

City of Keene
New Hampshire

MUNICIPAL SERVICES, FACILITIES AND INFRASTRUCTURE COMMITTEE
MEETING MINUTES

Wednesday, February 24, 2016

6:00 PM

Council Chambers

Members Present:

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

Staff Present:

Medard Kopczynski, City Manager
Elizabeth Fox, Assistant City Manager
Patricia Little, City Clerk
Rhett Lamb, Planning Director
Duncan Watson, Public Works Assistant
Director
Don Lussier, City Engineer

Mayor Kendall Lane

Members Not Present:

Chair Manwaring called the meeting to order at 6:00 PM and explained the procedures of the meeting.

1) COMMUNICATION – Dorrie O’Meara – Granite Curbing – West Side of Central Square

Dorrie O’Meara stated that she is requesting that the granite curbing on the west side of Central Square be removed. She continued this request comes in part from a potential tenant of the current Ingenuity Shop as well as Pedraza’s and the Pour House. She asks the MSFI Committee consider, first, the difficulty in the first step up from the street to the sidewalk. The sidewalk is narrow and does not allow room for the unpacking of wheelchairs, strollers, and walkers. This is because cars park against the curb and their bumpers extend onto the sidewalk. She continued that she gave each MSFI Committee member a packet with numbered photos. Often, there is not enough room for someone to walk by while carrying groceries or laundry baskets. Folks with strollers and walkers or carrying baskets need to walk behind the parked cars to get to an empty spot or walk to the handicap ramp on each side of the block. This can result in people walking all over the plants and bark mulch if they choose not to go into the street, which makes a mess of all of the plants. The plants were nice when they were first planted but now the area looks horrible now with feces, cigarette butts, and trash.

Ms. O’Meara continued that the expense of having to remove the granite is minimal, given that the City could reuse the granite, dirt, and plants. It would eliminate the need for plumbing for the sprinklers, which could be removed. The sprinklers have been a headache for City employees who work on them. The gutters can be removed; they

always get clogged and the City employees have to frequently unclog them in the summer. The expense of the labor would be minimized because they would not have to maintain that share of the sidewalk or the grass or have the expense of the plants. The City would save money by not having to keep up the west side of Central Square.

Ms. O'Meara continued the potential new tenant would be a restaurant. Not everyone wants a new restaurant, but they cannot forget that a restaurant would employ at least 20 people whereas a retail store would only employ five or six. The storefront is bright and beautiful and putting in a patio would enhance the area. If a restaurant does not go there and it remains retail, the new owner could use the sidewalk for sidewalk sales or sandwich signs to promote their business instead of having to put the signs on their steps or in the middle of the bark mulch. It would also be safer for the customers entering because they would not need to walk to the handicap ramp if they have strollers.

Ms. O'Meara continued that for people who do not want to deviate from the intent of the Comprehensive Master Plan (CMP), she wants to point out: Page 13's "Community Character" says that people like benches and outdoor dining and they want to see more of it. Page 15 says that the majority of people want to see more dining options, especially outdoor dining. As the owner of Pedraza's, Ms. O'Meara noted that takes the same stance and adds that if the removal of the granite is allowed, Pedraza's can move its patio back further. When it is busy, it is hard to pass by in that area. The Pour House could then have a patio. If the granite is taken out she would consider taking out the handicapped ramp that comes out of the front of the Pour House because there would be other handicapped access through Pedraza's since the two businesses are connected.

Ms. O'Meara continued that after the denial of Pumpkin Festival, the City started a new committee to create and organize other, smaller activities to take place in the city, like enhancing the Music Festival and art walks. Events bring people downtown and they want to sit outside and dine. On a beautiful day in the summer, the outdoor seating is full at Pedraza's, The Stage, and Luca's and the public obviously wants outdoor dining.

Councilor Filiault asked if Ms. O'Meara was looking for something similar to what is at the head of the square in front of The Stage and the candy store. Ms. O'Meara replied yes.

Councilor Lamoureux stated he heard her say that if the granite curbing is removed she could move the tables closer so there is more of a walkway. Ms. O'Meara replied that she could move them only about six inches, but it would still make a huge difference. Councilor Lamoureux asked if she would add more tables. Ms. O'Meara replied no, Pedraza's is at its maximum. The Pour House does not have any outdoor seating. Councilor Lamoureux stated a problem that The Stage has is that even though they do not have any islands, they are so close up to the roadway that they have the same issue as everyone else – there is no walkway between the cars and the tables. Ms. O'Meara replied that they would take that into consideration if the Pour House had a patio. They would separate the two because they are under separate liquor licenses.

