



City of Keene  
New Hampshire

KEENE CITY COUNCIL  
Council Chambers, Keene City Hall  
November 16, 2017  
7:00 PM

Roll Call  
Pledge of Allegiance

MINUTES FROM PRECEDING MEETING

- November 2, 2017
- November 9, 2017

**A. HEARINGS / PRESENTATIONS / PROCLAMATIONS**

**B. ELECTIONS / NOMINATIONS / APPOINTMENTS / CONFIRMATIONS**

**C. COMMUNICATIONS**

1. Tree Trimming on Scenic Roads - Eversource Energy

**D. REPORTS - COUNCIL COMMITTEES**

1. NH RSA 79-E Community Revitalization Tax Relief Incentive - Planning Department
2. Jack Dugan/MEDC - Request to Lease Parking Spaces - Wells Street Parking Lot
3. Rebecca Bullock - Proposed CDBG Application - Monadnock Food Co-op
4. Acceptance of Donations to Library Renovation Project - Next Chapter Campaign Chairs - Keene Public Library
5. Acceptance of Donation - Community Center Feasibility Study - Parks, Recreation and Facilities Department
6. Community Center Feasibility Study - Parks, Recreation and Facilities Department
7. Acceptance of Donation - Summer Playground Scholarships - Parks, Recreation and Facilities Department
8. Runway 14/32 Construction - Public Works Department

**E. REPORTS - CITY OFFICERS AND DEPARTMENTS**

1. CITY MANAGER COMMENTS

**F. REPORTS - BOARDS AND COMMISSIONS**

**G. REPORTS - MORE TIME**

**H. ORDINANCES FOR FIRST READING**

1. Relating to Water and Sewer Rates

Ordinance O-2017-20

**I. ORDINANCES FOR SECOND READING**

1. Relating to Building Permits  
Ordinance O-2017-19

**J. RESOLUTIONS**

1. Relating to Sole Source Purchasing - Rockwell Automation-Allen Bradley  
Resolution R-2017-39
2. Relating to Ensuring that Keene is a Safe and Welcoming Community for all People Regardless of Race, Creed, Ethnicity, Religion or Immigration Status  
Resolution R-2017-40

Non Public Session  
Adjournment

A regular meeting of the Keene City Council was held Thursday, November 2, 2017. 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, Bartolmiej K. Sapeta, Randy L. Filaault, Thomas F. Powers, Robert B. Sutherland, George S. Hansel, Gary P. Lamoureux, Stephen L. Hooper, Bettina A. Chadbourne, Philip M. Jones, David C. Richards and Mitchell H. Greenwald were present. Councilor Sutherland led the Pledge of Allegiance. A motion by Councilor Greenwald to accept the minutes from the October 19, 2017 regular meeting was duly seconded. The motion passed with a unanimous vote in favor.

#### ANNOUNCEMENTS

The Chair reminded the public Tuesday, November 7, 2017 is the Municipal General Elections. There will be a special City Council meeting to canvass the votes on Thursday, November 9, 2017 at 6:15 PM in Council Chambers. The regular Finance, Organization and Personnel Committee will follow at 6:30 PM. The Chair announced Friday, November 10<sup>th</sup> is Veteran's Day. The Chair extended an annual welcome to the council and public to participate in the Veteran's Day ceremony being held by the Keene Veterans Council. The Chair announced in anticipation for Thanksgiving on November 24<sup>th</sup>, the Finance, Organization and Personnel Committee, which is scheduled to meet that day, will be rescheduled to Tuesday, November 21<sup>st</sup>. The Municipal Services, Facilities and Infrastructure Committee as well as the Planning, Licenses and Development Committee's meetings for this week will be canceled.

#### CONFIRMATIONS

A motion was made by Councilor Greenwald and duly seconded to confirm the following nominations to the Cities for Climate Protection: Jessica Baum to serve as a regular member with a term to expire December 31, 2018; and to the Partner City Committee: Kurt Blomquist to serve as a regular member with a term to expire December 31, 2017. On a roll call vote, with 15 Councilors present and voting in favor the motion carried.

#### APPOINTMENT – GREATER GOOSE POND FOREST STEWARDSHIP PLAN -AD HOC COMMITTEE

The following were appointed by the Mayor to the Greater Goose Pond Forest Stewardship Plan – Ad Hoc Committee: Andy Bohannon, Sadie Butler, Andrew Madison, Tad Lacey, Dorothy Howard, Peter Poanessa, and Councilor Bettina Chadbourne. Tara Kessler will serve as staff liaison. This committee is being charged to provide oversight and guidance to City staff and the selected consultant on the Greater Goose Pond Forest Stewardship Plan project. A motion by Councilor Greenwald to accept the Mayor's appointments was duly seconded. The motion passed with a unanimous vote in favor.

#### COMMUNICATION – STEPHANIE GAISER – RESIGNATION – ZONING BOARD OF ADJUSTMENT

A communication was received from Stephanie Gaiser resigning from the Zoning Board of

Adjustment. A motion by Councilor Greenwald to accept the resignation with regret and appreciation of service was duly seconded. The motion passed with a unanimous vote in favor.

COMMUNICATION – SAM HAWKES – RESIGNATION – BICYCLE PEDESTRIAN PATH ADVISORY COMMITTEE

A communication was received from Sam Hawkes resigning from the Bicycle Pedestrian Path Advisory Committee. A motion by Councilor Greenwald to accept the resignation with regret and appreciation of service was duly seconded. The motion passed with a unanimous vote in favor.

MSFI REPORT – DEPARTMENTAL PRESENTATION – SERVICE WITH A SMILE – PUBLIC WORKS DEPARTMENT

Municipal Services, Facilities and Infrastructure Committee report read recommending acceptance of the Public Works Department presentation on “Service With a Smile” as informational. The Chair filed the report into the record as informational.

MSFI REPORT – DEPARTMENTAL PRESENTATION – SURVEYING TECHNOLOGY, CAPABILITIES, AND APPLICATION – PUBLIC WORKS DEPARTMENT

Municipal Services, Facilities and Infrastructure Committee report read recommending acceptance of the Public Works Department presentation on “Surveying Technology, Capabilities, and Application” as informational. The Chair filed the report into the record as informational.

MSFI REPORT – VERBAL UPDATE ON EXTENDING CROSSWALK SIGNALS - POLICE DEPARTMENT

Municipal Services, Facilities and Infrastructure Committee report read recommending acceptance of the verbal update on extending crosswalk signals as informational. The Chair filed the report into the record as informational.

PLD REPORT – KIWANIS CLUB OF KEENE – REQUEST TO USE CITY PROPERTY – TREE LIGHTING EVENT

Planning, Licenses and Development Committee report read, recommending the Keene Kiwanis Club be granted permission to use downtown rights-of-way on November 24, 2017 for the Tree Lighting Festival from 5 pm to 8 pm 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 erect a holiday tree on the Main/Marlborough/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 18 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 – ESTABLISHMENT OF MARLBORO STREET CORRIDOR ECONOMIC REVITALIZATION ZONE – PLANNING DEPARTMENT

Planning, Licenses and Development Committee report read, recommending the Marlboro Street Corridor Economic Revitalization Zone be established in the area of the Business Growth and Reuse Zoning District and the Neighborhood Business Zoning District, and the Central Business District as displayed on the map entitled, “Proposed Marlboro Street Corridor Economic Revitalization Zone” dated October 27, 2017, and that the City prepare an application to the State of NH Division of Economic Development to formally establish this ERZ. 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 – FY 18 SUPPLEMENTAL ROAD IMPROVEMENTS – PUBLIC WORKS DEPARTMENT

Finance Organization and Personnel Committee report read, recommending approval of the proposed FY18 Supplemental Road Improvements program, as presented. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded. On showing of hands, 15 Councilors were present, 14 voted in favor and one opposed, the motion carried. Councilor Sutherland voted in opposition.

FOP REPORT – CHANGE ORDER 1 – BAZIN BROTHERS TRUCKING, INC. – PUBLIC WORKS DEPARTMENT

Finance Organization and Personnel Committee report read, recommending the City Manager be authorized to do all things necessary to sign a change order with Bazin Brothers Trucking Inc. for an amount not to exceed \$32,295 for Contract 01-16-08, Sludge Monofill Closure. And further recommends the City Council authorize the City Manager retain the authorization to execute a change order not greater than 10% of the original contract. 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 – BICYCLE AND PEDESTRIAN PATROL GRANT - POLICE DEPARTMENT

Finance Organization and Personnel Committee report read, recommending the City Manager be authorized to do all things necessary to accept a grant from the New Hampshire Highway Safety Agency to fund the Bicycle and Pedestrian Patrol campaign. 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 – NH HIGHWAY SAFETY AGENCY S.T.E.P. GRANT PROJECT - POLICE DEPARTMENT

Finance Organization and Personnel Committee report read, recommending the City Manager be authorized to do all things necessary to accept a grant from the New Hampshire Highway Safety Agency to fund the Sustained Traffic Enforcement Patrol (S.T.E.P.) campaign. 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 – NH HIGHWAY SAFETY AGENCY GRANT – DWI PATROLS - POLICE DEPARTMENT

Finance Organization and Personnel Committee report read, recommending the City Manager be authorized to do all things necessary to accept the grant from the New Hampshire Highway Safety Agency to fund the DWI Patrol program. 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 – ACCEPTANCE OF DONATION – SOLAR LIGHTS – UPDATE – PARKS, RECREATION AND FACILITIES DEPARTMENT

Finance Organization and Personnel Committee report read, recommending the City Manager be authorized to accept additional solar lights and poles to be installed along the Cheshire Rail Trail. 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 – ACCEPTANCE OF DONATION – YOUTH BASKETBALL – PARKS, RECREATION AND FACILITIES DEPARTMENT

Finance Organization and Personnel Committee report read, recommending the City Manager be authorized to do all things necessary to accept a sponsorship of \$3000.00 from Yankee Lanes and that the money is used to purchase youth basketball jerseys. 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 – CUSTODIAL CONTRACT SERVICES – PARKS, RECREATION AND FACILITIES DEPARTMENT

Finance Organization and Personnel Committee report read, recommending the City Council re-allocate \$39,510.00 from Operations (62201) in various cost centers including Fleet/Public Works/Police Department (11000 & 01335), Library (01328), and Recreation Center (01329) to Personnel to provide custodial services to multiple City facilities. 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 – LEASE AGREEMENT – 11 CENTRAL SQUARE – PARKS, RECREATION AND FACILITIES DEPARTMENT

Finance Organization and Personnel Committee report read, recommending the City Manager be authorized to do all things necessary to negotiate and execute a lease with Isabelle Jolie for the vacant space located at the 11 Central Square. 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.



## CITY MANAGER COMMENTS

The City Manager commented that she has had a meeting with the Superintendent of the School district regarding the custodial services contract and if they could be shared or other opportunities to share. She is planning on having conversations with the County as well. She is looking to have a meeting with all three entities in the same room to work towards a long term plan so they can understand the needs of each organization because they are impacting the tax rate and the taxpayers are paying the bill. The City Manager continued that she had a conversation with the Police Chief regarding the Bicycle Pedestrian Grant having additional education in terms of preparing for this enforcement grant. The City Manager stated they have begun the Keene Land Development Code Project, which is expected to be an approximately 18 month project. These regulations govern how land is used and developed. They know that the current regulations can be confusing and difficult to use. Various regulations impacting a proposed project are located in different places and sections of the current code making them difficult to find. This can make the permitting process difficult and frustrating to navigate. The goal is to create a unified code by reorganizing regulations into one location. At the same time the project will apply "lean" techniques throughout the process to eliminate unnecessary regulations. In the end it is our desire to create a more business & user friendly permitting environment with a more streamlined process. The City Manager continued with the Proposed Expansion to the Monadnock Food Co-op building funded partially through a Community Development Block Grant (CDBG). This project would also require a lease agreement with the City for parking spaces in the Wells Street parking lot. Both the CDBG application request and parking lease will be forwarded to the next FOP Committee. The City Manager recognized Kurt Blomquist in reaching his 24<sup>th</sup> anniversary with the City of Keene.

## ORDINANCE O-2017-19: RELATING TO BUILDING REGULATIONS

A memorandum was received from the Acting Health Director along with Ordinance O-2017-19. The memorandum was filed into the record. Ordinance O-2017-19 referred by the Chair to the Planning, Licenses and Development Committee.

MSFI REPORT AND ORDINANCE O-2017-16: RELATING TO NO PARKING ON  
FOUNDRY STREET

Municipal Services, Facilities and Infrastructure Committee report read recommending the adoption of Ordinance O-2017-16. The report was filed as informational. Ordinance O-2017-16 was read for the second time. A motion by Councilor Manwaring for adoption of the Ordinance was duly seconded. On a roll call vote, with 15 Councilors present and voting in favor, the motion carried. Ordinance O-2017-16 declared adopted.

MSFI REPORT AND ORDINANCE O-2017-17-A: RELATING TO SPECIFIC STREET  
REGULATIONS

Municipal Services, Facilities and Infrastructure Committee report read recommending the adoption of Ordinance O-2017-17-A. The report was filed as informational. Ordinance O-2017-17-A was read for the second time. A motion by Councilor Manwaring for adoption of the

11/02/2017

Ordinance was duly seconded. On a roll call vote, with 14 Councilors present and voting in favor, the motion carried. Councilor Sutherland opposed. Ordinance O-2017-17-A declared adopted.

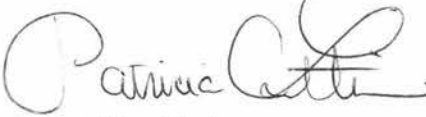
RESOLUTION R-2017-36: IN APPRECIATION OF BRAD G. LANE UPON HIS RETIREMENT AND RESOLUTION R-2017-37: IN APPRECIATION OF JOHN L. O'BRIEN UPON HIS RETIREMENT

Resolution R-2017-36: In Appreciation of Brad G. Lane Upon His Retirement and Resolution R-2017-37: In Appreciation of John L. O'Brien Upon His Retirement were read by title only. A motion by Councilor Greenwald for adoption of the Resolution was duly seconded. The motion carried with a unanimous vote in favor.

ADJOURNMENT

At 8:02 PM, there being no further business, the Mayor adjourned the meeting.

