

City of Keene
New Hampshire

MUNICIPAL SERVICES, FACILITIES, AND INFRASTRUCTURE COMMITTEE
MEETING MINUTES

Wednesday, January 13, 2016

6:00 pm

Council Chambers

Members Present:

Janis O. Manwaring, Chair
Robert J. O'Connor
Stephen L. Hooper
Randy L. Filiault, Vice Chair
Gary P. Lamoureux

Staff Present:

City Manager Medard Kopczynski
City Attorney Thomas Mullins
Public Works Director Kurt Blomquist
Finance Director Elizabeth Fox
City Clerk Patricia Little
Library Director Nancy Vincent
Fire Chief Mark Howard

Members Not Present:

Others Present:

Councilor Carl Jacobs
Councilor Terry Clark

Chair Manwaring called the meeting to order at 6:00 PM and explained the procedures of the meeting. She announced that the 2017 to 2022 proposed CIP presentation will be Saturday, January 23 at 8:30 AM at the Michael E.J. Blastos Community Room at 380 Marlborough Street. She invited anyone who is interested to attend.

1. PERIODIC UPDATE – Library Board of Trustees

City Clerk Patricia Little reported that this is nearing the end of an initiative started due to Councilor Duffy's concern that there was insufficient communication between the City Council and the 20 other public bodies and the citizens that work on behalf of the City. She continued that Councilor Duffy had requested that staff coordinate the scheduling of the 20 public bodies to report periodically to the Council's Standing Committees. The MSFI Committee has heard from the Ashuelot River Park Advisory Board, the Bicycle/Pedestrian Path Advisory Committee, the Martin Luther King/Jonathan Daniels Committee, the Partner City Committee, and the Juvenile Conference Committee. They will hear from the Library Board of Trustees tonight and the Airport Advisory Commission at their next meeting. The chair of each board gives a verbal report regarding the board's charge, their initiatives, and what is on the horizon for them. This fosters communication, and informs the public of the boards' important functions, and gives greater transparency. Also, it encourages new citizens to come forward and serve. This effort is the springboard to the greater collaboration concept. Next year they will have the boards present again, regarding what they are doing to further the goals of the Comprehensive Master Plan (CMP). The chairs will be made aware of what the questions are and what the City Council can do to assist the boards' efforts.

Paul Henkel, Trustee, introduced himself and Kathleen Packard, Chair of the Board of Trustees at the Keene Public Library (KPL). Mr. Henkel reported that in 1898 Edward Thayer bought a building and donated it to the City to use as a library. The City accepted the gift and along with it came some governing stipulations: it must include a board of 12 trustees, six of whom are appointed through the City process and six of whom are “Thayer Trustees.” They would serve as a unified board with no difference in one kind of trustee to another. The current practice is for a City trustee who has shown interest, commitment, and engagement to become a Thayer Trustee when there is an opening among the six Thayer Trustees. The Thayer Trustees serve an indeterminately long term, whereas City Trustees serve two, three-year terms. When the City accepted the gift they also assumed responsibility for the cost of operations and maintenance of the library.

Ms. Packard reported that the Trustees are responsible for setting the rules, like bylaws and policies, which are available on the KPL website and at the reference desk. She continued that they have standing committees, mostly comprised of Trustees but also of Friends and community members. The Keene Library Annex Advisory Committee (KLAAC) is an ad hoc steering committee for library renovation projects, and includes City staff, Friends, and Trustees. They plan to update the full City Council at the February 4th meeting. The KPL presents an annual report to the City Council. All public libraries, by law, file an annual statistical report with the State. They prepare a full report to present at the Trustees’ annual meeting in August; there is a snapshot of this in tonight’s agenda packet. All KPL minutes and reports are posted on the KPL website. There is also an online calendar of events. She concluded that throughout the years, the Trustees have partnered with the City and worked with the City to provide the best possible library services.

Chair Manwaring asked if members of the committee or public had questions. Hearing none, she thanked Ms. Packard and Mr. Henkel. She continued that the City Council will be excited to hear how the renovation project is going.

