

City of Keene  
New Hampshire

**PLANNING, LICENSES AND DEVELOPMENT COMMITTEE**  
**MEETING MINUTES**

Wednesday, September 13, 2017

7:00 PM

Council Chambers B

**Members Present:**

David C. Richards, Chair  
George S. Hansel  
Bart K. Sapeta  
Robert B. Sutherland

**Members Not Present:**

Philip M. Jones, Vice-Chair

**Staff Present:**

Andy Bohannon, Parks & Rec Director  
Mark Howard, Keene Fire Chief  
John Rogers, Acting Health Director  
Kurt Blomquist, Public Works Director  
Medard Kopczynski, City Manager  
Tom Mullins, City Attorney  
Dan Langille, City Assessor  
Rhett Lamb, ACM/Planning Director  
Steve Russo, Keene Police Chief  
Beth Fox, ACM/HR Director  
Mary Alther, Revenue Collector

**Other Councilors Present**

Bettina Chadbourne  
Mitch Greenwald  
Carl Jacobs  
Robert O'Connor  
Jan Manwaring  
Randy Filaault  
Gary Lamoureux  
Stephen Hooper

Chair Richards called the meeting to order at 7:00 PM.

**1. Danya Landis/Machina Arts,LLC – Request to Use City Property – Railroad Square**

Danya Landis, of 433 Elm Street addressed her request for use of City property, noting Nora Breen, a public artist from New York City, has gifted a large pinwheel to Machina Arts so it could be placed in downtown Keene as a temporary public sculpture. The pinwheel is painted steel and will not rust. The pole is 11 feet tall and the wheel is 3 feet wide. Ms. Landis described the installation that Machina Arts would be responsible for. She noted Machina Arts believes public art is an important part of a vital, thriving city and that Keene will benefit from having this unique, fun, piece on display.

Chair Richards asked for Committee questions or comments.

Councilor Sutherland asked if the City has any policies regarding the installation of art on City lands; and is this something they need to be thinking about. Mr. Kopczynski advised the City has no specific policy. Mr. Kopczynski suggested perhaps a policy will be needed in the future; adding there is a lot to discuss when talking about public art. Councilor Sutherland asked if it should be set up as an administrative policy rather than coming through this Committee.

Councilor Hansel noted this is a temporary display and he sees this as an experiment to get the public hyped up on public art. He commended Ms. Landis for her efforts. Councilor Hansel said he is in favor of this display as long as it has been reviewed by City staff and there are no safety concerns.

Councilor Jacobs noted he was a member of Friends of Public Art. He explained the group is trying to develop a list of questions to present to the City for future displays so they do not have to reinvent the wheel, so to speak, each time one of these projects comes up.

Councilor Sapeta also thanked Ms. Landis for bringing this forward. He asked if there was a policy or initiative where artists are given a utility box within the City to paint. Rhett Lamb reported they have started several discussions with Eversource in this regard. He continued although they know of no local projects, they are aware of other cities that are doing this. Councilor Sapeta hopes this could be incorporated into a future policy if one is developed. Ms. Landis commended the Committee for being open to these ideas.

Chair Richards asked if all City requirements had been met. Kurt Blomquist replied in the affirmative.

There being no further comments from the Committee or public, Chair Richards asked for a motion.

Councilor Hansel made the following motion, which was seconded by Councilor Sapeta.

On a vote of 4-0, the Planning, Licenses and Development Committee recommends that Machina Arts be granted permission for the use of City property on Railroad Square at a location to be determined with City staff for the placement of a painted steel pinwheel art piece that is 11 feet tall by 3 feet wide for a period of one year from the date of installation, subject to the following conditions: the signing of a revocable license and indemnification agreement and submittal of a certificate of liability insurance in the amount of \$1,000,000 listing the City of Keene as an additional insured; and that the Petitioner complies with all requirements of City Staff with respect to the installation, ongoing maintenance and repair, facility removal, and site restoration.

## **2. Kiwanis Club of Keene – Request to Use City Property – Tree Lighting Event**

Peg Bruce, of 15L Windsor Court said the Keene Kiwanis Club is present to request a license to produce the 2017 Tree Lighting Event. The proposed date and time of the event is November 24, 2017, 5 p.m. to 8:30 p.m. This is the fifth year they are managing this event. They plan to do the decorating on a Saturday early in the month of November and to take the decorations down by the beginning of February 2018. They will apply for a separate license for the light posts this year. In light of the damage that squirrels did to the lights on the City tree last year they would also like permission to set out Have-a-Heart cages several weeks before they put up the

decorations to see if they can allay that happening again this year by relocating any resident squirrels.

Chair Richards asked for Committee or public for questions or comments.

