The City Manager thanked Mr. Langille for his effort and for bringing this item forward.

15) Renewal of C.E. Bradley Land Lease - Airport Department

Airport Manager Jack Wozmak stated C.E. Bradley has been a tenant for many years at the airport and it is time to renew their lease. Councilor Powers referred to previous efforts where renewals of various licenses were being dealt with administratively and inquired whether the same effort could be applied to leases.

Mr. Wozmak stated staff is looking at some lease language modification, which would automatically renew these leases with a pre-determined escalation clause to reduce the administrative burden. He noted the City looks at about 30-40 leases per year for people who have been customers of the City for decades. Staff is looking at, at least some of the hangar leases to automatically renew with the CPI built in.

Councilor Jacobs made the following motion, which was seconded by Councilor Clark.

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to renew the land lease of C. E. Bradley.

16) Renewal of Ian Boyd Land Lease - Airport Department

Mr. Wozmak stated this is a land lease for Ian Boyd and the circumstances are similar to what is mentioned in item 15. Mr. Boyd owns a hangar at the airport and has been a tenant for quite a while.

Councilor Chadbourne asked what the CPI adjustment means. Mr. Wozmak stated it is the consumer price index and are the numbers produced for the Northeast NE District by the Federal government. The rent is increased by that amount.

Chair Greenwald asked whether there was a price ceiling and floor. Attorney Mullins stated there is a floor – the rental payment cannot drop below the existing payment if there is a negative CPI.

Councilor Chadbourne made the following motion which was seconded by Councilor Jacobs.

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to renew the land lease of Ian Boyd.

17) Renewal of Thomas Transportation Land Lease - Airport Department

Mr. Wozmak stated Thomas Transportation has been leasing 80 of the 158 parking spaces at the Airport. This again is a lease renewal. It has a 2% increase in the rental rate. Mr. Kopczynski stated the Airport by far has the largest amount of leases and commended the work the City Attorney and Mr. Wozmak put into this effort.

Councilor Jacobs made the following motion which was seconded by Councilor Clark.

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to renew the parking space land lease of Thomas Transportation.

18) Councilors Jacobs and Chadbourne - Gender Identity

Councilor Jacobs stated this item is in reference to transgender individuals specifically identified as a group not to be discriminated against. They should be a group equally protected as our other gender groups in the City. One area where there is concern is in the employee handbook where gender identity should be added under protected classification. Councilor Jacobs stated in their letter they are also asking the City Council support legislation which supports non-discrimination for gender identity.

Chair Greenwald asked the Attorney how the issue with the Employee Handbook should be handled. Attorney Mullins stated the Council could recommend the City Manager include in the Employee Policies and Procedures Manual that Gender Identity be a protected classification. The Council could also request staff to draft Resolution but he felt the first suggestion might be the quickest way to resolve this issue.

Mayor Lane stated he wanted to make sure everyone knew how critically important this item is especially because of the political environment that exists at this time. He felt the City should go on record strongly in favor of gender identity protections.

Miles Duhamel of 147 Main Street stated Keene State College supports gender identity protection.

Jordan Makayla Goodwin of 42 Dover Street felt that including the terms transgender identity and gender identity might create a broad inclusive nature so no-one feels left out of this protection.

Amanda Babel of 121 Meadow Road encouraged people to attend LGBT meetings that happen on the first Tuesday at the library and she felt this item will help many in our community.

Chair Greenwald referred to a communication from the parish of St. James supporting what the committee is undertaking today.

Councilor Chadbourne stated she is a member of the City College Relations Committee and there is a sub-committee working on diversity. There is going to be a workshop to help understand differences. The workshop is scheduled for April 18 from 6 pm - 8 pm in the Michael J. Blastos Community Room.

Attorney Mullins stated statutory definition for Gender Identity at the State House states as follows: *Gender identity means a person's gender-related identity, appearance, or behavior, whether or not that gender-related identity, appearance or behavior is different from that traditionally associated with the person's physiology or assigned sex at birth.*

Attorney Mullins stated his question is whether language should be considered for transgender identity as well.

Jordan Makayla Goodwin stated there are people who consider themselves as non-binary; not being included under the transgender identity and gender identity would cover such individuals as well.

Chair Greenwald asked whether other communities have this as something they are addressing. Attorney Mullins answered in the affirmative and noted this is language many communities have included in their employee handbooks and they too have requested the State include the protection in State Statutes.

Councilor Chadbourne noted Doug Marino who initially contacted the City in reference to this issue has noted that Dover, Durham, Hopkinton, Plymouth, New Market, Sommersworth and Plymouth have adopted this language.

Councilor Powers made the following motion, which was seconded by Councilor Clark.

On 5-0 vote, the Finance, Organization and Personnel Committee recommends the City Manager include in the Employee Handbook proper language to include gender identity and transgender identity as a protected class.

19) Mayor Lane - Testimony in Support of HB 478

Mayor Lane noted Lebanon has also adopted a policy on gender identity. The Mayor referred to the error he had made and went on to say this legislation has been tabled in the House and he was uncertain when it would be removed from the table. He felt the letter he wrote would support the legislation retroactively.