A true record, attest:

  
City Clerk



Pursuant to Section 5 of the Keene City Charter, a special meeting of the City Council was held Thursday, November 9, 2017 for the purpose of canvassing the votes cast at the November 7, 2017, Municipal General Election. In the absence of the Mayor, the meeting was called to order at 6:15 PM by the City Clerk. A motion by Councilor Powers to appoint Councilor Greenwald as the temporary chair was duly seconded. The City Council voted unanimously to appoint Councilor Greenwald as Temporary Chair. Councilor Greenwald assumed the Chair. Roll called Carl B. Jacobs, Janis O. Manwaring, Robert J. O'Connor, Terry M. Clark, Thomas F. Powers, Robert B. Sutherland, George S. Hansel, Gary P. Lamoureux, Bettina A. Chadbourne, and Mitchell H. Greenwald were present. Bartolmiej K. Sepeta, Randy L. Filiault, Stephen L. Hooper, Philip M. Jones and David C. Richards were absent. Councilor Greenwald led the pledge of allegiance.

Councilor Greenwald requested that the Clerk review her memorandum relative to the results of the election. The Clerk identified the various reports that had been included in the agenda packet. Specifically, the Councilors were provided with the Return of Votes and the Return of Votes for Write-ins for all five wards. In addition, a statistical spreadsheet showing votes cast across the wards as well as voter participation was included. The Clerk noted that the voter activity of 16% citywide had exceeded the Department's expectation of a 12% turnout. She continued that this required that photocopies of the actual ballots be put into circulation at the polls. 355 photocopies of ballots were cast city-wide.

The Clerk continued that although ward officials are accustomed to counting paper ballots, the race for the Ward Three Councilor position between Terry M. Clark and Mike Giacomo required 165 photocopied ballots to be used. The Clerk referred to the table in her memorandum which identified a recording error in the Ward Councilor race. She identified that when the hand count of paper ballots were tabulated for both candidates – along with the write-ins and blank ballots, the number of votes for this race exceeded the number of photocopied ballots.

The Clerk noted that she was not certain what the actual error was because the ballots had been sealed. The only way to ascertain the nature of the mistake was by opening the ballots through a recount process. She noted that there were both provisions in the City Charter and State Law as to a recount process.

The City Attorney stated that he and the City Clerk had spoken with the Secretary of State's Office, which advised that because the office in question was a ward councilor and because – under State Law - wards are considered towns, that they were recommending that RSA 44:12 be used as the process for the recount. The Ward Three elected officials (Moderator, Clerk and 3 Selectmen) would constitute the Board of Recount.

Councilor Greenwald recognized Ward Three Councilor Mike Giacomo who indicated that he had verbally indicated to the City Clerk's office his desire to seek a recount. He noted that he did not believe any fraud had occurred in the tabulation, but rather a recording error. He noted that he wanted to have an accurate recording of the votes cast for the office. Councilor Greenwald noted that because Friday was a holiday, Mr. Giacomo should submit a written request to the City Clerk at the close of the meeting.

A motion by Councilor Powers to move that the City Council canvass the votes cast at the November 7, 2017, Municipal General Election and declare those candidates receiving the

11/09/2017

highest number of votes for the respective offices be declared elected was duly seconded. The motion carried unanimously. The term of office would begin January 1, 2018.

A motion by Councilor Powers to move that pursuant to NHRSA 44:12, to authorize the Ward Three election officials to serve as a Board of Recount for the purpose of any recount process that may be requested and further to authorize the City Clerk as the Chief Election Official to establish the rules of recount was duly seconded. The motion carried with Councilor Clark in opposition.

As there was no further business, the meeting adjourned at 6:32 PM.

Attest:

A handwritten signature in cursive script, appearing to read "Patricia Clark".

City Clerk



External Communication  
*Transmittal Form*

November 9, 2017

**TO:** Mayor and Keene City Council

**FROM:** Cory J. Keefe, Utility Arborist

**THROUGH:** Patricia A. Little, City Clerk

**ITEM:** C.1.

**SUBJECT:** Tree Trimming on Scenic Roads - Eversource Energy

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**ATTACHMENTS:**

**Description**

Eversource Communication

Eversource Map Attachments

**BACKGROUND:**

Eversource Energy seeks permission to trim trees on certain designated scenic roads as part of a larger project to remove trees and brush adjacent to some of its power lines in the City of Keene.

November 8th, 2017

Mayor Kendall W. Lane and City Council  
Attn: City Clerk  
3 Washington Street  
Keene, NH 03431

Dear Mayor and Councilpersons:

This letter is to inform the City of Keene that Eversource is planning to trim and remove trees and brush adjacent to some of its power lines within the town. This work is necessary to ensure the safe distribution of power and to improve reliability of electric service for our customers. Maps highlighting the areas to be trimmed and a list of hazardous trees on the scenic roads is enclosed.

According to Eversource records, Chapman, Concord Hill, Concord, Daniels Hill, Felt, Hurricane, Langley, Moore Farm, Peg Shop, Stearns, and Whitcombs Mill Roads have been designated as scenic roads by the City. Please consider this letter to be a request from Eversource for a public hearing for the purpose of the trimming and removal of trees and brush on these and any other scenic roads within the proposed work area pursuant to RSA 231:158. Please inform this office of the date, time, and place of said hearing so that we may have a representative present.

Eversource specifications call for removal of brush and limbs less than four inches in diameter which are located within eight feet to the side of, ten feet below or fifteen feet above conductors. Larger trees or limbs which present a threat to Eversource lines or other equipment because of decay or other defect will be removed on a case by case basis. All work will be performed in accordance with accepted arboricultural standards.

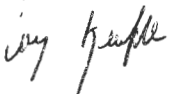
Eversource has contracted with Asplundh Tree Expert Company to perform the actual trimming of trees. Eversource requires that our trimming contractors contact each landowner where trees are to be trimmed prior to commencement of work on that property. Individual concerns will be addressed at this time.

All brush and limbs cut on roadside locations will be chipped. In wooded, undeveloped locations, these chips may be dispersed into the woods, taking care not to allow chips to accumulate in piles or in ditches. Near developed land, the chips will be blown into a truck and disposed of off-site. The chips make a good mulch and are often given to nearby property owners for landscaping purposes. If a central dumping location could be arranged, Eversource would be happy to make any unclaimed chips available to the Town at no cost. Brush and limbs cut on inaccessible lines will be stacked to the side of the right-of-way and cut low to the ground. All wood will be left on site unless otherwise directed by the landowner. Work on roads designated as scenic will begin on approval. Work on roads designated as scenic and roads not designated as scenic is scheduled to begin sometime at the end of this year and the remainder of 2018.

If you have any questions or comments, please feel free to contact me by U.S. mail at the above address, e-mail at [cory.keefe@eversource.com](mailto:cory.keefe@eversource.com), or telephone at 603-933-2761.

Thank you for your concern and assistance.

Respectfully,



Cory J. Keefe (ATTN: Vegetation Management)  
Utility Arborist  
Eversource Energy (ACRT)



## Tree List for Keene Scenic Roads

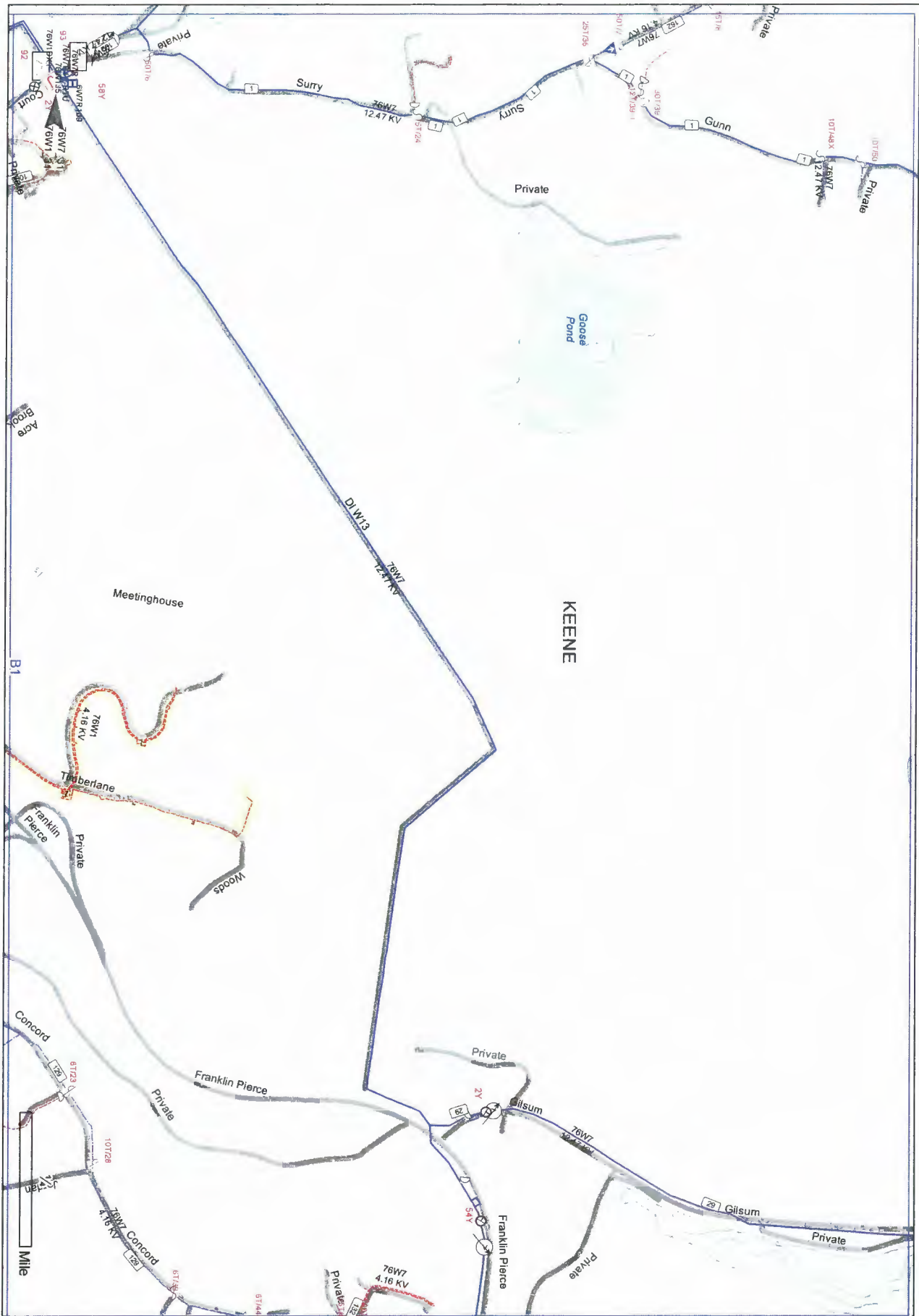
Street	Line #	Pole From	Pole To	Description
Chapman Road	30	10		17" maple across road.
Chapman Road	30	13	14	23" rotten maple.
Chapman Road	30	14	15	19" dying ash; 36"+ rotten ash.
Chapman Road	101	13		24" oak close to phase.
Chapman Road	542	9		10" dead cherry.
Concord Road	129	9	10	28" dying pine wth woodpecker holes.
Concord Road	129	11	12	7" dead pine.
Concord Road	129	28		5.2" dead pine.
Concord Road	129	32	33	10.1", 8.1" yellow birches with trunk rot.
Concord Road	129	33	34	7" dead ash.
Concord Road	129	33	34	34" dead pine across road.
Daniels Hill Road	222	111X		19" maple with mushrooms.
Daniels Hill Road	222	112		13" dead birch across road.
Daniels Hill Road	222	113	114	28" dying hemlock.
Daniels Hill Road	222	126	127	33" rotten maple.
Daniels Hill Road	222	127	128	31" rotten oak.
Daniels Hill Road	454	8	9	Two 7" dead cherries across road.
Felt Road	249	2	3	13" leaning pine; 10" dead pine.
Felt Road	249	8	9	8" dead pine.
Hurricane Road	248	20	21	36"+ rotten oak.
Hurricane Road	248	33	34	35" rotten pine.
Hurricane Road	248	43	44	15" dead white birch.
Hurricane Road	248	43	44	15" pine with basal rot.
Hurricane Road	248	44		16" rotten pine; 17" dead pine.
Hurricane Road	248	49	50	15" dead white birch.
Hurricane Road	248	56		22" dead ash.
Hurricane Road	248	56	57	32" dead ash.
Hurricane Road	248	63	64	26" dying ash.
Hurricane Road	248	65	66	22" dying maple.
Hurricane Road	248	67	68	19" dying maple.
Hurricane Road	248	70	71	14" ash with broken top.
Hurricane Road	248	77	78	34" rotten oak.
Hurricane Road	567	2	3	16" hollow maple.
Hurricane Road	567	2	3	20" maple with woodpecker holes.
Hurricane Road	567	3	4	11" dead maple.
Hurricane Road	567	5	6	12" maple with scarring.
Hurricane Road	567	5	6	12" maple with heavy damage.
Hurricane Road	567	6		24" dead maple across road.
Hurricane Road	567	6	7	22" maple with rot at base.
Hurricane Road	567	7	8	14" ash with heavy lean across road.
Hurricane Road	567	9	10	15" maple with rot at base.
Langley Road	222	131	132	28" rotten maple.
Langley Road	222	148	149	13" dead basswood.
Langley Road	222	149	150	21" dead hemlock.
Langley Road	222	151	152	13" dead pine.
Langley Road	222	153	154	25" dead ash.

### Tree List for Keene Scenic Roads

Old Concord Road	129	6	7	8.2" dead white birch across road.
Peg Shop Road	455	18	19	Two 10" dying ashes.
Peg Shop Road	455	37		19" rotten basswood.
Peg Shop Road	455	39		14" dead elm.
Stearns Road	262	9	10	29" rotten ash.