Councilor Lamoureux made the following motion, which was seconded by Councilor Filiault.

On a vote of 5-0, the Municipal Services, Facilities, and Infrastructure Committee recommends the report from the Library Board of Trustees be accepted as informational.

2. **MORE TIME REPORT – Extension of Victoria Street and Removal of Sidewalk on South Side of Water Street**

Vicky Morton, of 275 Water Street, stated that there is a sharp corner from Water Street onto Victoria Street, which about 36 to 38 tractor trailer trucks, 53 feet in size, try to make on a regular basis. She continued that inexperienced drivers often miss the intersection and have to back up to make the corner - the most effective way is to ride the sidewalk on the north side at the intersection of Valley Street and Water Street. This activity holds up traffic and causes property damage. She noted the cistern on the corner was damaged and replaced by the City. At one time, the extension of Victoria Street onto Laurel Street was included in the CIP, but the project has been pushed out to future years. Concerns expressed were about the cost of going through the bike path to get to Laurel Street. She continued that she is asking the MSFI

Committee to recommend that the Victoria Street Extension be considered a priority in the CIP process even though there is a big price tag. This is about maintaining and building up the neighborhood. The trucks are a nuisance and an obstruction and it would benefit the neighborhood to not have them.

Ms. Morton continued the 2nd issue raised in her letter relates to sidewalks. She stated the City has a fragmented system of sidewalks from Grove Street to Eastern Avenue. She recommended the City abandon an approximately 750-foot section on the southern side of Water Street, from Victoria Street up to Hancock Street where there is a crosswalk that takes pedestrians from Eastern Avenue, starting down Water Street, crossing to and finishing on Water Street on the other side. This sidewalk is poorly maintained. Water pools and freezes, there are lots of cracks. Her request is not to change the right-of-way but to replace the asphalt with topsoil and seed, and essentially abandon the sidewalk. Ms. Morton continued that after the recent snow event, the sidewalk snowplow came up from Victoria Street moving eastward, but it cannot fit between the telephone pole and the granite siding in her neighbors' yard so it just dumps the snow. This snow is piled up at the end of her driveway. She showed a photo and continued that she and her family have to climb over it. It would be wonderful if all the sidewalks could have the same attention and be in the same condition as the ones downtown. Ms. Morton spoke of other "massive snow piles" she has encountered on the sidewalks of other streets in Keene. She continued that the Public Works Director has confirmed with her that people are not allowed to obstruct the sidewalks. Ms. Morton noted that although not originally mentioned in her communication; she would like to recommend that the City do quality control on sidewalks. She wants them to clear the snow that landowners leave on the sidewalks or make the landowners remove the snow or the department should re-plow those portions of the sidewalk.

Public Works Director Kürt Blomquist stated that he appreciates Ms. Morton's communications. He continued that the Victoria Street extension project had been in the CIP, starting in about 2008 when the Mayor established a committee to look at transportation issues in the community. Victoria Street is an anomaly in the area because it is an old industrial sector in the middle of a residential area. It goes back to the railroad era – the adjacent railroad corridor used to be the transportation access for the manufacturing facilities. Over time the railroad went away and transportation turned to vehicles, including these tractor trailer trucks. Any trucks delivering to businesses down that end have to come up Water Street from Grove Street, or if they are coming from Route 101, they take Optical Avenue to Eastern Avenue and then come down Victoria Street. The committee that the Mayor appointed recommended connecting Victoria Street to Marlborough Street, through the Kingsbury property. They thought that would provide a more direct access for the businesses and industrial facilities down there. The committee recommended that as an appropriate way to improve the area and the properties. It was in the CIP for a number of years, but the City Council took it out, deciding it was no longer a project of interest. He continued that in about 2012 or 2013 the City went through the Marlboro Street Rezoning Process. Part of it was providing improvement for the clean industry type activities. There was again talk about extending Victoria Street to Marlborough Street. Staff has placed the project back into the proposed 2017-2022 CIP for FY 22 for the City Council's consideration. There is no specific action for the MSFI Committee to take tonight. This will be part of the CIP review process in February and March.