Councilor Greenwald asked if the roundabout was also being done. Ms. Bruce replied in the affirmative explaining they would once again like to decorate the Bandstand on Central Square with wreaths and lights, decorate the City tree on Central Square and, like last year, put up a second tree with battery operated mini lights at the roundabout at the Marlboro Street and Winchester Streets intersection.

Brad Hutchinson, of Marlboro Street noted Keene also has a lot of chipmunks which may need to be considered when putting the squirrel traps out.

Councilor Chadbourne asked if anything other than the traps had been considered; she suggested Vaseline on the tree bottoms. Ms. Bruce replied in the affirmative noting other methods have been unsuccessful and she had not heard about using Vaseline.

There being no further comments from the Committee or public, Chair Richards asked for a motion.

Councilor Sapeta made the following motion, which was seconded by Councilor Hansel.

On a vote of 4-0, the Planning, Licenses and Development Committee recommends that request from the Kiwanis Club be placed on more time to allow City staff to hold a series of protocol meetings with the petitioner.

### **3. Kenneth Chamberlain, Jr. – Proposal to Utilize Local Residents in Fixing Up Homes on the Tax Deed List**

Kenneth Chamberlain informed the Committee that he would like to purchase one of the homes on the tax deed list. He is suggesting a match-up between people who need help and properties which need help.

Chair Richards said this is a generous idea, but that he is uncertain what the City can do. He asked Mr. Chamberlain what is looking for the City to do for him. Mr. Chamberlain replied that he would like the City to allow him to buy a home.

Medard Kopczynski commented that staff thought it was important for the Committee to hear Mr. Chamberlain's request, and give staff a chance to talk with him. He continued arrangements will be made to speak with Mr. Chamberlain after this meeting. Mr. Kopczynski also pointed out there are an awful lot of hurdles to be discussed. Mr. Kopczynski noted there are several staff members here to speak to this issue. Often times when these properties reach the tax deed list the question is whether or not they are even salvageable. He also pointed out the difficulty in obtaining clear title.

John Rogers provided background information on properties the City took back last year. He reported two of three properties taken were not salvageable; the third one was eventually sold. Mr.

Rogers explained the City is required to sell these properties for as much as they can to recoup taxes and the profits go back to the former owner. Mr. Rogers echoed Mr. Kopczynski's comments. He also noted the City's efforts to help these people keep their properties.

Mary Alther, Revenue Collector explained the tax lien process noting it takes approximately three years to complete. She said they will continue to work with the owners to help keep them in their homes. Ms. Alther reiterated clear title is often a problem.

Chair Richards clarified staff is willing to sit down with Mr. Chamberlain to see if options are available. Mr. Kopczynski reiterated the practical realities are very often impossible to overcome, and that sitting down with Mr. Chamberlain might be helpful.

Councilors Sapeta and Hansel thanked Mr. Chamberlain for bringing this idea to the Committee. Councilor Sapeta suggested there may be other partners such as the local colleges.

Chair Richards asked Mr. Kopczynski to reach out to Mr. Chamberlain. Mr. Kopczynski reported staff have already reached out and will continue to do so. Councilor Hansel said staff will continue to work positively with Mr. Chamberlain. He also encouraged Mr. Chamberlain to stay involved in this issue.

There being no further comments from the public or the Committee, Chair Richards asked for a motion.

Councilor Sutherland made the following motion, which was seconded by Councilor Hansel.

On a vote of 4-0, the Planning, Licenses and Development Committee recommends the communication from Mr. Chamberlain regarding properties on the tax deed list be accepted as informational.

#### **4. Councilor Manwaring – Reconsideration of License – The Pumpkin Festival Brought to You by the Children of SAU 29**

Chair Richards noted the MSFI Committee meeting was still going on and that Councilor Manwaring could not leave that meeting to address her letter. Councilor Hansel recommended moving forward as Councilor Manwaring could join the meeting when she finished her Committee's meeting. The City Attorney suggested the motion to reconsider came from the City Council and he felt the public and this Committee had the right to move forward if they wished to. The Attorney added this is essentially a brand new issue.

There being no questions or comments from the Committee, Chair Richards asked for public comments.

Tim Zinn, of 43 Grove Street said he was confused. He asked if the whole plan needed to be discussed or was the discussion relative to why this issue was referred back. Chair Richards commented he has seen reconsideration used maybe five times in his career. Chair Richards then outlined the reconsideration process explaining they are starting from scratch again. Councilor Hansel noted his interest in the reconsideration is really to get an update. Councilor Hansel

added he felt it would behoove the petitioner to speak on how they have been interacting with staff and other stakeholders since the license was approved. Noting he also had a lot of questions; Mr. Zinn advised he would like to address them. Chair Richards asked if Mr. Zinn understood the reconsideration; Mr. Zinn replied in the affirmative.