Eversource

- F Fire
- N Nursing Home
- P Police
- H Hospital

76W1

S/S: NORTH KEENE

Date: 11/10/2016

Feedback: Ronald.Rioux@eversource.com

Total Customers: 2,951

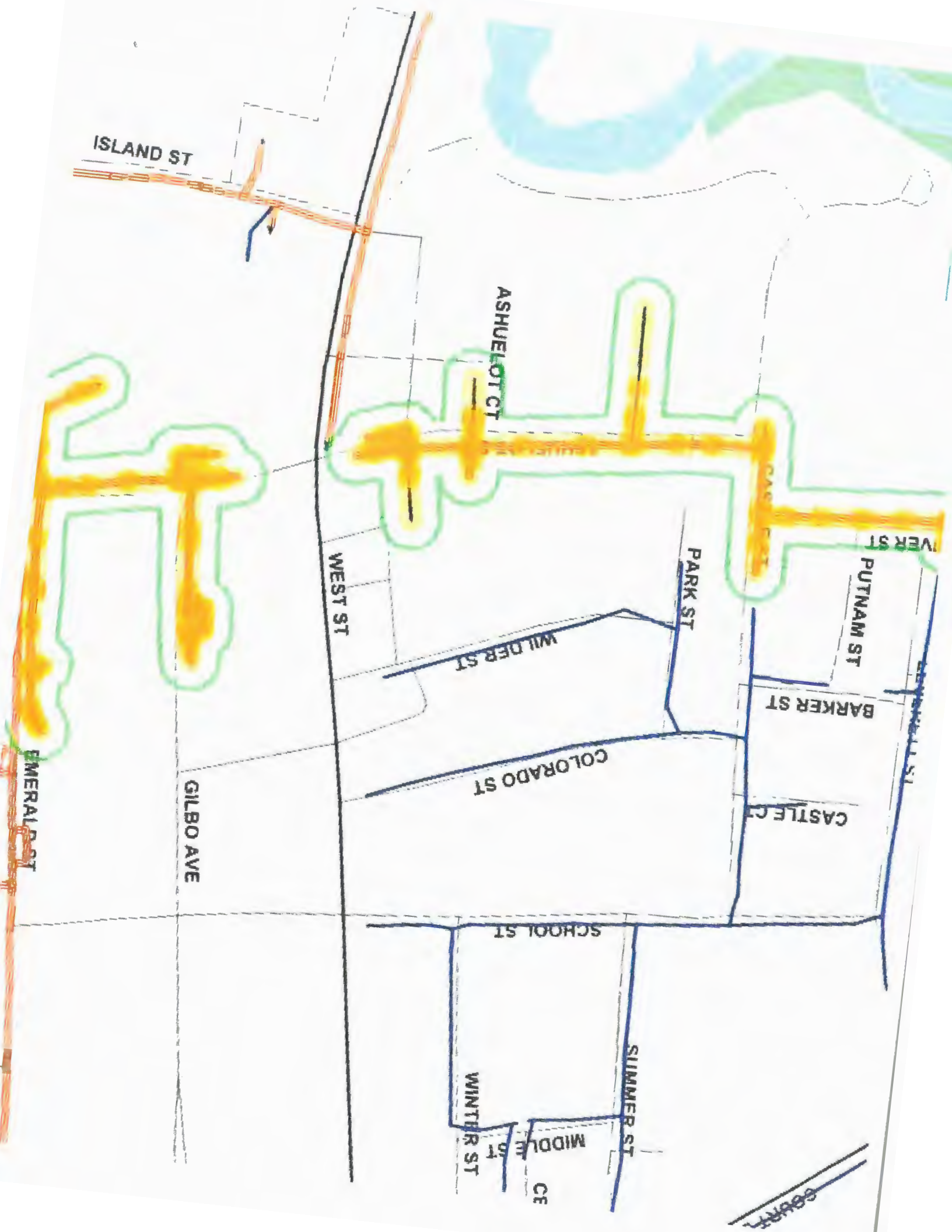
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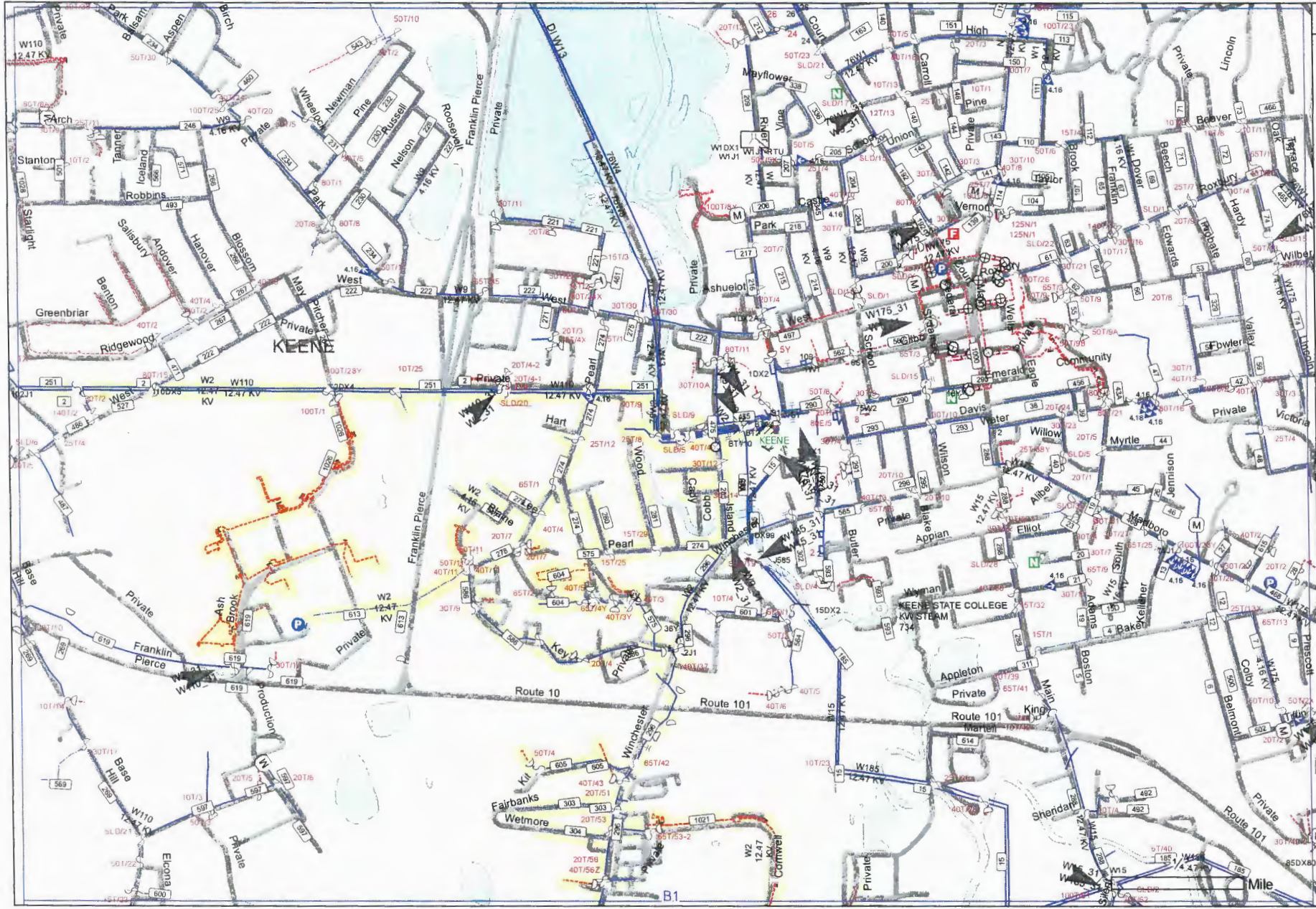


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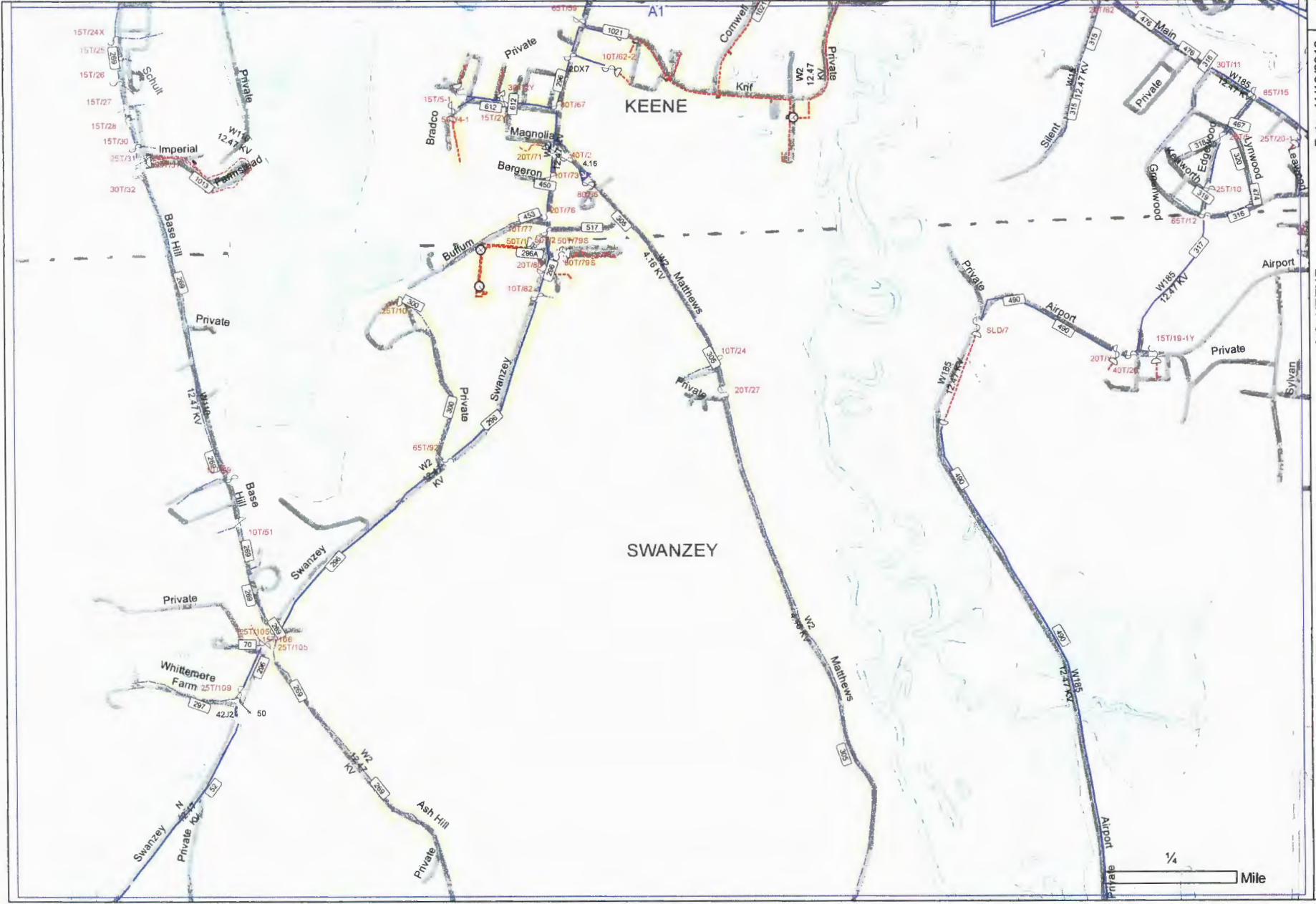