Councilor Filiault asked what the cost was when it was in the CIP. Mr. Blomquist replied that the current estimate is \$1.2 million. He continued that years ago when the property was owned by David Ford, there were conversations with him and the then-owners of the Kingsbury property about the potential for a property swap. If they extend Victoria Street, they will need to acquire properties. At that point there would have been a minimum cost for property. Now, the properties have different owners who are not aware of these discussions. The City will need to update the project estimate probably with property acquisition costs. Councilor O'Connor asked about the cistern that was damaged and repaired. Mr. Blomquist replied that it was initially put there, in coordination with the property owners, to help drivers be more conscious of the turn and hopefully minimize the damage to adjacent properties. It is something the City does not normally like doing but it has been there for over 22 years.

Councilor Lamoureux stated that he looked at this area today. He asked if the CIP project is still five or six years out, is there a way they can alleviate the problem at that corner? Does the City own part of that property? Mr. Blomquist replied that the City owns a 40-foot right-of-way and Victoria Street is narrower than that. He continued that there is a road rehabilitation project proposed in the CIP for FY 17, and that includes Water Street from Grove Street up to the Eastern Avenue/Roxbury Street area. They could, as part of that, do some work on the corner to provide a little more swing room for the trucks. They might have to approach adjacent property owners if they need additional width. That could be an interim improvement until the Victoria Street extension occurs.

Councilor Lamoureux asked if during that process, the engineers will try to make that turning radius fit for the large trucks, or if they will try to wait for the Victoria Street extension. Mr. Blomquist replied that it is a road rehabilitation project, not road reconstruction. They could try to make it work, but there is truly not enough space to make the adequate turning movement.

Councilor Filiault asked why FY 22 was chosen. Mr. Blomquist replied that the direction for the CIP was to minimize any new projects. Part of it is that the MarlboroStreet Rezoning project is just starting and they are not sure where it will lead and how long it will take. This was a way to start the conversation. The City Council can move the project in any direction it wants.

Councilor O'Connor asked if they would consider addressing the sidewalk question in the FY 17 project. Mr. Blomquist replied that Ms. Morton approached the City over a year ago about this. He went to the easel and showed the area in question. He continued that Ms. Morton is interested in the removal of a 750-foot section of sidewalk on the south side of Victoria Street, and this is a unique situation – usually people request to add sidewalks, not remove them. The FY 17 project is road rehabilitation of Water Street, and typically as part of that, the City works to repair adjacent sidewalks. The design process includes having neighborhood discussions and bringing the MSFI Committee/City Council the proposed design, such as adding or removing sidewalks, to give the City Council and the community the opportunity to discuss the proposed changes. If the project continues through the CIP program it would be designed in the fall of 2016 so that it would be reviewed in late 2016/early 2017 and they could decide then if they were going to keep or remove the sidewalk, or widen it to provide more green belt. The grass belt gets narrower towards Eastern Avenue. If they were going to be consistent to have a 2-3 foot buffer they would have to talk with property owners about possible easements.

Mr. Blomquist continued that for tonight he recommends the MSFI Committee take Ms. Morton's request as informational. They would want to hear from other nearby property owners to make sure everyone is in concurrence, to avoid what they have had in the past, such as half of a neighborhood wanting one thing and the other half wanting another. The design process would include notifying property owners so they can give input. The City Council would want the most accurate information as possible about the neighborhood's wishes.

Chair Manwaring asked if they would put granite curbing on Water Street. Mr. Blomquist replied probably in some areas, but not all. He continued that starting the last two years, the City has moved more towards rehabilitation instead of full street reconstruction. Then if they need to, such as at intersections, they might put curbing in. One challenge is drainage and other things have been built without curbing. If you add curbing, there is the question of adding drainage, and about how it affects private property, such as having to re-do yards. In the rehabilitation projects they do not necessarily have the funding to do that level of work.