At this point Councilor Manwaring arrived to address her letter. Councilor Manwaring said she put forth the motion to reconsider due to concerns expressed by the Police Chief and Fire Chief and Keene State College.

Councilor Manwaring asked the Committee to listen seriously to what these individuals have to say.

Mr. Zinn clarified the Chair would like an update as to where Let It Shine is in this process. Mr. Zinn said they originally proposed this festival for SAU29 children only with the thought of splitting up Railroad and Central Square. After protocol meetings were held they came up with the idea of closing Central Square and worked to flush out those details keeping the festival simple and their communications accurate. They also had a goal of 5,000 pumpkins to keep this controllable. There would be no vendors, and they expect fewer than 10,000 people to attend. The goal was to start the healing process and move forward.

Councilor Sutherland clarified nothing has changed; other than fewer pumpkins. Mr. Zinn replied in the affirmative adding the time was changed to 1:00 PM to 7:00 PM.

Councilor Sapeta said he did not know this was competing with an event in Swanzey when this license was previously voted on. He asked Mr. Zinn if he had attempted to work with that event's promoters. Mr. Zinn commented the Swanzey event was born out of the ashes of 2014. Mr. Zinn then read Let It Shine's feelings from a prepared statement.

*"The long history of our Festival earns it the right for a spot in the community. We have no ill will to other festivals, we advertise willingly for them on our website. Our Festival is unique in its history and traditions. Providing pumpkins for school kids and their families to carve in the schools goes to the heart of what it has always been about. This festival was designed from day one to offer something special to the community, but uniquely special to Keene in its offer of healing and second chances. We have worked for months to communicate this with supporters, businesses, donors, the City and the previous college Administration. We are following the suggestions of Councilors in 2014 to come back smaller and give the City time to heal and improve."*

Mr. Zinn added they reached out to the College in the beginning and at that time they were not interested in working with us; but things have since changed. Mr. Zinn then asked if he was allowed to read his opening statement and ask questions throughout this process. Chair Richards advised against three-way conversations and suggested Mr. Zinn read his statement and ask his questions.

Mr. Zinn continued with his prepared statement and questions.

*“Let It Shine has stayed the course with this smaller, no vendor, community focused, clearly communicated festival. We turned down Disney, and the Travel magazine editors. We have consistently praised KSC improvements. “Kids, Smiles, Pure Pumpkins” is our theme. This event is close to 1/10<sup>th</sup> the size of our signature events, both in terms of pumpkins and projected attendance. We hope the discussions tonight will help us understand how things changed so rapidly and drew so much media attention to what was quietly moving towards a win for all of us. We have some specific questions we are looking to get answers to. Our board members and followers deserve it.”*

Please clarify if these memos from the two Chiefs were requested or offered. Chair Richards commented the Councilors were provided information; adding anyone can send a memo to the City. Mr. Zinn inquired whether this same information was provided to the Committee or Council prior to their initial votes, noting that their event has not changed in scope since the original vote. Finally Mr. Zinn inquired whether there was an analytics on the social media chatter. Specifically, what is the quantity of social media posts and what was the tone as compared to 2014, when the tone was quite aggressive?

Mr. Zinn stopped reading at this point. Chair Richards advised Mr. Zinn he would have the opportunity to speak again. Chair Richards asked if anyone else would like to speak.

Fire Chief Howard opened his comments by outlining this year’s process and what Mr. Zinn referred to as the protocol meetings. The protocol meetings were productive and Mr. Zinn stayed the course with the scope for the event the displaying of pumpkins. Chief Howard explained the concerns from early on were the name of the event, the fact that the location was not a closed venue and the attendance. Chief Howard explained all large gatherings are a concern for public safety, and open venues create other logistical concerns.

To answer Mr. Zinn’s question on what has changed, Chief Howard clarified this is not about Mr. Zinn or any one event. When they receive information about a potential threat to public safety they have to review it. Information regardless of when it comes in it has to be reviewed. Chief Howard shared information regarding the Jaffrey fireworks festival that was cancelled due to a credible threat. Chief Howard said he hopes the Committee looks beyond a title, as they look at large gatherings, He continued they want all events to occur and be safe for everybody.

Police Chief, Steve Russo echoed Chief Howard’s comments. He said there are so many unknowns that the Police Department is always concerned with large gatherings. Chief Russo said to him what has changed is everything that happens cannot be planned for or known. Unfortunately there is something attached to the Pumpkin Festival. They went through planning the event with Let It Shine; but since then some chatter on social media has arrived that caused some concern. Chief Russo explained they do not have a good capability of monitoring social media both from a perspective of software and personnel. They will be working with the College to try and gather chatter on social media. He clarified there really is no way to quantify and document the chatter they have seen. Chief Russo noted this is something we have to look at for any event.

