

06/16/2016

A regular meeting of the Keene City Council was held Thursday, June 16, 2016. The Honorable Mayor Kendall W. Lane called the meeting to order at 7:00 PM. Roll called: Carl B. Jacobs, Janis O. Manwaring, Robert J. O'Connor, Terry M. Clark, Jay V. Kahn, Randy L. Filiault, Thomas F. Powers, George S. Hansel, Stephen L. Hooper, Bettina A. Chadbourne, Philip M. Jones, David C. Richards and Mitchell H. Greenwald were present. Councilors Sutherland and Lamoureux were absent. The Mayor took a moment to recognize Councilor Kahn's service. Councilor Kahn was elected as an At-Large Councilor in January 2016. Prior to the Council, Councilor Kahn served as Vice President for Planning and Finance at Keene State College for 28 years. Councilor Kahn is currently on the Finance, Organization and Personnel Committee. He is now running for New Hampshire Senate. Councilor Kahn led the Pledge of Allegiance. A motion by Councilor Greenwald to accept the minutes from the June 2, 2016 meeting was duly seconded. The motion passed with a unanimous vote in favor.

PROCLAMATION – BUY LOCAL

The Mayor invited Jen Risley, Monandock Food Co-op, forward to present her with a proclamation relative to Buy Local. The Mayor went on to proclaim the week of July 1st, 2016 as *Independence Week* in Keene and encouraged citizens to support local businesses.

PROCLAMATION – PARKS & RECREATION MONTH

The Mayor invited Andy Bohannon, Parks, Recreation and Facilities Director, forward to present him with a proclamation relative to Parks and Recreation Month. The Mayor expressed the importance of our Parks and Recreation areas to the health and economic well-being of our community and region. The United States House of Representatives has designated the month of July to be *Parks and Recreation Month*. The Mayor went on to proclaim July, 2016, as *Parks and Recreation Month* in the City of Keene and encouraged all citizens to participate in the diverse recreational opportunities offered to them. Mr. Bohannon thanked the Mayor and stated that the National Parks and Recreation Association puts a theme on every July. The entire month of July is a Superhero's theme, meaning that the Tuesday movie night will be family friendly Superhero movies.

PROCLAMATION – LGBTQ

The Mayor invited Elizabeth Brown, Youth Services Manager, forward to present her with a proclamation relative to LGBTQ. The Mayor went on to proclaim June as Gay Pride Month. The Mayor acknowledged and expressed his appreciation for Councilor Filiault and his son, Shawn, who raised the issue with him and assisted with the drafting of the proclamation. Ms. Brown expressed her appreciation for the Mayor's attendance and presentation of the proclamation on the vigil that occurred at the Keene Unitarian Universalist Church.

PRESENTATION – RETIREMENT RESOLUTION – NANCY BURRIDGE

The Mayor invited Nancy Burrige from the Finance Department forward to present her with a retirement proclamation. The Mayor went on to express the City's gratitude to Ms. Burrige for

her dedication, and went on to detail her history of employment with the City of Keene. Ms. Burrige thanked the Mayor for the acknowledgement of her years of service.

PRESENTATION – GIS MAPPING AND CIP PROJECT – EXPLORER MAP APPLICATION

Rhett Lamb, Planning Director introduced Will Schoefmann, GIS Technician, who gave a brief presentation on what the GIS system is currently being utilized for and an introduction to the Explorer Map application. Mr. Schoefmann noted that much of the data is a product of the aerial mapping and photogrammetry project. The flight and imagery was captured in April of 2015 along with the base mapping and topography that was completed in November of 2015. Mr. Schoefmann displayed various images showing changes that have occurred over the last 15 years. He noted the increased quality and accuracy of the updated aerial and base mapping will enable the City to better document patterns and trends of developing heading into the future. He noted the City's first responders are benefitting from more accurate and updated building and address information. Updated roadway, sidewalk and building features assist in the definition of utility locations so that the Public Works Department can accurately maintain its important assets. Mr. Schoefmann displayed the functionality of the Explorer Map application, which was a CIP project, and which is now accessible through the City's website.