Chair Manwaring asked if other committee members had questions. Hearing none, she asked to hear from staff.

Duncan Watson, Assistant Director of Public Works, stated he hears the concerns. He continued the Public Works Department has a CIP project that would look at the downtown as a whole. The impetus for the CIP project was drainage issues in the downtown that the Department was concerned about, but they are taking the opportunity to blend that into a larger project about what the downtown aesthetics should be. They recognize that the downtown has expanded and there needs to be a community conversation of what the downtown should look like. He understands that this is an immediate request. They had lengthy discussion about this in at a PLD Committee meeting in June, but it is a little different now because there is a new prospective tenant. Last time, staff's response to Ms. O'Meara's request was: they recognize that there are issues and that there is a need for a community conversation. That is being done through a proposal in the CIP, titled "Downtown Revitalization."

Mr. Watson continued that regarding this immediate concern, as they said last time, their plan was, given the limited resources that the department has, to remove a couple dying trees in that area. That was done. There are still two trees that need to be removed at some point. The idea was to plant new trees, because downtown trees are important. Mr. Watson agreed there is an issue with car bumpers going over the curb and narrowing the walkway, but that does not impede handicapped access because there are ramps on either side. So there is accessibility, but whether the available accessibility is sufficient needs to be part of a bigger conversation. They created crossovers because they were recognizing that people were crossing wherever they wanted. Roots were up at the surface and grass was being killed. They experimented the prior year at the EF Lane area by taking out the grass belt, installing some perennial gardens and bark mulch, and the area looks much nicer. They provided a couple crossovers, and additional benches to increase aesthetics, but it was always seen as a short term plan until they had the community conversation. If the City Council sees something else to be done staff will act in that direction; however, if the granite curbing is removed here, what about other locations downtown that might want it? All of a sudden one curb removal results in another. If that is what the community wants then they will do it, but this issue should be the topic of a larger community conversation.

Chair Manwaring asked if the Public Works Department planted a landscape in this area this past summer. Mr. Watson replied yes, this summer they took down two of the trees, and planned to plant additional trees, but did not. He continued that they created about three crossovers, and there is a set of benches for people to use to enjoy the shade that is still there. That was a short term measure. They were trying to transition from an area that had been problematic – they had wanted to have grass belts with the trees, but the shade and exposed tree roots did not allow any grass to be established, so they raised up the beds a little more and planted perennials. They started in the EF Lane area with this treatment and then moved towards Pedraza's.

Councilor O'Connor asked if the tree that was attached to the building was removed. Mr. Duncan replied yes. Councilor O'Connor asked if the gas lines downtown are in the street or sidewalk. Mr. Duncan replied that he believes the lines are in the street. He continued that he does not know exactly what is under the landscaped beds, but there is irrigation piping going through the raised beds and some electrical because there is at least one pedestal in the area.

Councilor Hooper asked if Mr. Watson is saying that it is a good idea to revitalize the Central Square area, but that it would be better to do a big project instead of doing it piecemeal. Mr. Watson replied that they identified infrastructure issues that will require attention at some point - there are some undersized drainage pipes that come through the square. It is premature to say exactly what that replacement project would be, but it makes sense that they would look at a larger whole and see what else they would be able to do while they are digging in the street and sidewalk. The drainage is linked with Roxbury Street in some way. This would be a big project. It would probably make sense to make it a bigger upgrade, but that will be based on community conversation. He continued that the Public Works Department is not telling the Committee what they should do, but they are saying, "We will probably have to do infrastructure work, so what else should we do while we're doing that, since downtown was last upgraded in the late 1980s?"

Councilor Filiault stated that he appreciates staff's comments about the need for a community discussion and other projects coming in. He continued that he is looking at tonight's particular request. There was a good article in the newspaper the other day about improving businesses and retaining jobs. This proposal would have an immediate impact and add employment. He is frustrated in that whenever there is a small proposal staff's answer is always that they "have to look at the bigger picture" and it will be a couple years down the road. That can feel like an eternity. He does not think this request is unreasonable. If a couple years down the road they need to do alterations and amendments that will be okay. This particular project is something he considers minor. There would be plumbing and electrical work, but that is true when they do any infrastructure work. This project does not prevent anything from happening when the community comes to them down the road or they look at the bigger picture of downtown; it would just be coordinated in. This proposal is time sensitive and does not have two years to wait. They could look at it and see what the cost would be. It would involve rescheduling of personnel, but it would not require extra money being put in the budget. Everyone knows how construction projects work – things get canceled or moved around. This project is not taking away, it is adding to downtown and to more business.