Chief Howard added what changed is they did not have this information at previous Committee or Council meetings. They were not raising a red flag until there was evidence of concerns; this is what has changed. The City Manager asked the two Chiefs to provide a memo addressing their concerns.

Chair Richards asked for questions or comments from the Committee.

Councilor Sutherland clarified they have received no elevated threats; just concerns that social media people are excited about the Pumpkin Festival. Councilor Sutherland said it seems like the name is the concern; he added it does not matter what they call it because the press will call it the Pumpkin Festival. Noting he is concerned about the safety of City employees, Councilor Sutherland asked what has been the sense of the problematic neighborhoods near the College since the Pumpkin Festival. Chief Russo replied there are large gatherings every Thursday through Saturday, but nothing that they would call significant. Chief Howard added regardless of the neighborhood when they go to a large gathering they are at heightened awareness. He noted complaints against the Police and Fire Chiefs in 2014 for not being prepared; adding they did prepare. They do have plans to deal with just about anything, any day; but they do have limited resources from a personnel standpoint. Chief Howard commented one of our weak links daily is the landlords; he added they need their help. Chief Howard noted collaboration with the College along with changes they have made since 2014 that continue to this day.

Councilor Sapeta asked if there were differences in preparation for the Fall Festival and the Pumpkin Festival. Chief Howard noted the Fire Department looks at all events based on estimated size and venue. He outlined how resources are allocated for all events. Chief Russo commented the Police Department looks at it the same way. Chief Russo reiterated unfortunately there is a history unfairly attached to this event that they just cannot ignore. Councilor Sapeta continued by asking if a closed venue versus an open venue for this event would make a difference in your preparations. Chief Russo replied a closed venue almost always makes an event safer and more controllable than on city streets. He continued they have discussed this with Let It Shine and felt that they can handle that part; it is the associated activities that they cannot plan for and have no idea what will happen.

To that point Councilor Sutherland said the concerns are not necessarily within the footprint. He added he could not imagine 10,000 people within the proposed footprint and suggested Gilbo Avenue as a venue. Councilor Sutherland's fear is that they are cowering in fear with the possibilities and asked if they do this with everything. He noted the effects on economic development and suggested they are closing the doors to the outside which is wrong. Councilor Sutherland said it is not about the Pumpkin Festival; it is about who we are and how we deal with these situations. Chair Richards responded to Councilor Sutherland's comments by noting they do not pick where the event is going. Suggestions were presented and turned down by the applicant. Chair Richards said he would wait for the rest of his comments and asked who else would like to speak to this.

Melinda Treadwell, Interim President of Keene State College read her prepared statement as follows:

*“Good evening. I am Melinda Treadwell, Interim President of Keene State College, and I am*

*grateful to have the opportunity to address this body. Thank you.*

*I have been in this role for five weeks; however, I have lived and been a member of this community for 22 years and am raising two children to be active in the community.*

*I am a scientist and so I approach challenges by asking questions. As such, I offered two questions when I learned a short time after my support of for the Keene Pumpkin Festival license request, that there was a second and similar event planned a week before the proposed Let It Shine Pumpkin Fest and just 2.5 miles away, and that we began to see limited social media buzz with a small subset of our students and alumni.*

- *First, can our region (families, organizations, individuals alike) support two Pumpkin Festivals within less than 10 days of another? This is the question that I think is being overlooked – two similar events within 10 days.*
- *Second, are there risks we can anticipate and mitigate to avoid potential reputational harm for Keene State and the City of Keene while supporting our community and the celebrations that could serve to bring us together?*

*To pursue these questions, I requested a meeting on September 1. I have been impressed by Mr. Zinn's leadership and passion and grateful for his time and engagement. Yet, I have been absolutely shocked to experience the emotion tied to the Keene Pumpkin Festival and the negative perceptions of Keene State College in the past several days as this community grappled with the question of how we will celebrate and join in community together.*

*To understand my concerns about reputation, it is important to put the events of 2014 and the stability of Keene State College into a more realistic context and perspective:*