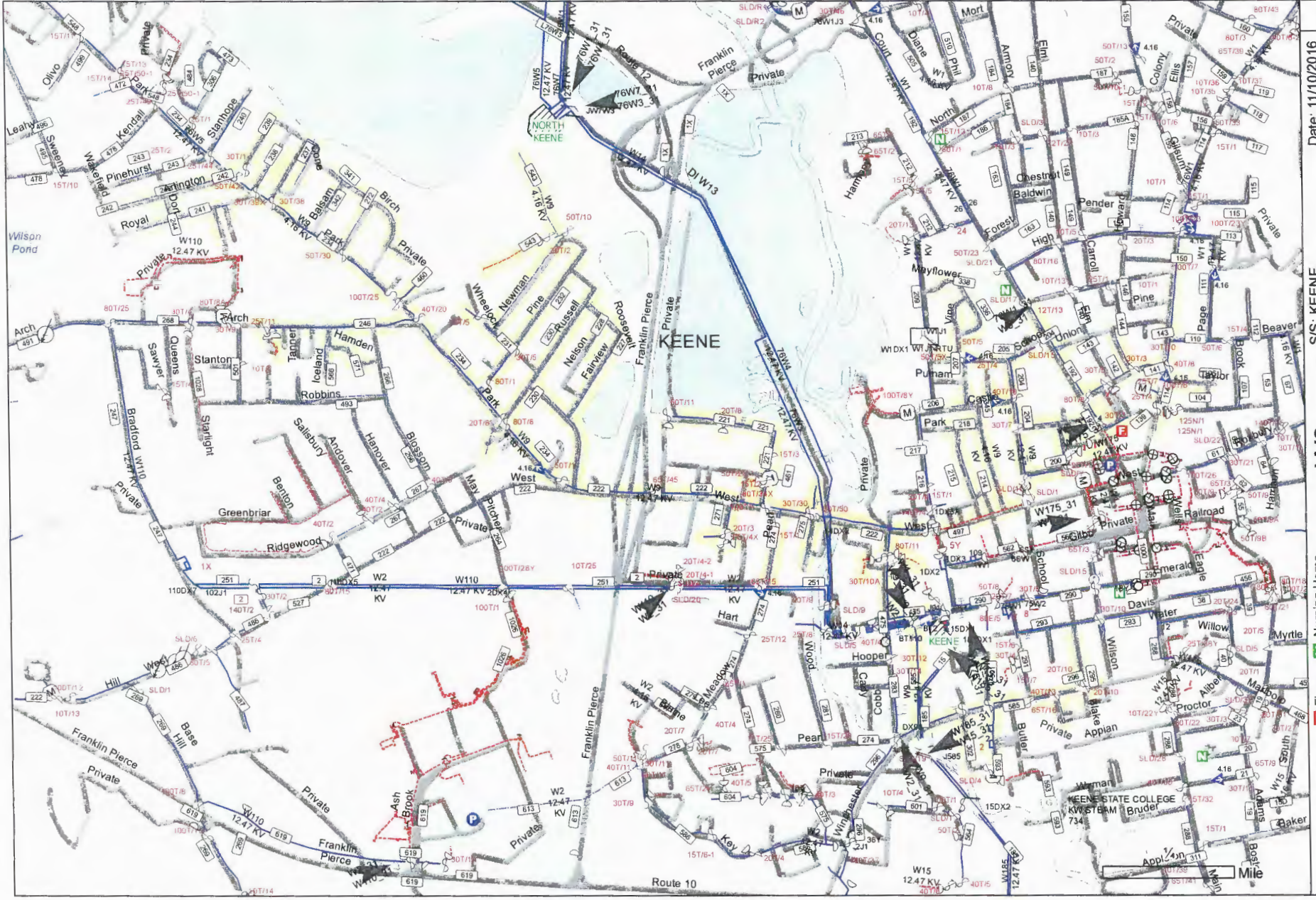






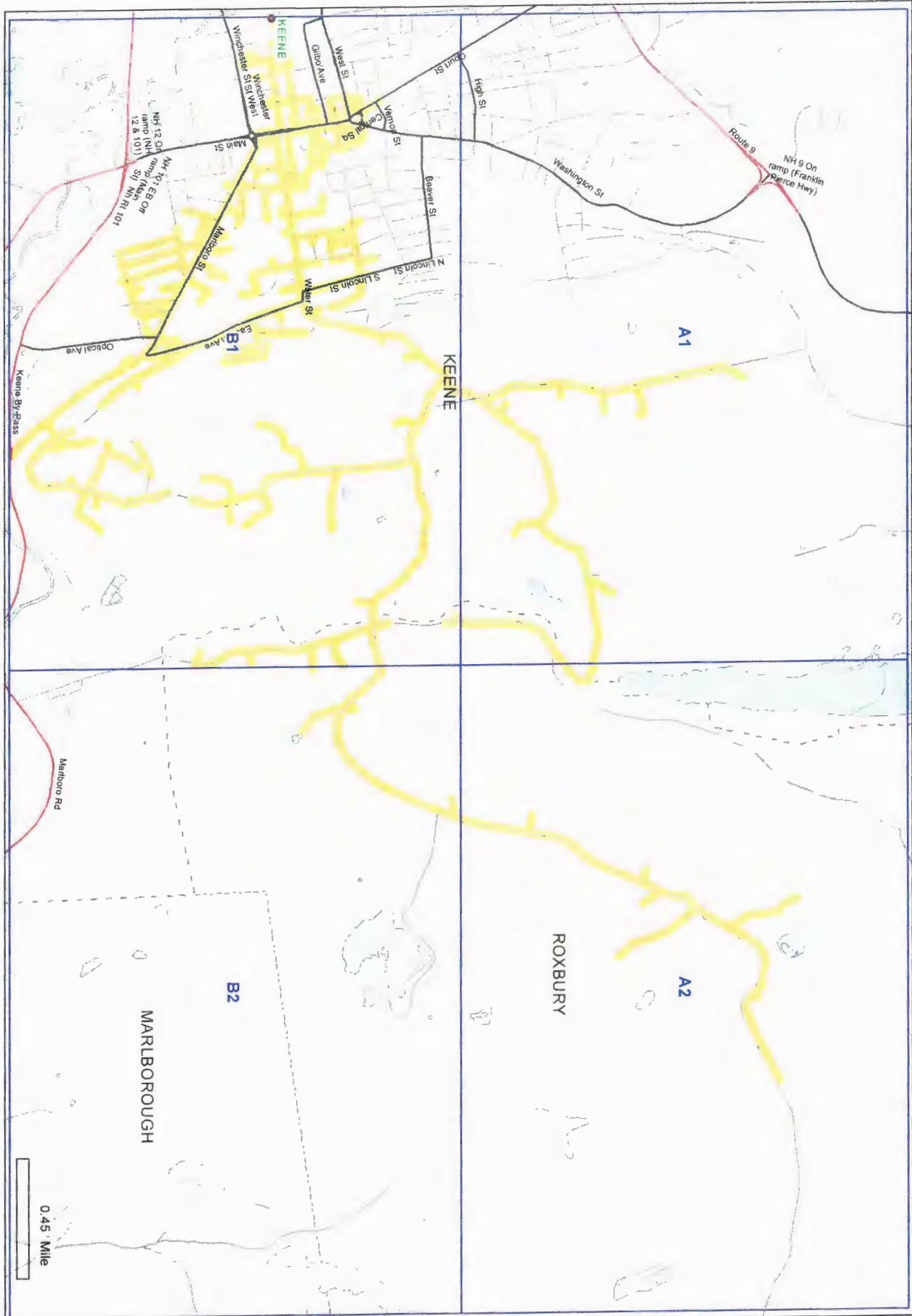


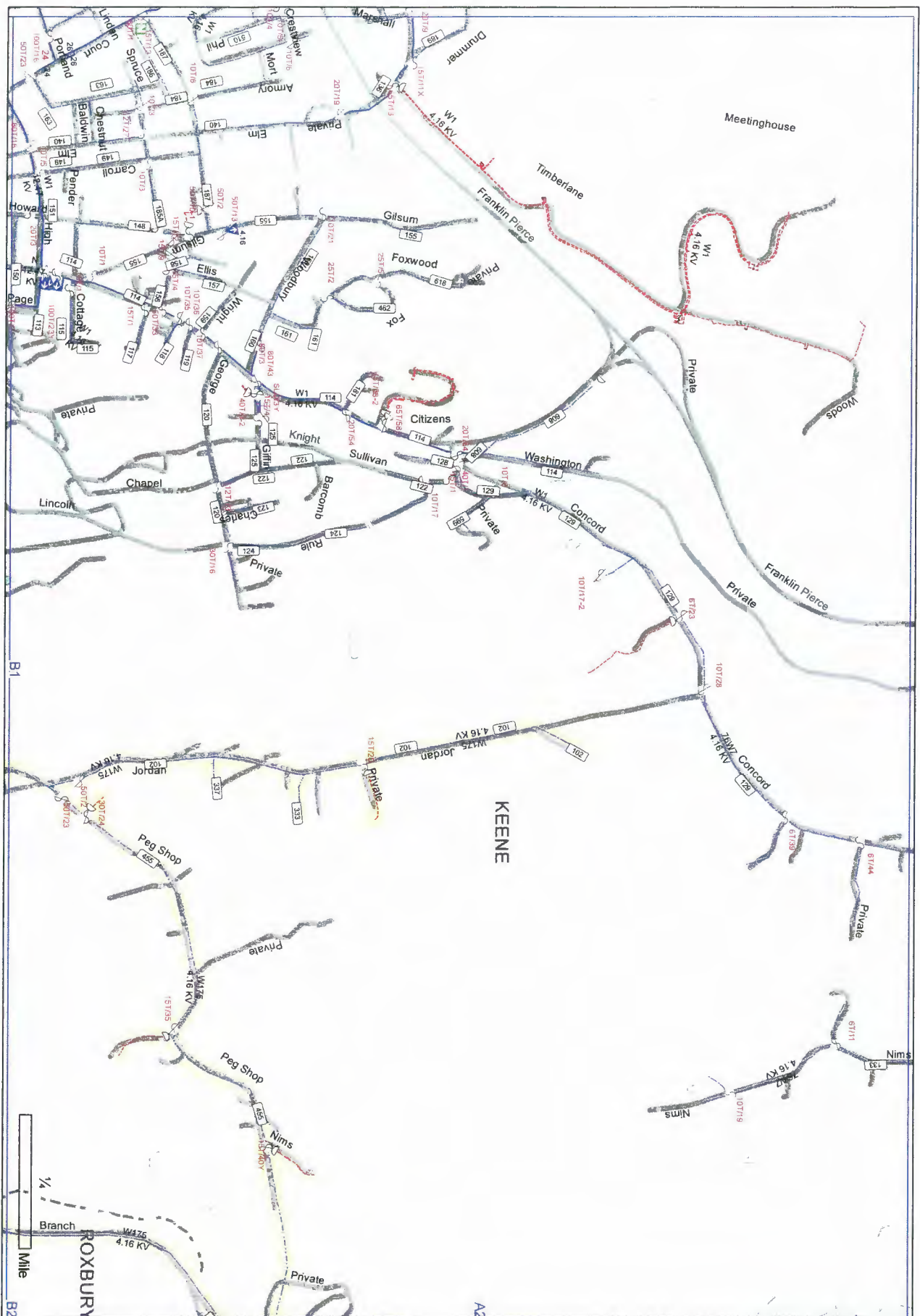




- Fire
- Police
- Nursing Home
- Hospital







**Eversource**

- Fire
- Nursing Home
- Police
- Hospital

**W175**

S/S: KEENE

Date: 11/10/2016

Feedback: Ronald.Ricoux@eversource.com

Total Customers: 1,994

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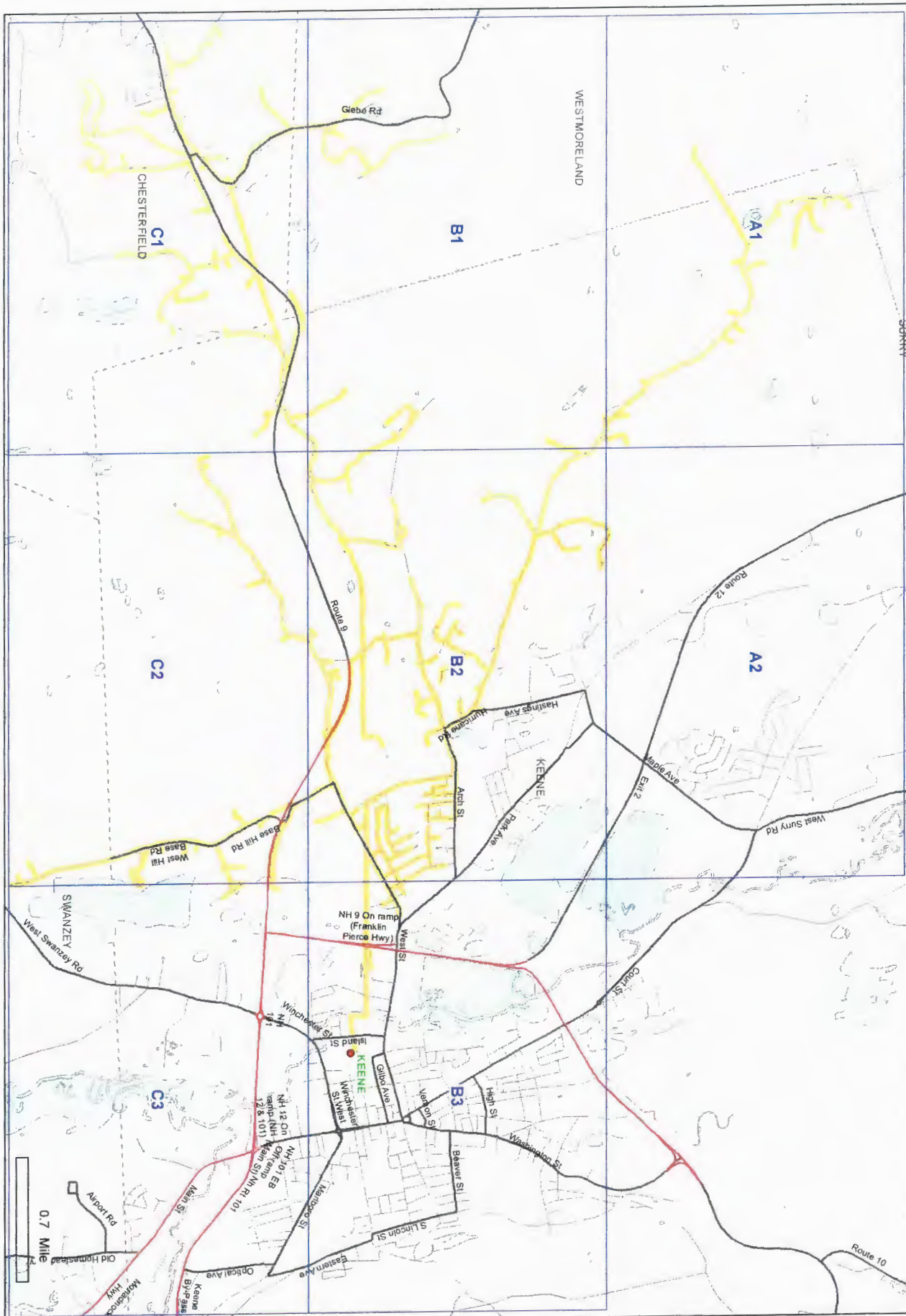
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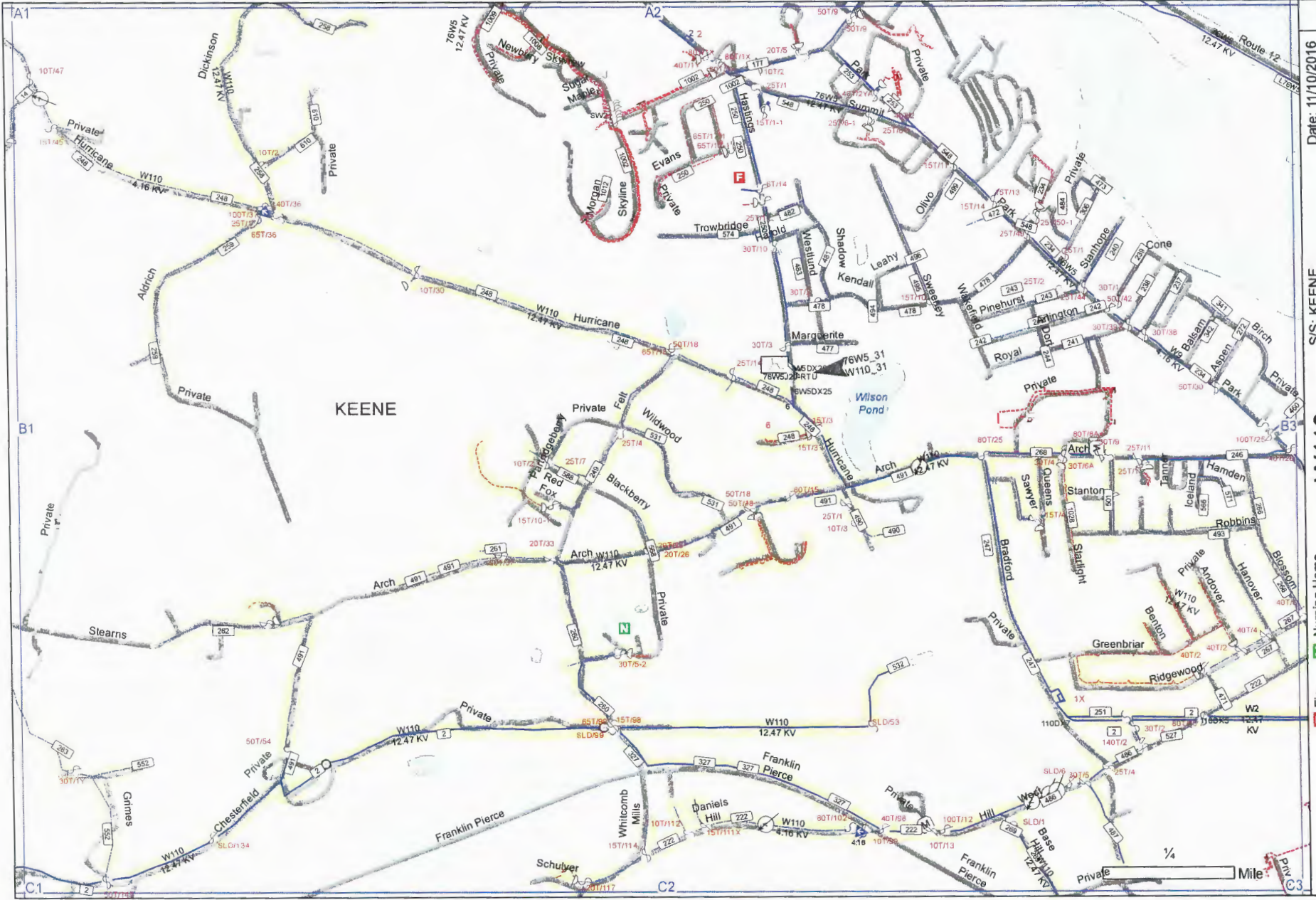