Ms. Morton showed a photo of the area in question and showed where the only granite curbing is, on the corner of Valley Street and Water Street – it is a rental property owned by a City staff member. She showed the area where the tractor trailer trucks come onto the sidewalk and noted a 12- to 15-inch gully that has been worn away by the trucks. That would be part of the design conversation. There are six residents in this 750-foot area. One neighbor is ambivalent, two are definitely supportive, and she has not yet had a conversation with the other two. Yes, it is unusual to take away a sidewalk, but in this case it would be a benefit to the neighborhood. Also, it would be 750 feet less of sidewalk that the City has to maintain.

Chair Manwaring asked if members of the public had questions. Hearing none, she recognized Mr. Blomquist again. Mr. Blomquist stated that regarding snow operations, they do have a problem with residents and business owners coming out and clearing their own areas of snow and blocking the areas that the City has just plowed. He continued that they handle it on an individual, complaint-driven basis. People ask him why the City cannot fine or ticket these people, and the answer is, they can, under the general fining authorities of the City Code, which means he needs to give people 30 days to take corrective action. If they do not, he can send them another letter, and by the time they get to the point where he can actually make them pay a fine it is June or July. In the future he may be back to the MSFI Committee to talk about having the ability to do something faster. It is problematic when people block the plowed areas with snow and staff is concerned about this. It is complaint-driven, but there are some wider areas (such as convenience stores) that they keep an eye on. Public Works Department staff also communicates with people who do plowing. The local contractors (e.g. local landscaping firms) are more receptive to their input than the people who do smaller plow jobs are.

City Manager Kopczynski stated that Mr. Blomquist does himself an injustice by saying it is complaint driven. He continued that maybe the bulk of it is, but he drove around with Mr. Blomquist during the first snowstorm to do quality control and see how it was going, and he was concerned about the ability to clear the sidewalks and the problems they were having from individual driveways being cleared and blocking the sidewalks. He continued that regarding

fining, Mr. Blomquist is talking about looking at a different way to do it because the current method is clearly not effective.

Chair Manwaring asked if there was any public comment. Hearing none, she asked the committee for their thoughts. Councilor Filiault noted that the recommended motion is to accept this as informational, or to recommend to handle it administratively, or to keep it on more time. He asked what staff prefers. City Manager Kopczynski replied that the MSFI Committee heard that the Victoria Street extension project is in the CIP process, and they will all be involved in that. He continued that the issue related to the Kingsbury property and where the right-of-way would go requires conversation. The reconstruction of Water Street itself is another conversation and there is a lot of testimony on the condition of the street and what needs to be done. If the MSFI Committee accepts that that is in the project line up for FY 17 and will most likely go through the CIP process successfully, and understands the background notes that many people will be keeping an eye on this, including Ms. Morton.

Councilor Filiault made the following motion, which was seconded by Councilor O'Connor.

On a vote of 5-0, the Municipal Services, Facilities, and Infrastructure Committee recommends the communication regarding the Victoria Street Extension and the removal of the sidewalk on the south side of Water Street be accepted as informational.

3. **MEMORANDUM – Public Works Director – N.H. Rt. 9/Base Hill Road Intersection Improvement Project – Landscape Agreement**

Mr. Blomquist introduced the new City Engineer, Don Lussier. He briefly gave information about Mr. Lussier's background and qualifications. He continued that Mr. Lussier has been with the City for a week. Mr. Lussier has been listening closely to the Victoria Street/Water Street conversation.

Mr. Blomquist reported that about two years ago the New Hampshire Department of Transportation (NHDOT) began looking at the Route 9/Base Hill Road intersection after the City Council expressed concerns about several severe accidents. NHDOT looked at accident data and said yes, they would look at a different design. They had Highway Safety Improvement Program money. They looked at the options, such as a traffic light or roundabout. They came back to the City Council last February and presented the roundabout design, of which he has a small section of shown on the easel. That project has continued through the design process and will go out to bid in the next month. The plan is for construction to begin in the summer and to be completed by December 2016. It will be larger than the Peterborough roundabout, and the same size as or maybe slightly larger than the Main Street/Marlborough Street/Winchester Street one.