Councilor Chadbourne made the following motion which was seconded by Councilor Jacobs.

On 5-0 vote, Finance, Organization and Personnel Committee recommends that the City Council resolve to support State Legislation to include transgender, gender identity or expression as a protected classification under State Law.

Chair Greenwald asked the City Attorney whether this would imply those categories are protected classes for housing and private employment as well. Attorney Mullins stated the inclusion falls under RSA 354-A which is New Hampshire's Non-Discrimination Statute and includes employment, housing etc. The protected class would apply to private entities as well.

Representative Joseph Stalcop stated he was one of those who was supposed to speak in favor of this legislation in the House but because of the tabling of the motion it prevented all dialog except that from the legislation's sponsor and the opposition party. Rep. Stalcop stated this Bill has support from both sides of the House and it did gain the support of the Committee. He noted it was distressing to see the leadership table the legislation. He felt it was very important for cities and towns to show support so there could be a vote on this item.

Chair Greenwald inquired of the City Attorney how the Committee should proceed today. Attorney Mullins stated the Finance Committee could just affirm the letter from the Mayor or they could request staff come back with a Resolution or the Committee could also ask for both.

Councilor Chadbourne felt if the matter has been tabled and a letter has already been sent and felt another letter would be a moot point.

Councilor Chadbourne made the following motion which was seconded by Councilor Jacobs.

On 5-0 vote, Finance, Organization and Personnel Committee recommends the City Council affirm the Mayor's letter dated March 7 supporting State Legislation to include gender identity or expression as a protected classification under State Law.

Mayor Lane apologized to the Council for his unfortunate mistake and does appreciate the Committee affirming the contents of the letter.

The Chair made the following motion which was seconded by Councilor Jacobs.

On 5-0 vote, Finance, Organization and Personnel Committee recommends item #19 be filed as informational.

20) Relating to Fees for Engineering Inspections and Public Works Permits
Ordinance O-2017-04

City Engineer Don Lussier stated he is before the Committee to discuss fees from the Public Works Department related to tasks completed by the Engineering Division. There are two areas that allow for the collection of fees; Chapter 70 – Engineering Inspections Fees for things like subdivision and large infrastructure projects. The last time this fee was set was in 1991 for \$30 an hour. When looking at the Council policies the cost to provide such a service today they identified an Engineering Technician as the staff who would perform the service. The hourly rate including benefits for an Engineering Technician comes to about \$50.24/hour. Staff is proposing to change this fee to \$55 an hour with the understanding this fee structure would be looked at every few years and adjusted according to cost of living changes. Mr. Lussier referred to the language in the Council’s fiscal policy as to when fees and charges should be set at, or above, full cost recovery when the service is regulatory in nature and voluntary compliance is not expected. He indicated this language guided their recommendation to increase the fee to \$55 an hour.

Mr. Lussier continued the next fee that is recommended for an increase dealt with the permit fee for excavations and encumbrances. He noted these fees are provided for in Chapter 82. Mr. Lussier noted that for excavation permits in the public way, the permit fee includes the first inspection. In terms of the encumbrance permit (work that obstructions traffic or disrupts the public use of right of way, the permit fee is more an administrative fee to collect information from firms doing the work and to understand what their traffic controls are and to explain to them accommodations that they need to perform.

The fee being suggested is \$ 50 and \$75 encumbrance and excavation respectively. The excavation fee is set a little higher because it includes one inspection.

Chair Greenwald asked whether utility companies are also charged this fee. Mr. Lussier stated these companies obtain an excavation permit, but are not charged an excavation permit fee because they are charged a license fee to locate the pole in the right of way for \$10 in perpetuity. The Chair asked whether they are not charged if they are in City right of way and are blocking traffic. Mr. Blomquist stated utility companies are exempted from the encumbrance fee, but are charged a bonding fee for completing or repairing a job.

Councilor Powers asked how the City would know if more than one utility company is working on a particular section. Mr. Blomquist stated utility companies don’t always obtain an encumbrance permit even though they are supposed to do so. On the excavation permit they are required to pay this amount plus the bonding fee. The Councilor asked what happens when these companies take over multiple parking spaces. Mr. Lussier stated they work directly with the parking office and staff reminds new companies when they come in to fill out the paperwork to work with the parking division.

Councilor Powers asked whether these applicants who are requesting these permits are licensed. Mr. Lussier stated what the City requires for each of these permits are insurance certificates, dig safe numbers, and traffic control plans. They are not requiring contract licenses. He added the permits they issue are often to the same people they see on a daily basis. Mr. Blomquist added NH does not require a license for an excavator.

Councilor Clark made the following motion which was seconded by Councilor Jacobs.

On 5-0 vote, the Finance, Organization and Personnel Committee recommends the adoption of Ordinance O-2017-04.

The Manager asked whether these were all of the fees from Public Works. Mr. Blomquist stated his department has multiple fee areas; water and sewer, solid waste. The Manager asked whether these were all the fees from engineering. Mr. Lussier stated staff will also be looking at the driveway permit for which engineering currently does not charge a fee.

The meeting adjourned at 8:15 pm.

Respectfully submitted by,
Krishni Pahl, Minute Taker