NOMINATION

The following nomination to City boards and commissions was received from the Mayor: Sadie Butler as a regular member to the Conservation Commission for a term to expire December 31, 2018. The confirmation will occur at the next regular meeting.

COMMUNICATION – ANTHONY DIONNE – WATER SHUT OFF AND RESTART CHARGE – 25 AMERICAN AVENUE

A communication was received from Anthony Dionne, requesting that the City refund the charges incurred for a water shut off and restart charge for their 25 American Avenue residence. The communication was referred to the Municipal Services, Facilities and Infrastructure Committee.

COMMUNICATION – DEREK SCALIA – RESIGNATION – MARTIN LUTHER KING, JR/JONATHAN DANIELS COMMITTEE

A communication was received from Derek Scalia resigning from his position on the Martin Luther King, Jr./Jonathan Daniels Committee. A motion by Councilor Greenwald to accept the resignation for service on the board was duly seconded. The motion passed with a unanimous vote in favor.

COMMUNICATION – ERIC ALLEN – REQUEST FOR NO PARKING – SHERIDAN AVENUE

A communication was received from Eric Allen on behalf of Mac's Market, requesting to have a "No Parking" sign to prevent the blocking of Sheridan Avenue for Mac's Market and Discount

Oil of Keene. The communication was referred to the Municipal Services, Facilities and Infrastructure Committee.

COMMUNICATION – ANTHONY & FENELLA LEVICK – REQUEST TO SELL FRUIT BEER AT THE FARMER’S MARKET OF KEENE

A communication was received from Anthony and Fenella Levick on behalf of the Mooselick Brewing and Monadnock Berries, requesting to sell fruit beer at the Farmer’s Market. The communication was referred to the Planning, Licenses and Development Committee.

COMMUNICATION –COUNCILOR HANSEL – PROPOSED CHARTER AMENDMENT – COUNCIL COMPENSATION

A communication was received from Councilor Hansel requesting a proposed amendment to the Keene City Charter regarding City Council compensation. The communication was referred to the Finance, Organization and Personnel Committee.

COMMUNICATION –COUNCILOR KAHN – ENCOURAGING A DISCUSSION REGARDING LEVEL OF SERVICE – TELEVISION, INTERNET AND VOICE – TO BE PROVIDED BY SPECTRUM CABLE TV PROVIDER

A communication was received from Councilor Kahn requesting a discussion regarding the level of service Spectrum envisions providing to the Monadnock Region in the near future in reference to television, internet and voice services. The communication was referred to the Finance, Organization and Personnel Committee.

MSFI REPORT – WATER ABATEMENT – 46 HAMDEN DRIVE

Municipal Services, Facilities and Infrastructure Committee report read recommending an abatement of \$3,687 to David and Laura Andrews reducing the amount owed to \$300, their average bill. The report also recommended the memorandum from the Assistant Public Works Director and Water Meter Technician in reference to high volume water and sewer bills and the memorandum from the Assistant Public Works Director and Water Meter Technician in reference to high water usage quarter four, 2015, at 46 Hamden Drive be accepted as informational. The Mayor accepted the two informational memorandums and filed them into the record. A motion by Councilor Manwaring to carry out the intent of the report was duly seconded. The motion passed with 11 voting in favor and Councilor Richards and Greenwald opposed.

MSFI REPORT – STATUS OF THE DOG PARK

Municipal Services, Facilities and Infrastructure Committee report read recommending the status report on the dog park be accepted as informational and further that the location for the dog park, in Wheelock Park, shown on the concept plan prepared by Brickstone Land Use Consultants, date December 30, 2015, be placed on hold so that city staff can investigate other locations for the dog park in Wheelock Park and report back to the MSFI Committee in one month. A motion

by Councilor Manwaring to carry out the intent of the report was duly seconded. A motion by Councilor Manwaring to amend the motion to direct staff to work with the Dog Park Committee to review the park criteria and evaluate and propose locations outside of Wheelock Park and report back by the September 7, 2016 Municipal Services, Facilities and Infrastructure Committee was duly seconded. Voted unanimously to amend the motion and voted unanimously to carry out the intent of the report, as amended.