Mr. Blomquist continued that NHDOT has approached the City about taking care of the landscaping. NHDOT does not mow or take care of detail landscaping; they are more likely to allow grass to grow to three feet tall then cut it back, but they have developed a landscape theme. He continued that his opinion is that this roundabout will become the new gateway into the City for drivers coming from the west. Before, drivers zipped through this intersection and their first entrance to the City was the lights and the next gateway was the Route 101/Winchester Street

roundabout, which the City maintains through Public Works and the Parks & Recreation Departments. Walmart had been contributing also as a Spirit of Place project, which they appreciate. NHDOT designed the center section with Rhododendrons, Forsythia, Sunrise Echinacea, Harvest Moon Coneflower, and more. They are all native plants, which is good. They will not be overly difficult to take care of. The City's goal is to find community groups to help maintain it under the Spirit of Place program. They also want American Liberty Elm and some other species.

Mr. Blomquist showed a bigger picture of the area of Base Hill Road and Route 101. He continued that that another difference between the Peterborough roundabout and this one is that NHDOT will serpentine the road coming to this roundabout, so it will not be a straight shot in. Traffic will go to the left, then the right, before getting to the roundabout. That provides an island area that can have more plantings, such as Rosa Knockout 'Pink Double,' a low-growing bush, 'White Out' with white flowers, which will provide a visual barrier as people are coming towards the roundabout. It will give a more pleasant-looking and professional image as you come into the City. NHDOT will pay for the installation and they estimate the landscaping to be worth \$29,360. There will be additional costs and time for the City, but it falls within the work that the Public Works and Parks & Recreation Departments do and they would seek help from the community.

Councilor Filiault stated that this is the year for infrastructure work in Keene. He asked if the City and State coordinate their efforts to minimize the inconvenience to the public. . Every major intersection is going to be tied up this summer. Mr. Blomquist replied the two departments do coordinate with each other. He continued that this roundabout will be under construction and there will be another area on Route 101 where they will be installing the multi-use bridge. The City tentatively has the Beaver Brook/Main Street bridge scheduled to go forward. He has been working with the consultant and has not had a chance to talk with all the staff yet, but he is concerned. The bridge replacement is pretty straightforward, but it will be handling about 24,000 cars per day. He might talk with the MSFI Committee about delaying that project. The financing for these projects have come together and these projects will all be happening in the next couple of years.

Councilor Hooper stated that it is a great idea to have a 'welcome to Keene' for people coming in from the west. He asked if there any regulation about how tall plantings can be in the center of the roundabout. Mr. Blomquist replied that roundabouts are unique. He continued that the roundabout in Brattleboro and the one on Court Street have filled in, and while it frustrates drivers that they cannot see all the way across to gauge whether they can make it in as they get there, they are not supposed to drive like that anyway. Drivers are supposed to come up to the intersection, yield, and look to the left. Landscaping gives visual barriers that might make people uncomfortable, but the side collisions happen when people do not stop and just try to time the gaps without stopping. Most of these species proposed are similar to the ones in the Route 101/Winchester Street roundabout and will grow three- to five-feet in height. Liberty Elms can grow tall and spread their wings across the intersection but that will not be a problem. It is not a problem to have some visual barriers at roundabouts.

Councilor Lamoureux asked if they have a similar agreement with the Winchester Street/Route 101 roundabout. Mr. Blomquist yes, so this would not be new.

Councilor Carl Jacobs stated that Mr. Blomquist is asking the MSFI Committee to consider the landscaping design, but he also quoted an expenditure. He asked if that is a separate matter to go to the Finance, Organization, and Personnel Committee. Mr. Blomquist replied that he is only asking that they recommend the City Council authorize the City Manager to enter into the landscape agreement with NHDOT. The cost of the landscaping installation is part of the project, paid for by NHDOT, but NHDOT's concern is that they do not do routine maintenance. If NHDOT is responsible for the maintenance they will just plant grass and mow it once or twice a year. If the City is interested in this elaborate landscaping they want the City to maintain it.