Councilor Filiault continued that several years ago in the area where the Cobblestone Ale and Piazza are located, the City received a request for outdoor seating. There were the same arguments about the need to look and see what was down the road, but they are now thriving businesses there because the City bucked the trend and said okay. It was successful. This is the same thing. The Stage, the candy store, and other establishments with outdoor seating are all successful. It is unreasonable to say no to this and wait two years.

Councilor Lamoureux stated that he is sure there are no monetary figures for this yet. He continued that if they removed the curb they would have to remove stumps, which might entail some issues with other parts of the concrete. Gas lines would have to be checked. Maybe staff could look at this and put numbers to it, for the committee to consider. It is hard for him to say “go ahead” without having the numbers.

Councilor Hooper stated that he agrees with Councilor Filiault. He continued that it is important to bring business to the downtown area and this is on everyone’s radar. They need to be responsible about what the infrastructure is and what the costs are, so he agrees with Councilor Lamoureux that they need more time to find out what is there and what this project would entail, knowing that this is a good suggestion of Ms. O’Meara’s.

Councilor O’Connor stated that he agrees that downtown business is important. He continued that he is worried about construction. Construction projects always seem simple and turn out to be bigger than people thought they would be. He, too, wants figures before the committee makes a decision.

Councilor Filiault stated that this proposal has come to the City previously. He asked if staff took any time then to get a cost estimate. Mr. Duncan replied that the proposal in June was to provide crossovers at ground level, not a patio space for outdoor dining, so no, they have not done estimates. He continued that he concedes that this is a do-able project, but he hesitates to say it is “minor.” These things tend to have domino effects. He is not prepared to say tonight what the cost, level of effort, or construction sequence would be.

Councilor Filiault stated that he was a business owner downtown and knows that time is of the essence. He continued that this request is time sensitive. A potential tenant wants to know if this can be done. He asked if two weeks is enough time to get an estimate?

Mr. Watson replied that he would ask the City Engineer. He continued that they could come back with information in one cycle (two weeks) or two cycles (four weeks), but the question for the MSFI Committee to discuss is whether they want just one solution or a couple of different options. More than one option would show levels of efforts.

City Engineer Don Lussier stated that they can have a cost estimate for the proposal at hand in two weeks. He continued that he likes Mr. Watson’s idea of doing more research and coming back with a couple of options of ways to address the applicant’s desires while keeping in mind the downtown treatment. That would take four weeks.

Councilor Lamoureux stated that the newspaper says the current leaseholder is staying until September. Ms. O’Meara replied until the end of August. Councilor Lamoureux replied that if a new tenant goes in, there would have to be a changeover to the operation. He asked if they would need seating this year. Ms. O’Meara replied no, but she knows how this process sometimes works. The Pour House still has no outdoor seating. She is here as the owner of Pedraza’s and the Pour House and for the potential new restaurant.

Councilor Lamoureux stated that he thinks having four weeks to research the options would be best, if that is okay with her. Ms. O'Meara replied that she understands and that is okay with her if that is the way it has to be but she would prefer to get this done. She was here before the committee last year and is here again. She would not want to lose a fantastic tenant.

Chair Manwaring asked if members of the public had questions or comments. Hearing none, she asked how far up the street this goes. Mr. Watson replied from the Edward Jones office, then towards the jewelry store there is a break that allows for a crosswalk, then there is a small section with shrubs and vegetation (not a raised bed). The area is about from the Chamber of Commerce walkway to the Edward Jones office.

Carl Jacobs, Ward 2 City Councilor, stated that he is in support of taking time for further discussion and he knows that the Chamber of Commerce has thoughts on this idea. He continued that the Chamber has concerns about access to their building. He is sure it can be worked out, but it is not just Ms. O'Meara's situation that would be affected. There should be time to consider other people who want their businesses to benefit from this as well. He is in favor of four weeks so everyone has the opportunity to give input.

Ms. O'Meara replied that to her knowledge, the Chamber of Commerce, the Ingenuity Shop, and the jewelry store all received the same notice that she did about coming to this meeting. She continued that she does not know why they are not here if they have concerns. She talked with them and they are all for it. They all have to clean up the cigarette butts.