- *155 Keene State students (of our nearly 5,000 at the time) received disciplinary action for either on campus or off campus violations as a result of Pumpkin Fest 2014. Over 4,800 students had nothing to do with the irresponsible actions of this minority; however Keene State College and the students I serve are still somehow the center of public ire about the actions of the weekend in 2014.*
- *Beyond reputation, 2014 was costly as Keene State College paid out nearly \$40,000 to the City of Keene for damages incurred.*
- *Since that event, Keene State College has worked diligently with property owners, landlords, our public safety professionals, and our students, to raise our expectations and to hold students to standards of conduct both on and off campus. I will continue to support and champion this work as essential and ongoing.*
- *I assumed this role to stabilize my alma mater as an institution that matters greatly to the City of Keene and the region. As you have been reading recently, our enrollment has declined precipitously, beginning with the public perception of our college after the*



*2014 Pumpkin Festival. You have heard about our financial challenges. These exist because the campus did not right size its operation in the face of the enrollment decline. In the past several weeks the campus has begun this work. We will achieve our budget targets for this fiscal year and secure a balanced budget for the campus reflecting our new enrollment reality going forward. We are pairing our organizational realignment with recruitment and retention efforts for the College —reputation matters greatly here and this is why I have expressed concerns about a Keene Pumpkin Festival.*

- *As the public deliberations about the future of the Keene Pumpkin Festival have advanced, our College and her students have been viewed very negatively and unfairly.*

*Should the Main Street Pumpkin Festival move forward, and should there be disruptive behaviors demonstrated by any member of the Keene State community, the College stands ready to take severe disciplinary action. I will declare an aggravating circumstance under our conduct policy justifying enhanced student sanctions, and we will work diligently to communicate expectations and consequences to inspire but hold accountable the community I serve.*

*But my point is this – once it comes to reporting and adjudicating disruptive actions, it is too late. The risk to the College’s and to the City’s reputation is sealed if a handful of college-aged individuals behave badly and are captured on film given the attending media attention we can anticipate with this branded event. Adverse media will add significant harm to this beautiful community and Keene State College.*

*So my question, why would we incur this risk if we could collaborate with an event not on our city streets or adjacent to our neighborhoods?*

*I would like to end my statements with a few facts about Keene State that I hope will create broader awareness of who we are and how we give back to this community. You have a gem here in your city limits and I need your help to change the perception of the gifts of this campus—it is clearly not all about the Keene Pumpkin Festival, but it starts here.*

- *In the most recent report issued by US News and World Report, Keene State College continues to hold its enviable position among the top-ranked schools of the Regional Universities of the North, and in fact, continues its upward progression among its peers now holding 71st place out of 145 institutions.*
- *Educate to Career ranks the College among the top 100 colleges for the best value. We are 86<sup>th</sup> out of nearly 1200 institutions ranked.*
- *Zippia has named Keene State #1 in the state and 18<sup>th</sup> in the country for our students’ employability.*
- *We are on the Princeton Review’s list of best regional colleges.*

*Beyond these accolades we all should be proud of, we give back and engage:*

- *In the 2014-2015, academic year, our students delivered nearly 120,000 hours of*

*public service to the Monadnock Region.*

- *In the 2016-2017 academic year, approximately 120 Keene State students were involved in semester long local service-based internships, contributing approximately 16,400 hours.*
- *In addition, there were approximately 55 courses that included some kind of service or civic engagement project.*
- *We have instituted mini-grants to faculty to increase the number of courses that feature a service learning component. At this time, 170 students will offer 5,761 hours of service with local non-profit community partners.*
- *In recognition of our record of service to the community, on October 2<sup>nd</sup> Keene State College will accept the 2017 Washington Center Higher Education and Civic Engagement Award.*

*Lastly, let me share with you some of the results of Economic Impact Study conducted last year for the institutions comprising the University System of New Hampshire. These figures represent the impact that Keene State College had in this region over the 2014- 2015 year.*

- *As one of the largest employers in the region, the financial impact of the College added \$72.6 million dollars in income to the region as a result of day to day operations.*
- *As a result of research programs at the College, another \$2.7 million dollars were added to the income of the area.*
- *Spending in the area by visitors attending College events increased income to the area by \$650,000.*
- *Student spending on groceries, rent, and transportation contributed approximately \$4.4 million dollars to the local economy.*
- *Keene State's lengthy history and its thousands of graduates who come from this area and choose to remain here to pursue their careers contributed another \$55.5 million dollars to the area during this time.*
- *While these figures include only a small percentage of the number of services hours our students contributed during this timeframe, the College's overall financial impact to the local Keene area exceeded \$136 million dollars – or the equivalent of over 4,000 jobs.*

*It is clear that our students, faculty and staff have, and continue, to demonstrate their commitment to being engaged citizens of the City of Keene and contributors to its economy.*

*The presence of the College and the value of the work that our students, faculty, staff, and alumni do on behalf of this region, its businesses, and its citizens is a significant driver of economic vitality.*

*We ultimately will respect the decision of this leadership council, and will stand ready to do all that we can to support and sustain successful community events in our region. I hope we can find ways to work together for a bright and successful future for our community to create celebrations that enhance our reputation and limit reputational risk. I ask for you all to help me improve the perception of Keene State College and our incredible students in this city. The tone of this public discourse should give us all a moments' pause about how we might work to understand and support one another more fully."*

Chair Richards asked for Committee questions.