Councilor Jacobs asked if there is anything in the budget to maintain this landscaping. Mr. Blomquist replied no, nothing specific; they would work it into what they already do. He continued that he does not expect it to be a huge number, but it will be some additional time. It is another opportunity for a Spirit of Place project for a civic group or business which wants to give back to the City to help maintain this area.

Councilor O'Connor made the following motion, which was seconded by Councilor Lamoureux.

On a vote of 5-0, the Municipal Services, Facilities, and Infrastructure Committee recommends the City Manager be authorized to do all things necessary to negotiate and execute a landscape agreement with New Hampshire Department of Transportation for the Base Hill/Route 9 intersection.

4. **MEMORANDUM – Public Works Director – Liberty Utilities Incident – Report Out**

Mr. Blomquist, Emergency Management Director, stated he wanted to give a general report out about the incident that occurred on December 19th with Liberty Utilities' gas system. He continued the memorandum has background information that he will not go over in great detail. This was the first real large opening of the City's Emergency Operations Center (EOC), since the October 2014 Pumpkin Festival. It was an opportunity for them to get together and have a real world exercise. He cannot say enough about the team. The incident started early Saturday morning when a number of calls came in to the Fire Department regarding a strong smell of gas and carbon monoxide detectors going off. Chief Howard and the Fire Department started treating it as a normal emergency but then it became clear that it was a larger event than anticipated. Chief Howard decided the EOC needed to open. Experts on the ground manage the incident, but when it expands and more resources are needed, the EOC assists with managing resources.

Mr. Blomquist continued that the EOC opened at 10:00 AM. People who then came in included himself, the Police Chief, the City Manager, and Liberty Utilities staff. They looked at the process of what to do and how long it would take. The response continued until about 2:00 AM when the last of the buildings were inspected. Many other agencies came, such as Southwest Mutual Aid Dispatch, coordinating over 64 emergency services departments from around the region. The team included representatives from the Fire Marshall's Office, the Homeland

Security Office of NH, the City's IT and Planning Departments, and more. A person from the Planning Department developed a mobile application during the event to track as they were going through and checking each building, which they can potentially use for other hazards when they have to do evacuations. This was the first time they used social media. The team consisted of himself, Fire Chief Howard, and Police Chief Costa, who became the Public Information Officer. The IT Department was helping coordinate the social media efforts. He encourages people to join the City's Twitter and other social media pages. He asked Police Chief Costa what the dispatch experience was, and he was surprised that the level of calls was a little higher than normal but not "crazy," the way you would expect for an event of that size. They think this is because the team did well with communicating to the public and the public seemed satisfied with the information they were receiving. They also had press conferences during the event, which seemed to go very well.

Mr. Blomquist continued that the Finance Department released the cost of the City's response to the event: \$49,446. This has been billed to Liberty Utilities. The City expects Liberty Utilities to reimburse them for that cost. Chief Howard determined that this was a Hazardous Materials incident, which is what allows them to bill those costs. Per the statute, the 60+ other groups will submit their individual costs to Liberty Utilities. Chief Howard has asked that they advise the City so the City is aware of their costs.

Mr. Blomquist concluded that he cannot say enough good things about the team that worked together during this incident. He continued that hopefully the City Council was kept in the loop. If not, let him know, and he will make sure they are on the communications list. The emergency team had lessons that they learned from this incident, and they have already met, and will continue to meet and improve how they respond to incidents. One thing that came out of it already is they see the need for companies and homeowners to have evacuation plans. They had to remove an adult female from the Hallmark store. When the first responders checked with the people coming out of the building they said they did not know if anyone was left in the building. This was a real world example of how important it is to have an evacuation plan including a meeting place at which you do a head count, so you know if all your employees are out, and if not, first responders can find them. Overall, the response to the incident was a success.

Chair Manwaring asked if members of the committee or public had questions. Hearing none, she asked for a motion.

Councilor Hooper made the following motion, which was seconded by Councilor Filiault.

On a vote of 5-0, the Municipal Services, Facilities, and Infrastructure Committee recommends the report out on the Liberty Gas incident be accepted as informational.