MSFI REPORT – WARRANT FOR UNLICENSED DOGS

Municipal Services, Facilities and Infrastructure Committee report read recommending a warrant for unlicensed for dogs be issued and the animal control officer be directed to issue a civil forfeiture to those who have failed to license their dogs by April 30, 2016. A motion by Councilor Manwaring to carry out the intent of the report was duly seconded. The motion passed unanimously.

MSFI REPORT – RENAMING OF THE “NORTH BRIDGE”

Municipal Services, Facilities and Infrastructure Committee report read recommending the informational process for renaming the North Bridge be accepted. A motion by Councilor Manwaring to carry out the intent of the report was duly seconded. A motion by Councilor O’Connor to amend the report to deny the request to rename the “North Bridge” was duly seconded. The motion passed with 10 voting in favor and Councilors Manwaring, Filiault and Powers were opposed. The report as amended passed with 10 voting in favor and Councilors Manwaring, Filiault and Powers were opposed.

PLD REPORT – PERIODIC REPORT – HISTORIC DISTRICT COMMISSION

Planning, Licenses and Development Committee report read recommending the periodic report from the Historic District Commission be accepted as informational. The report was filed as informational.

PLD REPORT – REQUEST TO CONDUCT HOMECOMING PARADE – KEENE HIGH SCHOOL

Planning, Licenses and Development Committee report read recommending the Keene High School Student Council be granted permission to hold their annual Homecoming Parade on Saturday, October 15, 2016 at 11:00 AM starting at the NGM Parking lot, onto Gilbo Avenue, proceeding onto School Street, left onto Emerald Street, then continuing to Main Street, around Central Square, then turning onto West Street, then to School Street, and returning back to the NGM Parking Lot. Students will be bused to Wheelock Park where they will rejoin the parade and travel down Arch Street to Alumni Field. Said license is granted subject to the signing of a revocable license and indemnification agreement, the submittal of a certificate of liability insurance in the amount of \$1,000,000 with the City of Keene listed as an additional insured, and compliance with any recommendations of City staff. The petitioner agrees to absorb the cost of any City services. Said payments shall be made within 30-days of the date of invoicing. A

motion by Councilor Richards to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

PLD REPORT – REQUEST TO USE CITY PROPERTY – TREE LIGHTING CELEBRATION

Planning, Licenses and Development Committee report read recommending the Keene Kiwanis Club be granted permission to use downtown City rights-of-way on November 25, 2016 for the Tree Lighting Festival from 5pm to 8pm conditional upon the customary licensing requirements of the City Council, and that the petitioner complies with any recommendations of City staff. In addition, the petitioner is granted permission to decorate the City light poles in the center median from the flag pole to the roundabout with LED lights and erect a holiday tree on the Main/Marlboro/Winchester Street roundabout. The Petitioner agrees to absorb the cost of any City services over and above any amount of City funding allocated in the FY 17 Community Events Budget for the Tree Lighting. Said payments shall be made within 30 days of the date of invoicing. A motion by Councilor Richards to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