Councilor Sutherland thanked Dr. Treadwell noting he appreciates the position Keene State College has with regards to accolades and awards, et cetera. He continued with this and the comments from Chief Howard and Chief Russo, and with the way things have calmed down he sees this as an opportunity for Keene State College to standup and say that is not who we are, this is who we are. Ms. Treadwell agreed and offered with the realization that we have the opportunity to have the Pumpkin Festival in a closed venue; it is the reputation that will harm us. The social media chatter we picked up was limited and immediately after the media announced the Pumpkin Festival was returning. Although it has quieted down, Ms. Treadwell anticipates it will pick up again. She also made note of the event 10 days before another Pumpkin Festival that offers the same ability to celebrate.

David Crawford, of Marlboro Street reacted to Ms. Treadwell's comments noting students could not have been treated too sternly or they would not be trying to stir things up again. Ms. Treadwell replied the student's talking about returning for Pumpkin Fest are not the ones who stirred it up; it is not the Finnirage group. The risk is not about public safety harm; it is about partying and that being captured suggesting Keene State is a party school. She continued we are working very hard to change that reputation. So again, the concern here is about our reputation and what we are branded as.

Brad Hanson, of 25 Graves Street introduced his daughter Ava Fox who read a prepared statement in support of the Pumpkin Festival. Ms. Fox read:

*"My name is Ava Fox and I am nine years old. I go to Franklin School. I think the Pumpkin Festival should be in Keene because I know a lot of people that like to walk there with their families and the point is to have fun and watch the pumpkins. I like the pumpkin tower. It is awesome to see friends and family in their costumes. Another thing is the costume parade; people love it even grownups. Each year we get to see the new costumes. That is why I think Pumpkin Festival should be in downtown Keene. Thank you."*

Councilor O'Connor stated he is a graduate of Keene State College; and added Keene State College is very important to the City. The problem was not all Keene State College; a lot of those parties happened off-campus. Councilor O'Connor noted reputation is important.

Another big hit to the College's enrollment would be a problem for the College and would impact the City. His questioned why did SAU29 give permission for that name to be attached to the Pumpkin Festival; how did that come about.

Bradford Hutchinson, of Marlboro Street noted his support for the Pumpkin Festival. Mr. Hutchinson reported he obtained copies of the letters from Chief Howard, Chief Russo, and Ms. Treadwell but has not read them in their entirety. He commented the Pumpkin Festival is the best thing Keene has ever done and the worst thing Keene ever did was not have a Pumpkin Festival in 2015. He commended the success of the Pumpkin Festival under Let It Shine. The Pumpkin Festival is for children of all ages, he continued, especially little kids. Mr. Hutchinson believes the Pumpkin Festival should happen downtown. He made note of what he witnessed during the festival in 2014 and shared his assumptions of actions taken by the City. He also indicated the College party scene has calmed down since then. Additionally, he suggested the riots were not caused by Pumpkin Fest but that the rioters used Pumpkin Fest as an excuse to riot. Mr. Hutchinson noted he liked Councilor Sutherland's comments. Mr. Hutchinson wants to see this Committee keep Pumpkin Festival moving forward.

Darryl Masterson, of 44 Willow Street said the concerns expressed by Chief Howard, Chief Russo, and President Treadwell should mean something to the members of this Committee. He added we as adults should take into consideration what could happen.

Jim Gardner, of 27 Birch Street read a prepared statement into the record.

*"A logical argument for denial of license for Pumpkin Festival 2017: Keene, NH, Code of Ordinances, Ch. 46, Art. II, Div. 3, Sec. 46-92 states regarding licensing that "licenses shall be granted only if the proposed activity can be carried out in accordance with the applicable laws, safely, and without posing hazard or inconvenience to the public."*

*Reading an excerpt from the March 25, 2015 PLD minutes, he referred to remarks from Councilor Chadbourne who noted sitting in her role the first thing that what comes to mind is public safety. Continuing, Councilor Chadbourne explained even though the riots happened outside the Pumpkin Festival footprint; for City Councilors the footprint is the City."*

*Dr. Melinda Treadwell, Interim President at Keene State College, states in her communication (dated September 7, 2017) regarding Pumpkin Festival, that "Despite all efforts, it is my opinion that an open Main Street venue does not provide the security that an event of this nature demands...I am deeply concerned that Keene and Keene State are not prepared should the Main Street event swell beyond projections or if this motivation to gather creates the environment for unruly behavior within the city limits."*