B2

Date: 11/10/2016

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Total Customers: 1,195

W110

Nursing Home

Hospital

Police

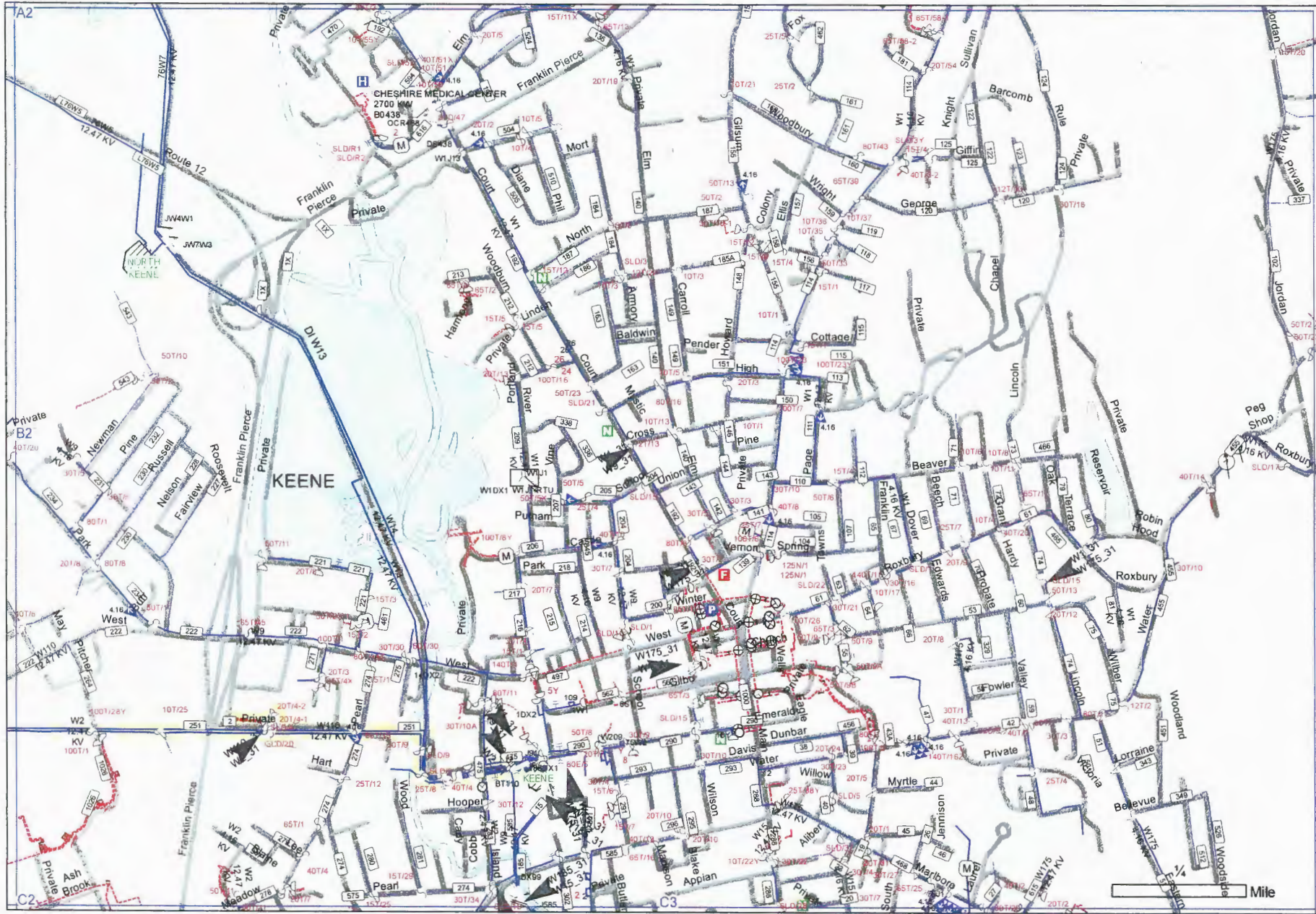
Fire

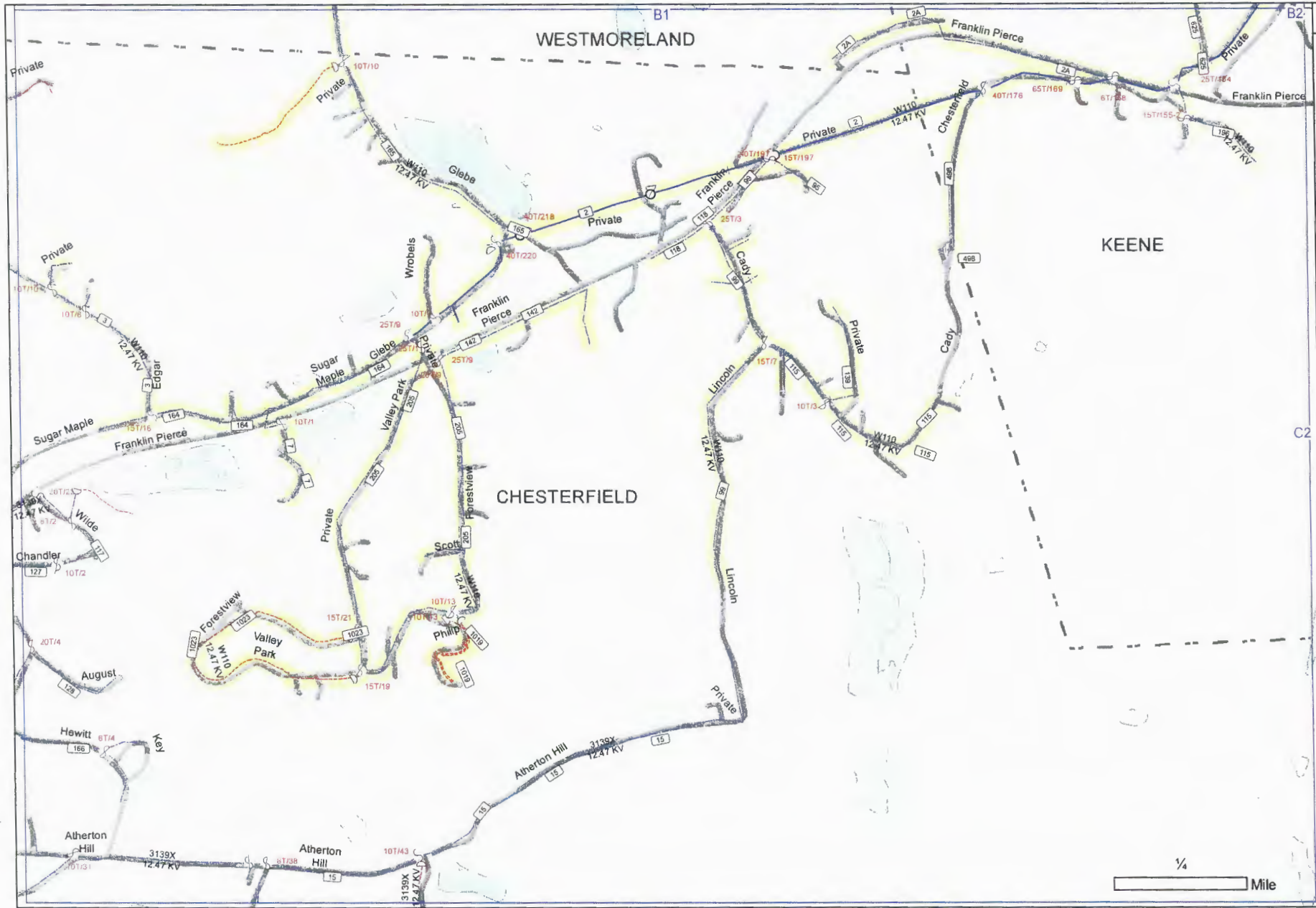
Fire

Eversource

Feedback: Ronald.Roux@eversource.com







Date: 11/10/2016

S/S: KEENE

**W110**

Total Customers: 1,195

- Fire
- Nursing Home
- Police
- Hospital

**Eversource**  
 Feedback: Ronald.Rioux@eversource.com

C1

Page 6 of 8

Page: C1

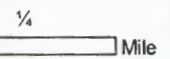
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B2

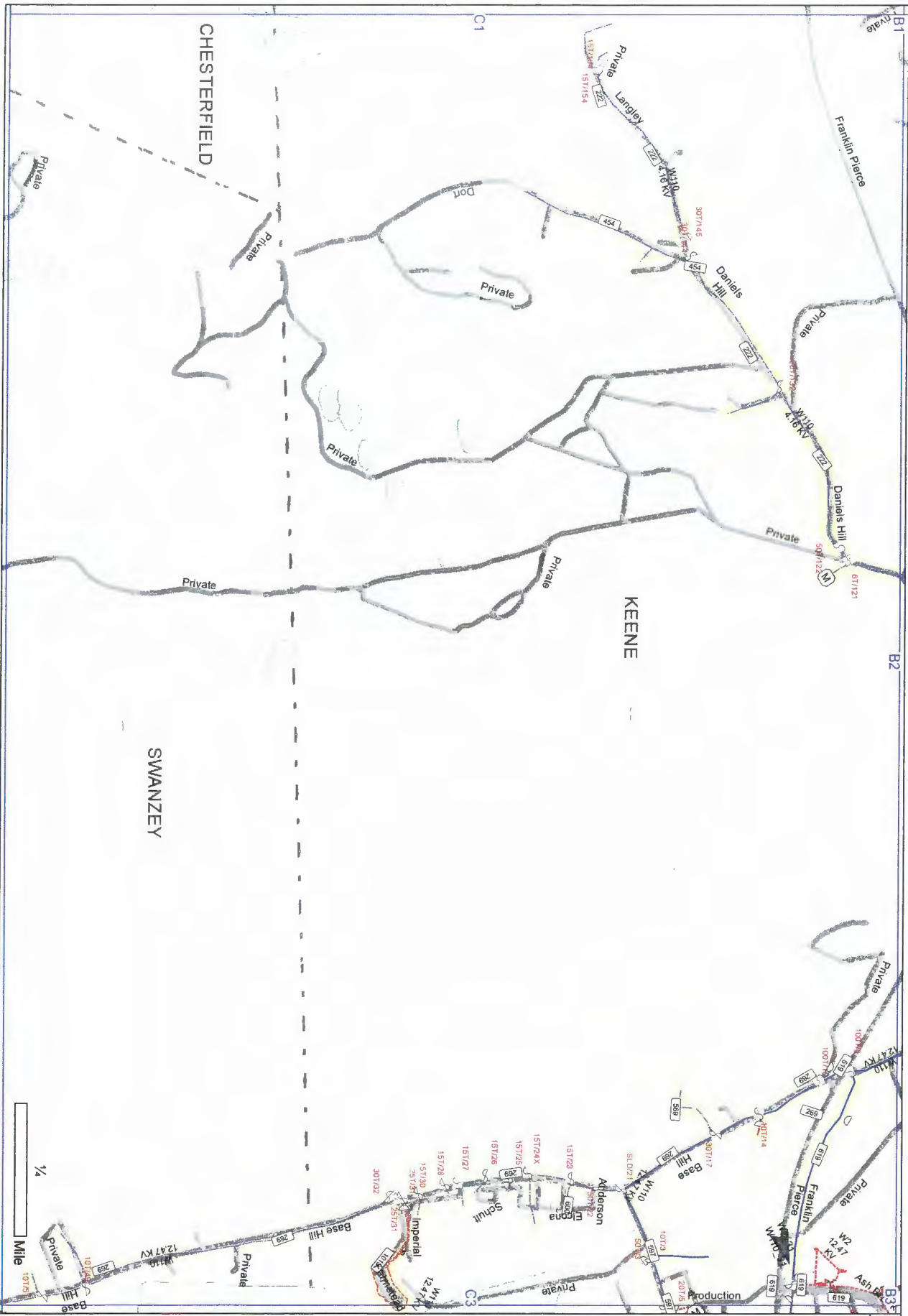
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KEENE