5. **MEMORANDUM – Public Works Director – Local Emergency Operations Plan**

Mr. Blomquist reported that last spring then-Police Chief Meola applied and received a grant from the State to update the Local Emergency Operations Plan (LEOP), which requires updating every five years. He continued that there is a "cheat sheet" about it in the agenda packet and tonight he will give an overview, but if the City Council wants he can give more detail.

Mr. Blomquist continued that a LEOP outlines how the City will operate in response to natural and man-made disasters and emergencies, like the one they just talked about. A LEOP identifies the responsibilities of various departments during a response, and sets up the processes for coordination and communications with Federal, State, and other governmental and non-governmental agencies and private entities. As he talked about, the recent incident included assistance from the Fire Marshall's Office and others, and a warming shelter operated by the Red Cross. The LEOP outlines how the City would interact with those agencies when the time comes that it is necessary. The LEOP focuses on the response phase of the five phases of emergency management (others include prevention and mitigation), identifies the authorities that are in place (e.g. Federal, State, and local), identifies and describes the hazards and risks that are faced by the City of Keene (such as flooding or hazardous materials), and identifies how the City will manage an emergency situation. They use the National Incident Command System (ICS). ICS sets up the structure for how they report how the incident would be managed from a command center, as well as planning, and communications, etc.

Mr. Blomquist continued that the LEOP defines the roles of the individual citizens, Federal Government, non-governmental and volunteer organizations and the private sector; and defines the primary responsibilities of City departments. It establishes the general concept of operations, such as when the EOC is established and how it will operate – it is not open for every incident. There are emergencies every day, but only certain ones rise to the level of needing the EOC open. The LEOP defines how the EOC will operate when it opens, such as in monitoring mode, partially activated, or fully activated with 24/7 staffing. It establishes the organization of the EOC, alternative locations for the EOC, and has many pages of contact information for everyone from the City Manager and Mayor, the Red Cross point person, School District folks, where to buy fuel for generators, etc. It also establishes general emergency management training, which the MSFI Committee will hear more about from him and others. He continued that each department has their specific training but there is overall management for senior team members that would be of value for how to handle the operation. That is the general overview. There is more detail to it and annexes that deal with specific situations. If they want to learn more, they can call him or Fire Chief Howard.

Councilor Hooper asked if Mr. Blomquist would be the head of this process if a natural or manmade disaster broke out. Mr. Blomquist replied that as the Emergency Management Director, his understanding is that his position does not supersede that of the incident commander, whether that is a lead Fire, Police, or Public Works incident. He continued that his role is to help coordinate resources and to be able to relieve the incident commander's need to worry about things like where to get fuel and food, when to bring in outside resources, etc. The Emergency Management Director is like the manager of the baseball team – you have your experts out there, but you make sure they have what they need to do the job.

City Attorney Mullins stated that it is important for the City Council to understand that the position comes up in the emergency management section of the statute. If there is a state emergency, Mr. Blomquist could be part of a statewide response.

Chair Manwaring asked for public comment. Hearing none, she asked for a motion.

Councilor Lamoureux made the following motion, which was seconded by Councilor Filiault.

On a vote of 5-0, the Municipal Services, Facilities, and Infrastructure Committee recommends the 2015 Local Emergency Operations Plan be accepted and that the City Manager and Emergency Management Director be authorized to implement the plan.

6. **RESOLUTION – R-2015-42 – Relating to the Absolute Discontinuance of a Portion of Summit Road**

Mr. Blomquist stated the City was approached by two property owners on Summit Road regarding discontinuing a portion of Summit Road's right-of-way width, which basically gives up the public's right to have a highway. When the City gives that right up the property would revert back to the adjacent property owner. Attorney Howard Lane is here representing the property owners and will give more information. Ultimately the City and property owners came to an agreement on the amount of land - about 10 feet of the existing right-of-way, which is 60 to 80 feet. Summit Road goes back to the old state highway prior to the bypass being built. It has a relatively wide right-of-way, which is why staff recommends that it is okay to give some of that space back to the property owners. Staff looked at it from the perspective of what it could be needed for in the future. One concern staff expressed a while back was that acres of land are still not built upon near the YMCA. Potentially you could have fairly good development there (medium density housing) and then that could place additional demands on the road and they would need the additional width for something like intersection changes. But they agreed that 10 feet could be discontinued.