*Police Chief Russo in his September 3, 2017 memorandum regarding security concerns related to the Pumpkin Festival 2017 stated that "my primary question would be why would we want to host an event in which we have to plan for rioting?"*

*Fire Chief Howard in his September 7, 2017 memorandum regarding public safety concerns related to the Pumpkin Festival 2017 stated that "I concur with the history concerns that Chief*

*Russo has provided related to the 2017 Pumpkin Festival...Specifically to the Fire/EMS concerns it comes down to resources and ability to deploy...What we lack are the personnel to respond when dealing with large events, gatherings and incidents.”*

Mr. Gardner asked that the Committee please consider these statements from key players in this process, as well as the prohibition contained in City Ordinance 46-92 of licensing any proposed event which poses hazard or inconvenience to the public. Mr. Gardner asked that the Committee please deny the license.”

Councilor Chadbourne said the two things she has heard here are safety concerns and economic vitality. She reiterated the reasons why this came before Council for reconsideration. Councilor Chadbourne indicated that colleges across the country are seeing a decline based on a number of factors which she outlined. Noting this community is co-dependent, Councilor Chadbourne said these are very serious concerns that have been very negatively impacted by what happened at the Pumpkin Festival. She did not hear any of those speaking to their letters that said no to the Pumpkin Festival; it was just a strong suggestion that it be in a contained, controlled environment. She agreed this is a serious concern. Councilor Chadbourne would like to see the applicant work with staff on another venue.

Jenna Schifflbein, of 74 Beech Street shared the story of how she came to live in Keene; which was because of the Pumpkin Festival. Ms. Schifflbein noted her disappointment in watching this process.

There being no further first time speakers, Chair Richards asked if there was anyone wishing to speak for the second time.

Tim Zinn, of Let It Shine noted how hurtful it is to be hearing all this again and having to go through this process again. Mr. Zinn continued to read from his statement with regards to the suggestion of a name change.

*“Information age makes it irrelevant in our opinion. Media would have tagged the two together. Proud of Keene, Volunteers, History of KPF. We did change the name, by adding the phrase brought to you.... If you have ill will for that, Jocolantern Jamboree isn't going to really matter. . At some point people need to make a stand, bad guys don't get everything, they took enough already. This re-vote has created more media attention than the name. Changing the name now will just add more media attention and fuel to the fire.”*

Mr. Zinn continued “What are the new tools, new approaches, lessons learned by the city from 2014? The college has major new tools in place, what is the city doing differently to protect its festivals? What new legislative tools have been created to deal with unauthorized large assemblies? Shouldn't we by now have created stronger tools and messages that address those that assemble in large numbers with ill intentions? Shouldn't hosts of these gatherings be held financially and legally liable to the City vs. Festivals doing good at the other end of the spectrum? I am less concerned with college students at this point than other things going on in society today. Why do festivals go through months of protocol meetings purchase liability

*insurance, yet ill-intentioned events are not held accountable? Finnerage and their hosts that stirred the social media should have paid the surrounding communities the overages in 2014.”*

Mr. Zinn continued *“I approached this committee approximately a year and a half ago with a proposal to consider how we manage large group gatherings specifically large scale parties in the college neighborhoods. Why do they get large, what can we do to reduce them. There was good discussion around the idea of reducing the assembly ordinance from 100 to 50. The college was supportive and interested in investigating this potential tool further. I described it as a sledgehammer only needed for specific jobs at the time. The proposal went to a vote and was accepted as informational and no further action was taken. If explored further, this could have been used on an as needed, where needed basis, downtown City Festivals might be a good example. If this isn’t the right tool, what is, what else has been added to our toolbox?”* Mr. Zinn paused for a response, but not before noting the College has put huge tools in place; he outlined efforts by the College since 2014.

Chair Richards noted he would answer this question with his ending comments. Mr. Zinn said he would then make his closing statements. He continued to read from his prepared statement. *“Let It Shine has worked to present to this community, the opportunity to rally around 3200 of our most pure of heart citizens and perhaps turn a new page of healing, second chances, inspiration, and courage that is uniquely needed in Keene. We do not ask to blindly move forward regardless of risk. We ask for all parties to look in the mirror and ask if they have and are giving 100% to this effort. Are we bringing all tools available to create an expectation of accountability and inspiration? Are ALL leaders in our community reaching out to students to set the expectation and accountability for good behavior? Are we motivating our entire community to rally behind KSC students and encourage them to Shine the brightest of everyone at this Festival? Are each of us talking directly with students about not only the stakes and risks, but the incredible opportunity to change the conversation and future course of history?”*

Mr. Zinn shared the story of introducing Nancy Sporborg to ten college students in his backyard, and the connection made there. Every leader in the community needs to get down on the campus and encourage students towards *“Wisdom to make a difference”*.