PLD REPORT – REQUEST TO USE CITY PROPERTY – KEENE SNORIDERS

Planning, Licenses and Development Committee report read recommending the Keene SnoRiders, Inc. be granted a license from December 15, 2016 through March 30, 2017 to use the following locations on City property for a snowmobile trail: The right-of-way along the north side of Krif Road from Krif Court to Winchester Street; City property identified by tax map numbers 911-26-015, 909-05-012, 909-03-210 and 707-02-009; the crossing of Winchester Street at Krif Road; and the crossing of Production Avenue approximately 200 +/- feet south of NH Route 9; including access to the Class VI Portion of the Old Gilsum Road starting approximately one (1) mile from the Gilsum Town Line and going north. Said use is subject to the following conditions: The signing of a revocable license and indemnification agreement; and the submittal of a certificate of liability insurance in the amount of \$1,000,000 naming the City of Keene as an additional insured. In addition, the Keene SnoRiders, Inc. will be responsible (including cost) for the installation and maintenance of all signage/markings, which will be in accordance with Snowmobile Trail Standards published by NH Department of Resources and Economic Division of Parks and Recreation; that all signage/markings installed shall be removed from the City right-of-way and City property when there is no longer any snow cover, no structures, including buildings, shelters, lights, displays, walls, etc. shall be permitted with the City right-of-way or on City property; no parking of motor vehicles or trailers and no catering service activities of any kind shall be permitted within the City right-of-way or on City property; grooming shall not extend outside the right-of-way of Krif Road, snow windows shall be groomed to provide adequate sight distances and a gentle sloping approach at all road and driveway intersections; no part of City streets (paved surfaces) may be used by off-highway recreational vehicles (OHRV) or their operators for any purpose other than direct crossing; and that Keene SnoRiders, Inc. shall be responsible for the repair of any damage (including costs) and the City right-of-way and property shall only be used when there is snow cover. A motion by Councilor Richards to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

PLD REPORT – REQUEST TO USE CITY PROPERTY – HEIDI’S HALLMARK

Planning, Licenses and Development Committee report read recommending that permission be granted to Heidi's of New England at 87 Main Street for the placement of canopy stanchions and shrubbery on City property located along the side of their building, subject to the customary licensing requirements of the City Council, and compliance with any recommendations of City staff. A motion by Councilor Richards to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

PLD REPORT – KEENE RECREATION CENTER FACILITY USE

Planning, Licenses and Development Committee report read recommending the memorandum regarding Keene Recreation Center facility use be accepted as informational. The report was filed as informational.

PLD REPORT – CREATION OF AN ADDITIONAL FOOD LICENSE

Planning, Licenses and Development Committee report read recommending staff be directed to prepare an Ordinance to add a new classification of health inspection. A motion by Councilor Richards to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

PLD REPORT – FUNDING OF A PRIVATE GAS PIPELINE –RATE TARIFFS

Planning, Licenses and Development Committee report read recommending that City Council request staff to draft a resolution opposing electrical utilities from the funding of a private gas pipeline through a distribution, cost recovery rate tariff. A motion by Councilor Richards to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

FOP REPORT – ACCEPTANCE OF DONATIONS – LIBRARY RENOVATION PROJECT
FOP REPORT – ACCEPTANCE OF DONATIONS – SUMMER PLAYGROUND
SCHOLARSHIPS
FOP REPORT – ACCEPTANCE OF DONATION – FIRE DEPARTMENT

Finance, Organization and Personnel Committee report read recommending accepting donations of \$317,019.47 listed in the May statement of the Cambridge Trust Bank to be deposited into the Library Renovation Temporarily Restricted City Trust as part of the Next Chapter Campaign Drive. Finance, Organization and Personnel Committee report read recommending the City Manager be authorized to do all things necessary to accept a donation of \$1,231.00 and that the money be used for the Recreation Department summer playground scholarship fund. Finance, Organization and Personnel Committee report read recommending the City Manager be authorized to do all things necessary to accept a donation from Leon's and J & L in the amount of \$133.00. A motion by Councilor Greenwald to carry out the intent of the reports was duly seconded. The motion passed with a unanimous vote in favor.

FOP REPORT – ACCEPTANCE OF GRANT – ROCK ON FOUNDATION

Finance, Organization and Personnel Committee report read recommending the City Manager be authorized to do all things necessary to accept a grant donation of \$2,000.00 from the Rock on Foundation and that the money be used toward the Middle School Police Athletic League for basketball. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

FOP REPORT – DEED WAIVER REQUEST FOR 2012 AND 2013 PROPERTY TAXES

Finance, Organization and Personnel Committee report read recommending the City Manager be authorized to waive tax deeding on properties outlined in the memorandum from the Tax Collector until September 1, 2016. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