Attorney Howard Lane stated that he represents Michael and Becky Kiritsy and Carl Thomas, who own the commercial properties on Summit Road. He continued that they are asking for a discontinuance of 10 feet of the Summit Road highway right-of-way, from the intersection of Park Avenue and Summit Road, along their property line, roughly 1000 feet. This is the second time he has been in front of the MSFI Committee. At least one of the current MSFI Committee members was here the last time he spoke to them four years ago.

To give a brief history: there was a noise complaint as a result of outside music at MacDougal's Bar. When the City went out to see what was happening, they saw that patrons of the bar, as well as other people, were parking in the City's highway right-of-way. Some portions of the road are 100 feet wide and the paved area is 30 to 35 feet. There is about a 30- to 35-foot strip of grass on either side of the highway right-of-way. The Planning Department asked the property owners to file a petition asking that 25 feet of the highway right-of-way be discontinued. There was history for that. In the early 1970s David Barrett had discontinued 25 feet on either side of Summit Road and later for Blackbrook Park, another 20 feet was discontinued. There is a lot of highway right-of-way there not being used. So, he came to the MSFI Committee with a petition. He found out not all elements of City staff were on the same page. The topic was placed on more time. It has taken everyone four years to get back to this point; there have been lot of delays on everyone's part, a lot of it on his part and his surveyors'. They are now on the same page that this 10-foot strip of land is of no use to the City and is of great benefit to the Kiritsys and Thomases. He hopes that the MSFI Committee makes this recommendation to the City Council.

Councilor Filiault asked if the City Attorney concurred with the discontinuance. The City Attorney replied that staff reviewed it in detail, going back and forth with Attorney Lane many times. He continued that he is comfortable with the documentation. They have worked on this quite diligently.

Mr. Blomquist stated that the Public Works Department is in concurrence and recommends that the MSFI Committee recommend an absolute discontinuance, by recommending the adoption of Resolution R-2015-42. The City Attorney stated that an absolute discontinuance means the City is giving up all of their rights to this property. He continued that there will be a deed without covenants going back to the abutters and they would own the fee under that. Councilor Lamoureux asked if that includes all of the liability. The City Attorney replied that is correct; once they own it, they own it.

Chair Manwaring asked for public comment. Hearing none, she asked for a motion.

Councilor Filiault made the following motion, which was seconded by Councilor Lamoureux.

On a vote of 5-0, the Municipal Services, Facilities, and Infrastructure Committee recommends the adoption of Resolution R-2015-42.

7. **REPORT OUT – R-2011-32 – Discontinuance of a Portion of Summit Road**

Mr. Blomquist stated Resolution R-2011-32 represents the prior petition from Attorney Lane. He asked the City Attorney if the Committee needed to take action on this document. The City Attorney replied that this is a procedural anomaly, which he and the City Clerk discussed. He continued that often the MSFI Committee can simply report out to the City Council and the City Council accepts it and it goes away, but there is a provision in the Rules of Order, which requires that resolutions and ordinances get voted yea or nay. He would recommend the MSFI Committee vote to recommend that the City Council not accept this resolution, just to be procedurally consistent.

Chair Manwaring asked for comment. Hearing none, she asked for a motion.

Councilor O'Connor made the following motion, which was seconded by Councilor Filiault.

On a vote of 5-0, the Municipal Services, Facilities, and Infrastructure Committee recommends Resolution R-2011-32 be defeated.

Adjournment

Hearing no further business, Chair Manwaring adjourned the meeting at 7:23 PM.

Respectfully submitted by
Britta Reida, Minute-taker

Additional Edits by

Municipal Services, Facilities, and Infrastructure Committee meeting minutes,
January 13, 2016

Patricia A. Little, City Clerk