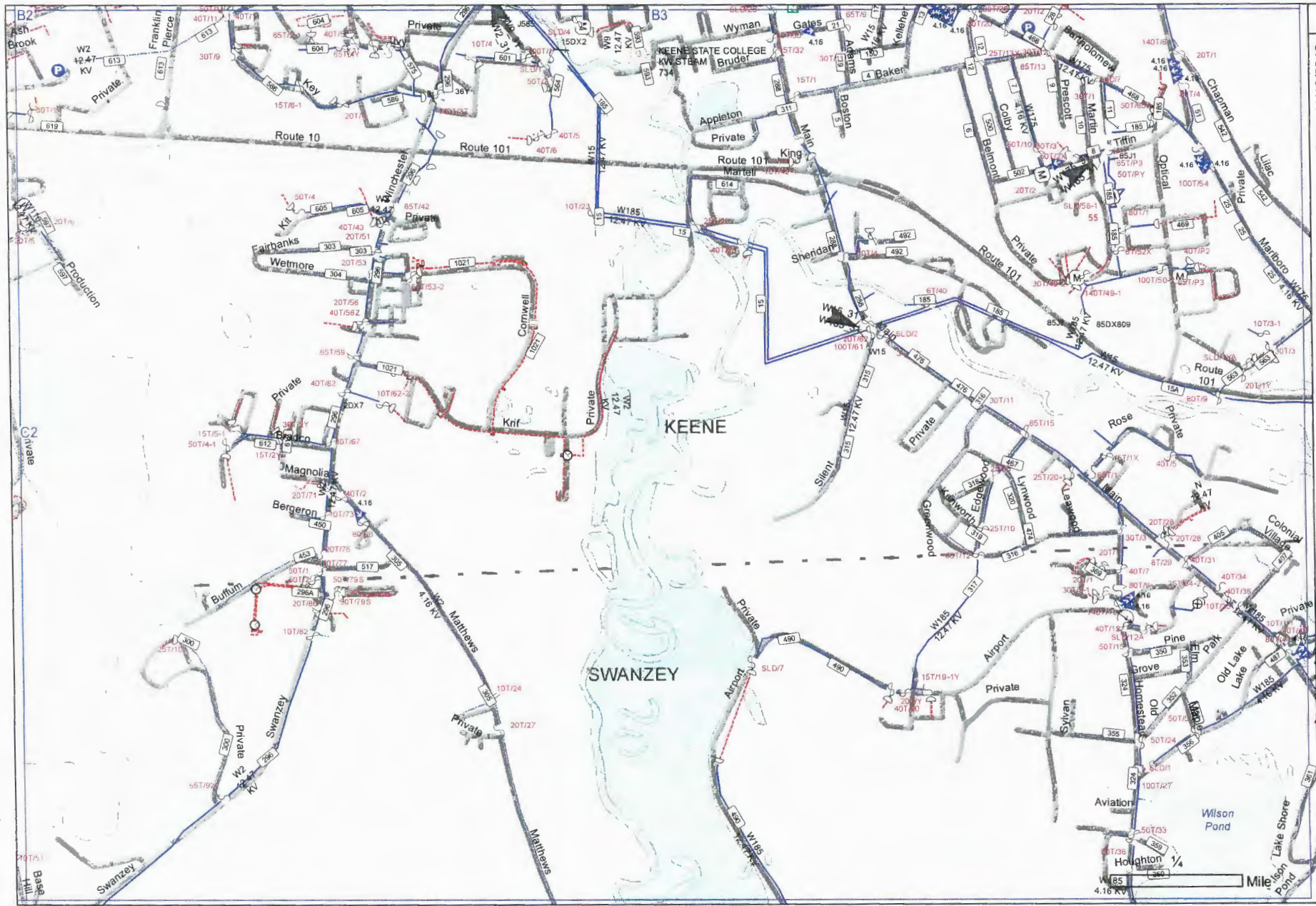
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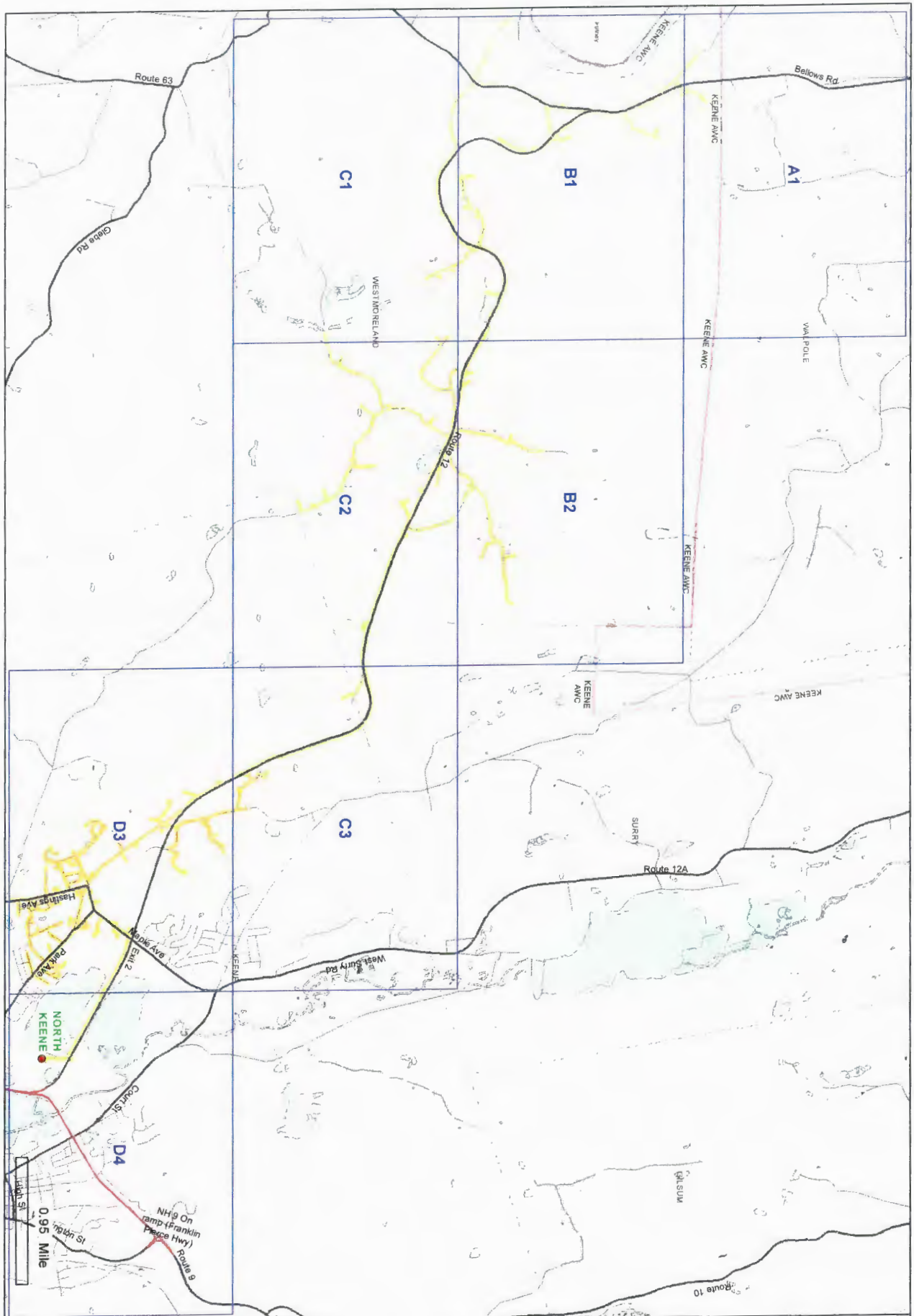














**Eversource**

- F Fire
- N Nursing Home
- P Police
- H Hospital

**76W5**

Total Customers: 1,321

S/S: NORTH KEENE

Date: 11/09/2016

Page: A1

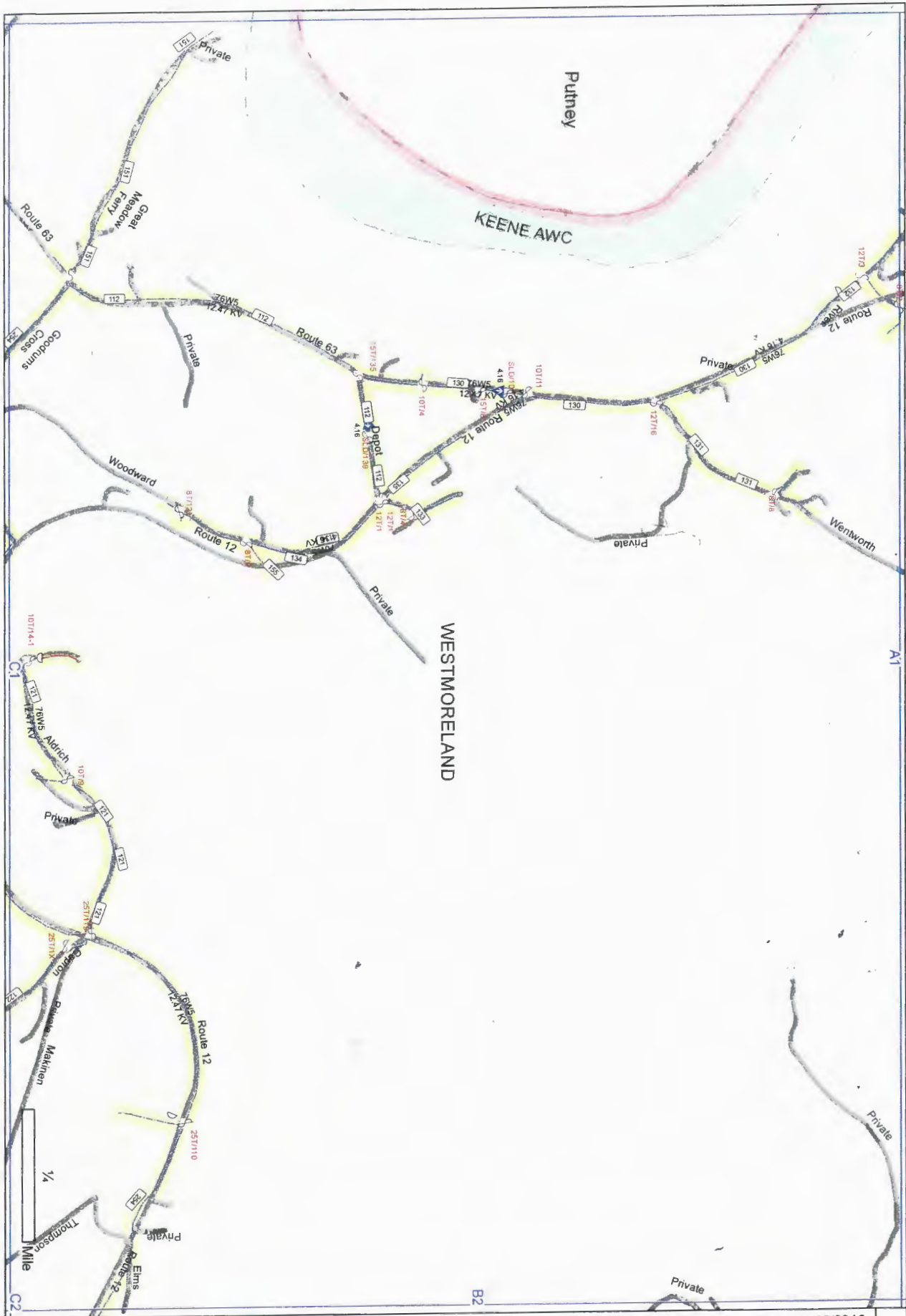
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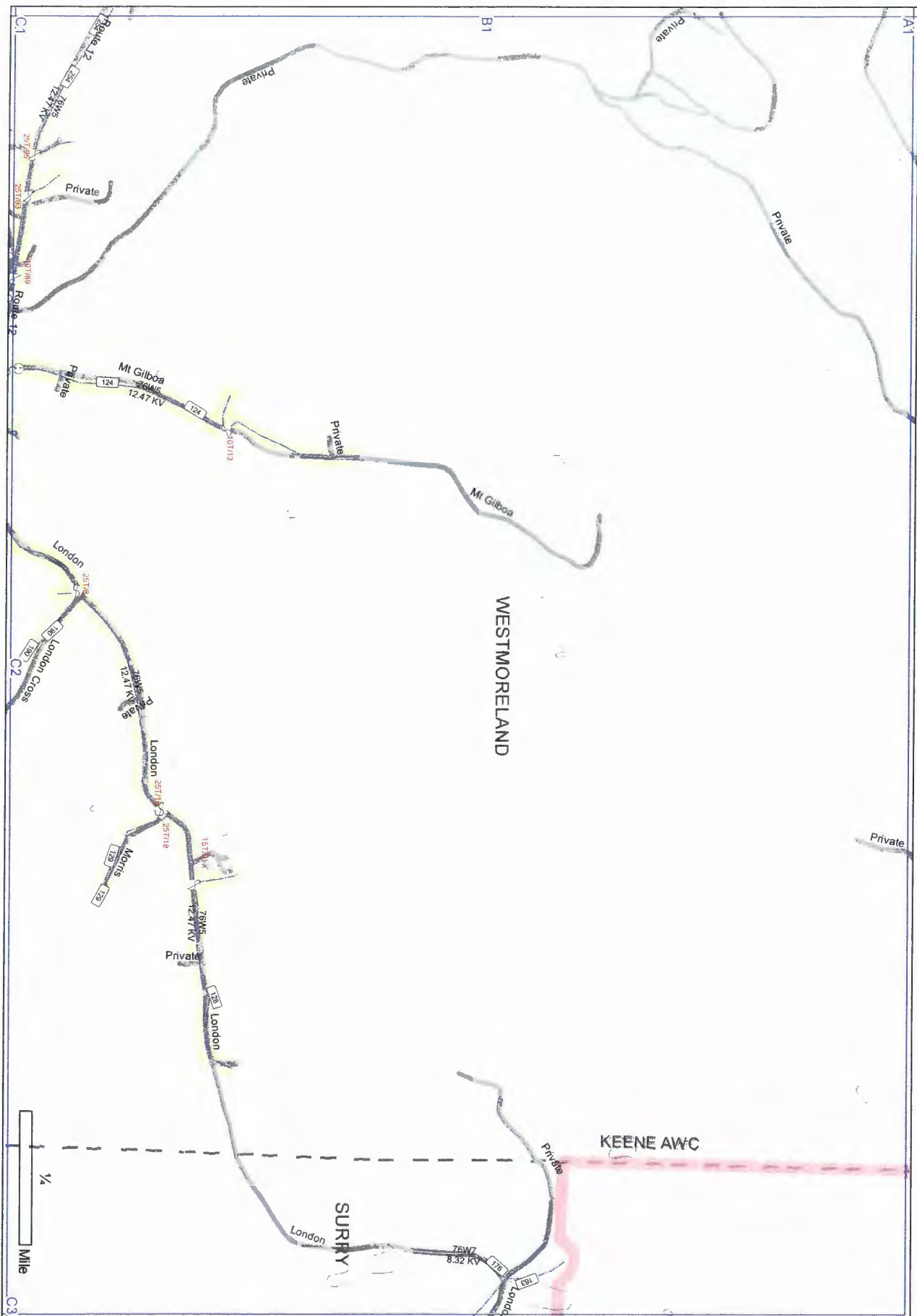


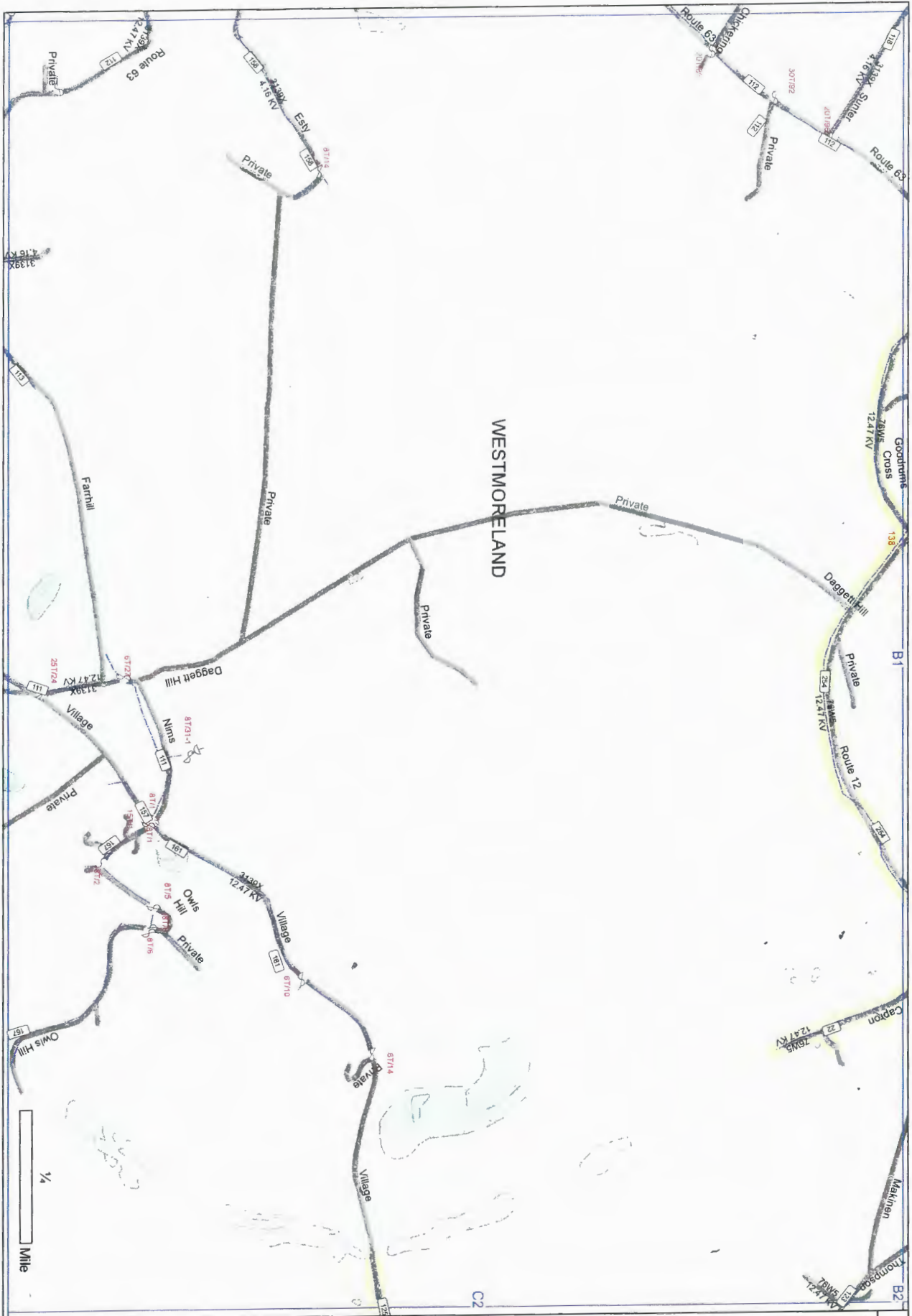
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Feedback: Ronald.Rioux@eversource.com