FOP REPORT – AGREEMENT WITH CHESHIRE COUNTY SHOOTING SPORTS EDUCATION FOUNDATION

Finance, Organization and Personnel Committee report read recommending the City Manager be authorized to do all things necessary to negotiate and execute an agreement with Cheshire County Shooting Sports Education Foundation for the placement by the City of Keene of clean fill excavated in association with the Woodland Cemetery Wetland Restoration Project onto the property at 19 Ferry Brook Road for no fee. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

FOP REPORT – CONSULTING SERVICES FOR THE ROARING BROOK WATERSHED MANAGEMENT PLAN

Finance, Organization and Personnel Committee report read recommending the City Council authorize the City Manager to do all things necessary to negotiate and execute a professional services contract with VHB to perform the Roaring Brook Watershed Management Plan for an amount not to exceed \$67,500. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

FOP REPORT – PROFESSIONAL SERVICES CONTRACT FOR WASTEWATER PERMITTING ASSISTANCE

Finance, Organization and Personnel Committee report read recommending the City Manager be authorized to do all things necessary to negotiate and execute a contract with Weston and Sampson Engineers for an amount not to exceed \$95,000 to perform work related to Wastewater Treatment Plant NPDES Permitting. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

FOP REPORT – FINANCIAL AUDIT SERVICES

Finance, Organization and Personnel Committee report read recommending the City Manager be

authorized to sign a professional services contract for audit services with the firm of Melanson Heath for a term of five years, with two optional years, for a total amount of \$259,000, to include the preparation of a comprehensive annual financial report. Councilor Powers voted in opposition. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded. The motion passed with 12 voting in favor and Councilor Powers was opposed.

CITY MANAGER – COMMENTS

The City Manager commented on positive news from the Airport in that there is one remaining T-hangar to be rented out and the marketing for the airport is underway. There is also discussion about resigning Route 32 in front of the airport and traffic patterns at the airport to make it more convenient for access/egress. He indicated the report contained 25 items and due to its length he would provide copies of the report to the City Councilors. The Manager also updated the Council on the Spirit of Place program with Honda of Keene's work at the Ashuelot River Park and the Veterans Memorial. The Manager stated he would like to push this effort a little further. A letter of appreciation was received from Keene State College Department of Campus Safety with respect to the cooperation between the Keene Police Department and KSC and specifically the efforts of Kyle Macie.

The City Manager referenced 17 Washington Street and shared with the Councilors an email to Planning Director, Rhett Lamb which referenced the renovation efforts and plans by MDP Development for the property. Proposed uses include an auditorium for performance events, a restaurant/bistro with a small performance stage and bar area, offices for the staff operating these uses, apartments and condominiums for the employees of the company operating the businesses in the auditorium. The Planning Director will be assembling an internal staff team to assist with this development.

MORE TIME

More time was granted by the Chair for the following items in Committee: Removal of Granit Curbing – West Side of Central Square; Request to Use City Property – Fall Festival; and Charter Employee Evaluation Process.

RESOLUTION R-2016-21: IN APPRECIATION OF CHRISTOPHER V. CRAM UPON HIS RETIREMENT

Resolution R-2016-21: In Appreciation of Christopher V. Cram Upon His Retirement was read by title only. A motion by Councilor Greenwald for adoption of the Resolution was duly seconded. On showing of hands, 13 Councilors were present and voting in favor. Councilors Sutherland and Lamoureux were absent. Resolution R-2016-21 declared adopted.

MEMORANDUM AND RESOLUTION R-2016-22: RELATING TO AN APPROPRIATION FOR THE FLASHING CROSSWALK SYSTEM ON WEST STREET

A memorandum was received from the Public Works Director along with Resolution R-2016-22:

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Relating to an Appropriation for the Flashing Crosswalk System on West Street. The memorandum was filed as informational. Resolution R-2016-22 was read for the first time. The Resolution was referred to the Finance, Organization and Personnel Committee.

ADJOURNMENT

At 9:01 PM, there being no further business, the Mayor adjourned the meeting.

A true record, attest:

City Clerk