Councilor Filiault stated that he agrees with having other businesses give input, but like Ms. O'Meara said, they did not come tonight. He continued that for the record, if people want to give input, the committee is here.

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 communication from Dorrie O'Meara's be placed request on more time to allow City staff up to two meeting cycles to bring back options to address the request to remove the granite curbing on the west side of Central Square.

2) ORDINANCE – O-2016-05: Relating to Bicycle/Pedestrian Path Advisory Committee

Mayor Kendall Lane stated that he asked that this change to Ordinance O-2016-05 be made after discussing it with several people from the Bicycle Pedestrian Path Advisory Committee (BPPAC) and Pathways for Keene (PFK). He continued that the section in the Ordinance that calls for 3 members of the BPPAC to be on the Board of Directors of Pathways for Keene has been in place for a while. They are finding that the purposes of the two committees are really different. One serves mostly as a planning committee and

one serves mostly as a fundraising committee, and it is difficult for people on PFK to also serve on BPPAC. They had some difficulties getting sufficient people to serve on both committees. When a person make an obligation they find it is an obligation for two committees, not just one. Removing this does not prevent the cross relationships, but it gives greater flexibility regarding finding people to serve on the committees.

Mayor Lane asked the MSFI Committee to recommend removing the requirement that three members have to be on both committees. This would allow him greater flexibility in making the appointments. When selecting people for BPPAC he tries to get a broader range of the community to get as much community support as possible. That is not always possible when he is restricted to having three PFK members. PFK members do tremendous work that makes it possible to have a world class trail system throughout this community. He has a tremendous amount of admiration for the PFK members. The suggestion came from them saying it is difficult to get people to agree to do two committees at once. Many members would prefer not being obligated to be on BPPAC, too. He is asking the committee to recommend adopting this ordinance with the deletion of the one sentence requiring three members of BPPAC to also be members of PFK.

Chair Manwaring asked for questions or comments from the public.

Councilor Jones stated that when the idea came to build the rail trails many years ago, Ted McGreer and Chuck Redfern were instrumental. He continued that yes, they had PFK to raise the money, and the Mayor said that BPPAC's role was to help with planning and to advise the City. Back then it was needed as a communication tool. But Mayor Lane is right, this cross membership is not needed anymore. The two groups are different. Some people who are good at fundraising are not good at planning, and vice versa. At one point, BPPAC was down seven members and it was a struggle. PFK has members who do not live in Keene and BPPAC requires members to be citizens of Keene, so it makes it easier for both groups if they are separated.

Thom Little of 1 Central Square stated that he is a member of BPPAC and a former member of PFK. He continued that he has a suggested alternative to the Mayor's idea, which would be to delete the preceding sentence that requires members of BPPAC be residents of Keene. When BPPAC had openings in its membership, he contacted some people who might be interested. One is very active and involved with PFK, and would be happy to serve on BPPAC, but he is not a Keene resident. Mr. Little recommends deleting that sentence because this is where the big conflict comes in.

Councilor Hooper stated that he thinks if the goal is for the betterment of the function of each committee, he concurs. He continued that they should bring in passionate, interested people in the area even if they are not specifically Keene residents. He thinks this is a good suggestion to add to the original intent of this change.

Chair Manwaring stated that typically it seems like City committees have to be comprised of people who live in the city. She asked staff if that is a rule. Ms. Fox, Assistant City Manager, replied that she does not know if it is a rule, but other groups,

such as the Airport Advisory Commission (AAC), have members from outside of the city.

Mayor Lane stated that generally, if committees have non-resident members it is because the committee does work outside of Keene. He continued that the AAC has members from Swanzey because the airport is in Swanzey. The BPPAC is talking about Keene trails. Even if the sentence was removed he would focus mainly on Keene residents. Some committees, such as the Agricultural Commission, the Planning Board, and the Zoning Board, are required by statute to have only Keene residents. Other committees do not have this requirement but he limits membership to people who are Keene residents or have substantial business connections in Keene related to the committee. With BPPAC he would limit the appointments to residents of Keene even if the sentence was deleted.

Mr. Little stated that his suggestion is not meant to force anything, just to give the Mayor the flexibility to do what he saw appropriate for potential members of BPPAC.

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 Ordinance O-2016-05.

3) Adjournment

Hearing no further business, Chair Manwaring adjourned the meeting at 6:43 PM.

Respectfully submitted by,
Britta Reida, Minute Taker