**Eversource**

- Fire
- Nursing Home
- Police
- Hospital

**76W5**

Total Customers: 1,321

S/S: NORTH KEENE

Page: C1

Date: 11/09/2016

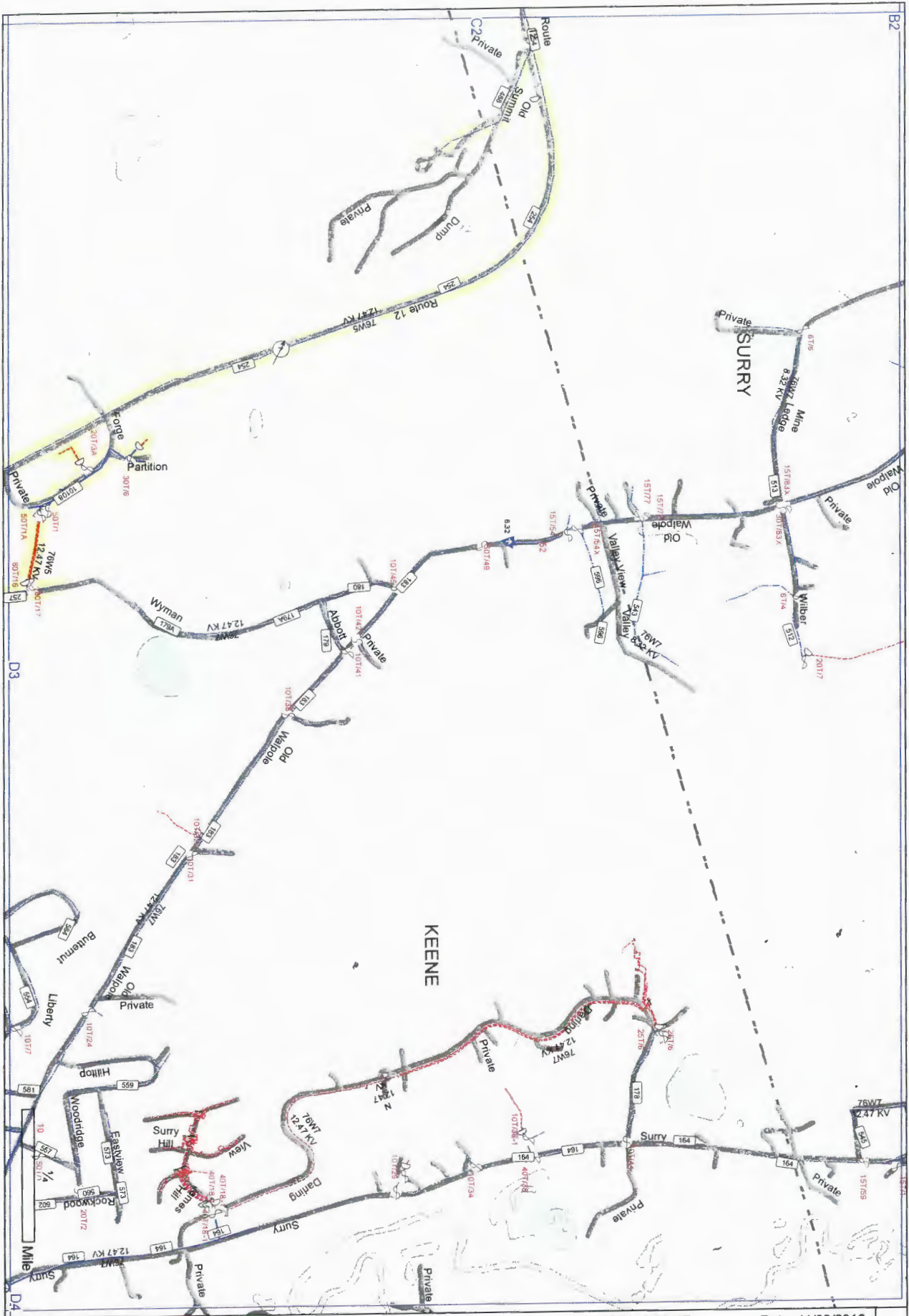
Page 4 of 8



Feedback: Ronald.Rioux@eversource.com

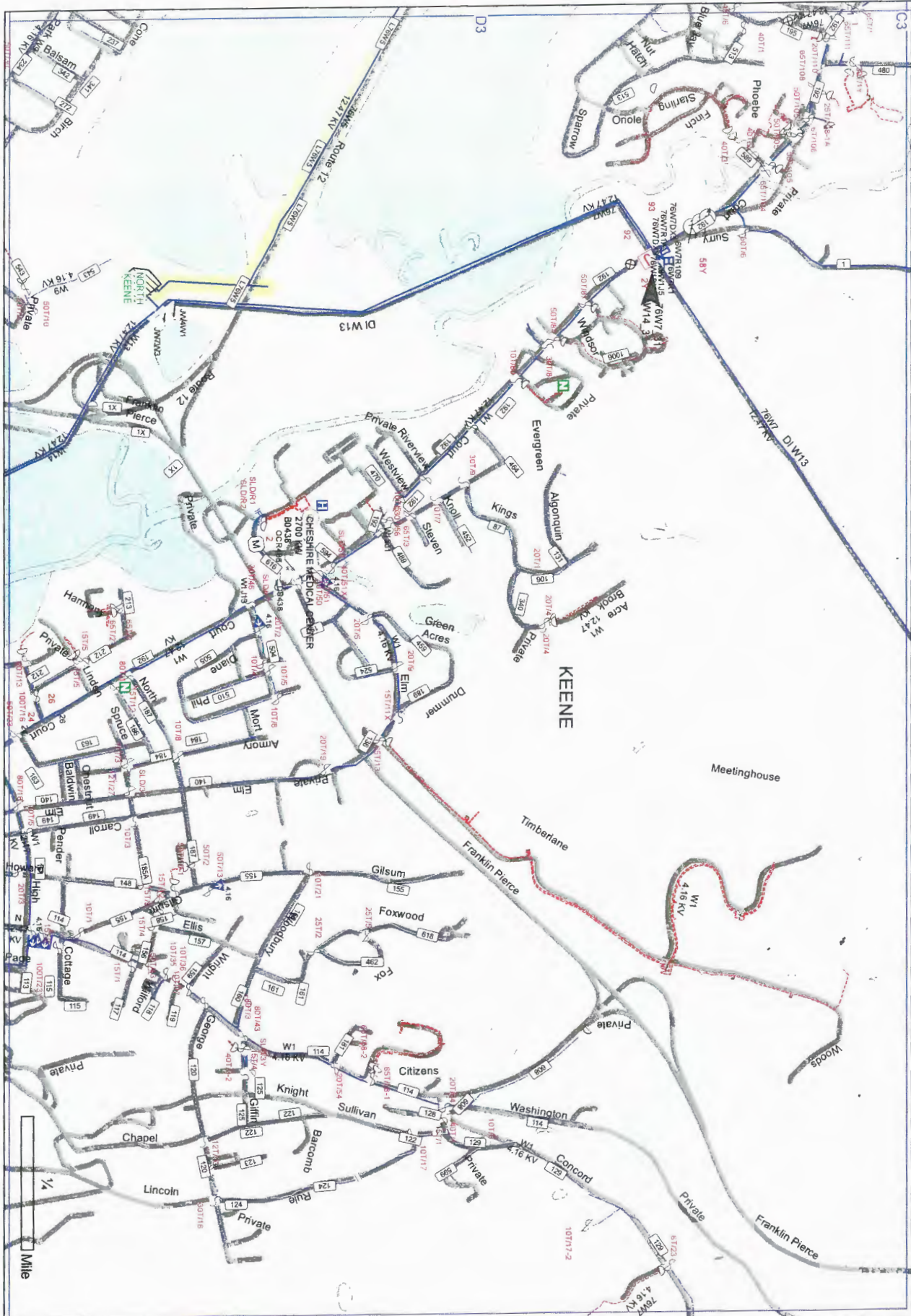












Eversource

- Fire
- Nursing Home
- Police
- Hospital

76W5

Total Customers: 1,321

S/S: NORTH KEENE

Page: D4

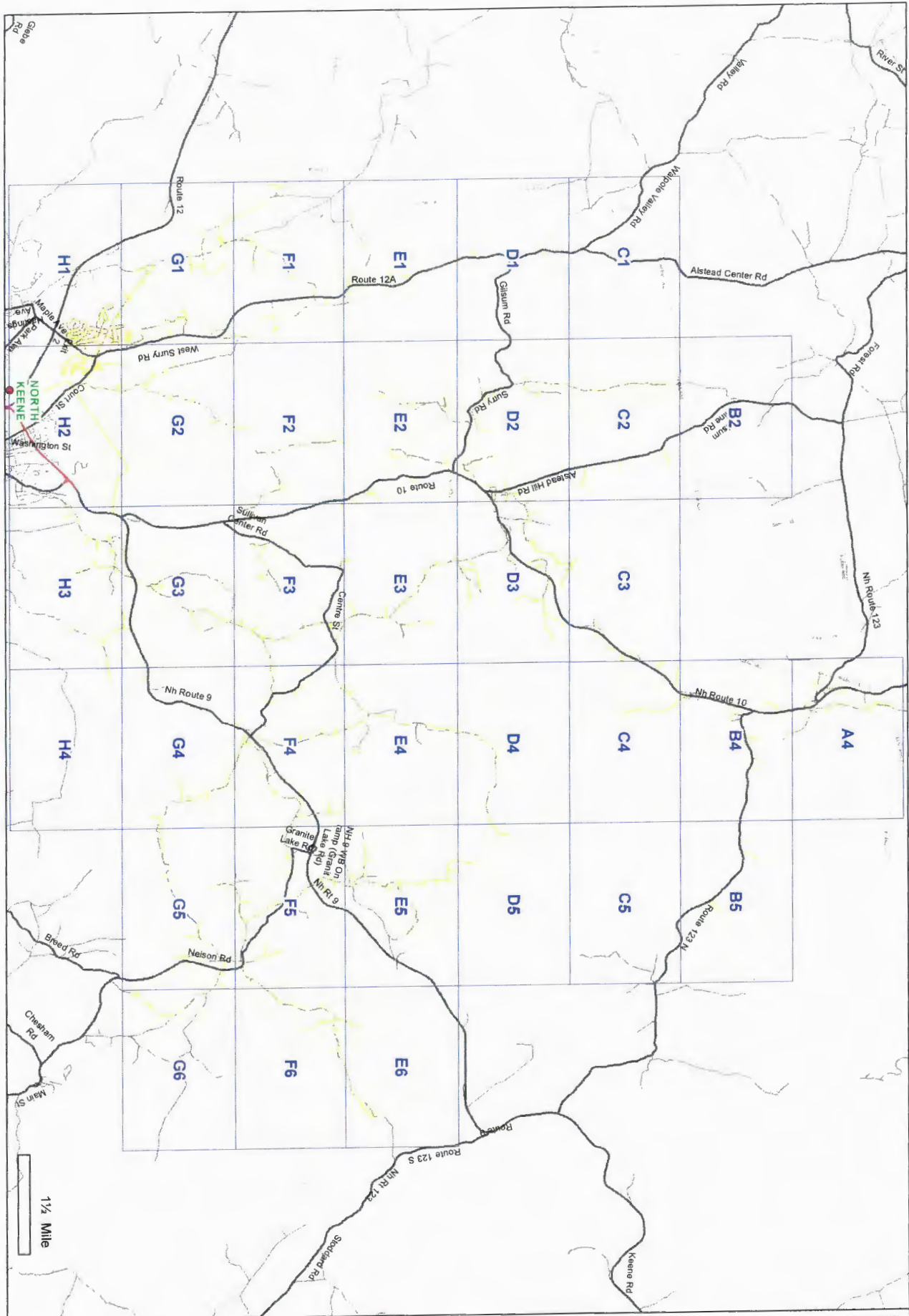
Date: 11/09/2016

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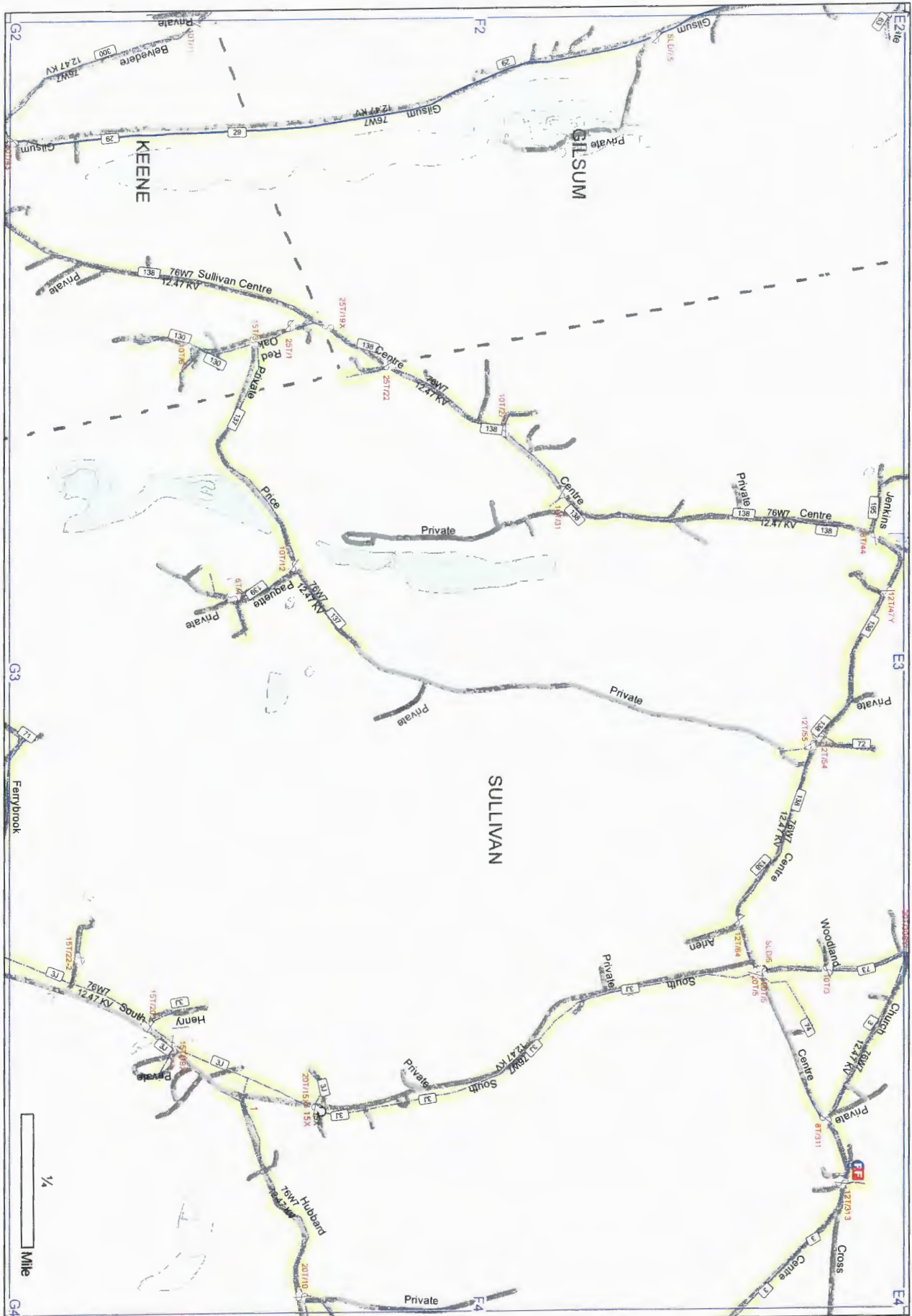
Feedback: Ronald.Rioux@eversource.com

D4









Eversource

- Fire
- Nursing Home
- Police
- Hospital

**76W7**

Total Customers: 3,403

S/S: NORTH KEENE

Date: 11/07/2017

Page: F3

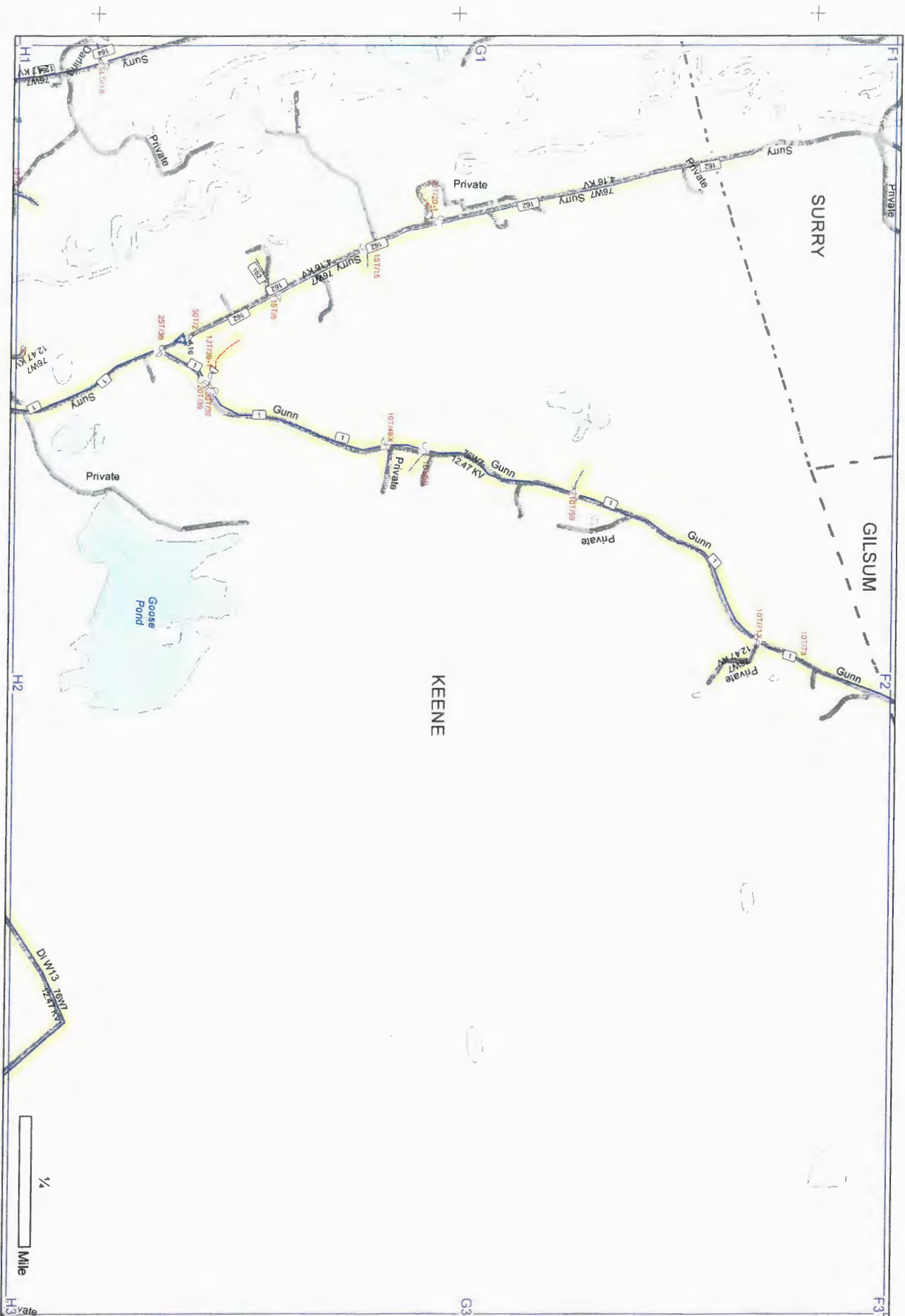
Page 23 of 36

Feedback: Ronald.Rioux@eversource.com



F3







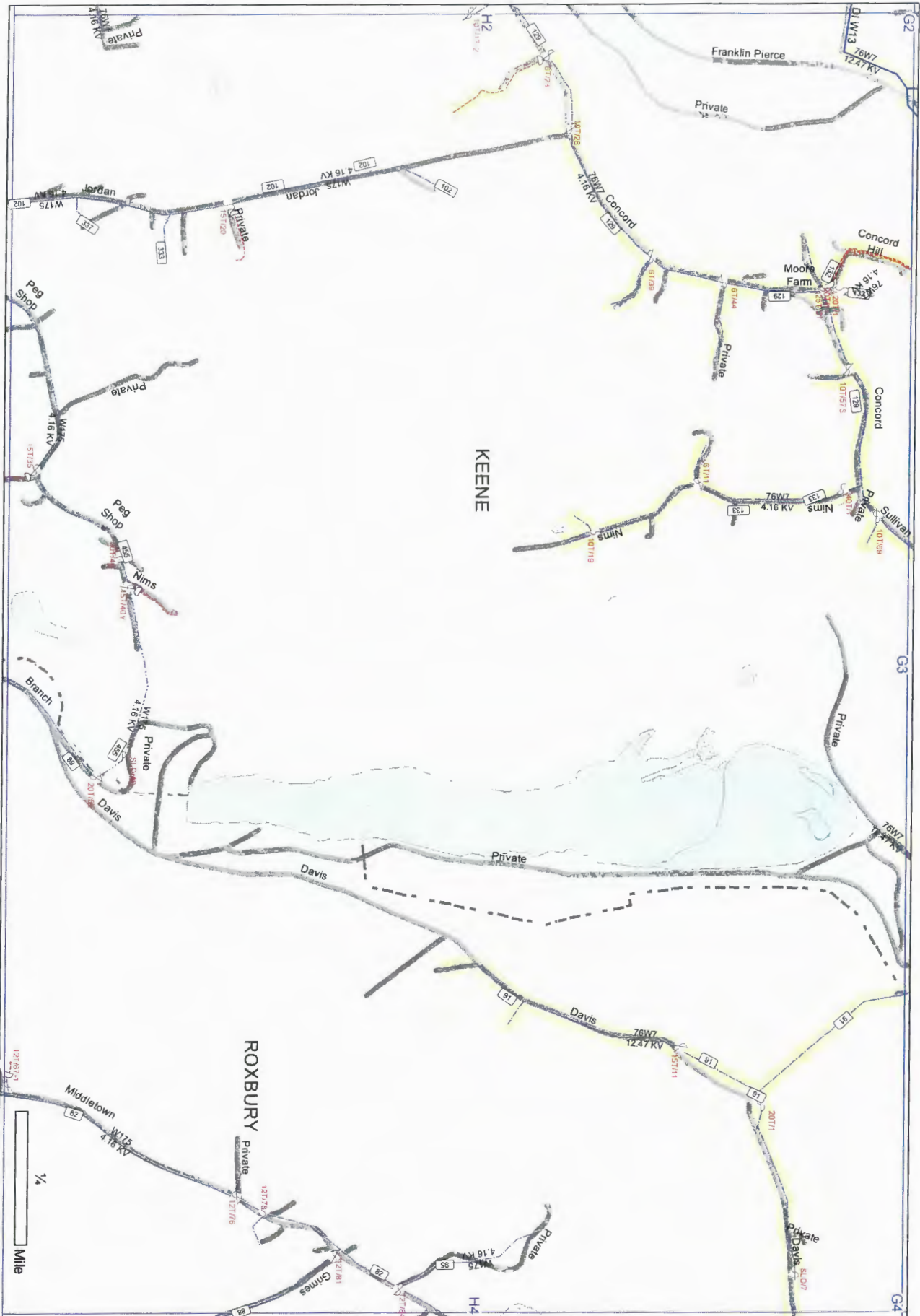














City of Keene, N.H.  
*Transmittal Form*

November 8, 2017

**TO:** Mayor and Keene City Council  
**FROM:** Planning, Licenses and Development Committee  
**ITEM:** D.1.

**SUBJECT:** NH RSA 79-E Community Revitalization Tax Relief Incentive - Planning Department

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**RECOMMENDATION:**

On a vote of 4-0, the Planning, Licenses and Development Committee recommends that City Council authorize City staff to draft a Resolution for the local adoption of NH RSA 79-E.

**BACKGROUND:**

Vice-Chair Jones recognized the City Manager for comments. Ms. Dragon noted she was happy to be here to talk about RSA 79-E. Ms. Dragon said in New Hampshire there are not a lot of tools for economic development; however RSA 79-E is one of the few tools we have. It allows for some temporary tax relief for buildings in our downtown core area that are especially underutilized. She outlined what the Planning Department staff would be presenting. Ms. Dragon explained why we are trying to overlap with the TIF District noting applying for RSA 79-E funds in that district would be taking away from the TIF funds.

Reminding everyone they were before this Committee in July Mr. Lamb said tonight he and Ms. Kessler will speak about some of the finer details. Ms. Kessler distributed copies of the prepared handout which included the 79-E Application Process, questions to be addressed, a map of the areas in Keene eligible for 79-E, a map of the proposed 79-E boundary, and staff recommendations.

Mr. Lamb outlined the efforts that have taken place since the July meeting and noted the recommendation to have staff move forward with preparing a resolution. He suggested the Committee use tonight to refine what they think should be in the resolution. The July focus was “where should we focus”. Staff’s recommendation is to focus on Marlboro Street which includes two of the new zoning districts; Business Growth and Reuse District and Neighborhood Business. Staff is not recommending residential be included in this proposal. Staff is also proposing a limited area to focus on where you see the need to provide incentives for redevelopment; typically distressed areas.