David Crawford, of Marlboro Street said he was in favor of the Pumpkin Festival and hopes the Committee votes for it.

Jim Gardner, of 27 Birch Street urged the Committee to give careful consideration to all they have heard to make a finely nuanced decision about their recommendation to City Council. He reiterated the things he would like the Committee to consider. He also advised the Committee to be very careful with their decision.

Bradford Hutchinson, of Marlboro Street shared conversations he had with sorority members after the 2014 event. Mr. Hutchinson suggested the naysayers are not taking into consideration the facts about Keene State students. He would like to see the Keene State College Administration move forward with the idea we are going to have Pumpkin Festival. Mr. Hutchinson commented let’s put this thing on and make it a success.

There being no further comments Chair Richards moved onto Committee comments.

Chair Richards asked the City Attorney about the motion needed. The City Attorney suggested the Committee has several options available to them; 1) use the same motion originally used when the license was granted (as if nothing has changed), 2) you could decide things have changed and add additional conditions, and 3) you could vote that the license not be granted. Chair Richards continued the Committee usually makes motions in a positive light. He suggested a motion to grant the license as previously stated would be an appropriate motion; the City Attorney agreed.

Councilor Hansel said he appreciates Dr. Treadwell's position and the fact she came forward to state her convictions. For him tonight was important to give fair voice to people who wanted to address whatever concerns they may have. He always sticks to the side of fairness of process and for that reason would support the original recommendation. Councilor Hansel said he heard no additional evidence that would require additional conditions to the license they had.

Councilor Sapeta said this is obviously a very complex issue. He wondered if this is really about a now or never situation. He suggested looking at it to see if it is worth delaying it for a year, gather more evidence, and let the public really participate. Councilor Sapeta commended Mr. Zinn for bringing this forward. Councilor Sapeta said he had not been aware of the festival being held the week before just down the street. This fact may have swayed his previous yes vote for this license. He feels this is unhealthy competition. Councilor Sapeta referred to Ms. Treadwell's comments regarding the College's reputation. He suggested taking a pause and giving this more thought. He asked the City Attorney if a vote was necessary today. Chair Richards replied in the affirmative.

Councilor Sutherland commented he appreciates the concerns addressed this evening. He added we have had time to think about this since 2014. The approach was to scale it down and try to bring it back. Councilor Sutherland pointed out how important this event was to local fundraising. Noting it is important for the community to recover from 2014, Councilor Sutherland said he thinks Let It Shine and the City have been working collaboratively to determine how that will happen. So far tonight he has not seen anything that has dramatically changed since the license was approved; we have no threats, we have concerns. He encouraged Let It Shine to continue to work with the City if the license is granted again and that City staff consider changes that could happen to increase the safety.

Noting he is not living in fear, Chair Richards commented he voted for the Pumpkin Festival in 2014 when we knew the crowds were growing. He continued the College and City were not to blame for what happened. Rather social media was to blame. The City is responsible for ambulance service, Fire, and Police. Despite what was said the Police and Fire Departments were nothing but heroic. Nobody within the footprint knew there was trouble around the corner. It got so big so fast that it got out of control. We paid a price for it and we continue to pay a price for it. How many people have been ambulated away from any of the other events we have? Nobody can plan for a riot. Chair Richards mentioned changing the venue and the applicant's response; he continued there are a lot of things that could be done that are not being done. He made note of all the events going on that are keeping Keene's downtown vibrant.

Councilor Hansel said the goal in this is to keep City's role in this in perspective. We have a petitioner, it is their event and it is not a City sponsored event. With that being said we need to protect the integrity of the process.

Councilor Sapeta agreed with Councilor Hansel's comments regarding the integrity of the process. He also reiterated earlier comments regarding the reputation of the College.

There being no further comments from the public or the Committee, Chair Richards asked for a motion.

Councilor Hansel made the following motion which was seconded by Councilor Sutherland.

On a vote of 2-2, the Planning, Licenses and Development Committee recommended a license be granted to Let It Shine for the Keene Pumpkin Festival Brought to You by the Children of SAU 29 under the same conditions as previously voted upon. Chair Richards and Councilor Sapeta voted in opposition.

The City Attorney clarified this will move forward to City Council without a recommendation.

**5) Adjournment** - There being no further business before the Committee, Chair Richards adjourned the meeting at 9:23 PM.

Respectfully submitted by,  
Mary Lou Sheats Hall  
September 14, 2017