Mr. Lamb noted development is happening in the City without incentives; he suggested these would not be good areas for the application of RSA 79-E. He added we also wanted to pick areas that had an overlap with infrastructure investment; this also follows for the Marlboro Corridor and the East side. Mr. Lamb reiterated Ms. Dragon’s comments noting we do not want to overlap with the existing TIF districts as they would only be competing with each other. We just learned last week that an ERZ does not compete with 79-E. Mr. Lamb said that covers the “where” question; the maps also cover this along with other districts that would be eligible for 79-E.

Referring to the proposed motion Vice-Chair Jones asked if amendments should be made now. Mr. Lamb

replied we are assuming the Committee will have something to say about the draft; adding we are not too concerned about having amendments once we get this going along. Vice-Chair Jones said he wanted the Committee to be aware of the process and recommended providing input this evening.

Continuing Mr. Lamb noted another focus area was around what is a qualifying structure. Tonight's discussion will continue and we will add to it based on the handout distributed by Ms. Kessler. These are policy decisions that are up to City Council; areas for further discussion.

Ms. Kessler said her role tonight is to walk through areas the RSA has left open for the local community to narrow down and make a 79-E program that fits our needs. The handout recaps a lot of the information that was discussed at the July PLD meeting presentation. She noted it is important for everyone to know what the goal of the program is, what it is setup to do locally, and how the application process works. RSA 79-E is a temporary tax relief program- there is a period of time in which the assessed value would not be increased. It can be applied in designated areas such as downtown. The maps provided will demonstrate where those areas are. Eligible work would be substantial rehabilitation of an existing building; Keene can determine what a qualifying structure is. Keene can also determine the period of tax relief.

Ms. Kessler discussed the seven steps of the application process. She explained the general process will involve staff support and City Council holding a public hearing on the application. Mr. Kessler further noted a series of questions that need to be addressed to help structure the program. Staff recommendations for some of the questions that should be considered included:

- A. What types of structures should qualify?
- B. What should the threshold be for substantial rehabilitation?
- C. What public benefits should 79-E promote?
- D. What is the period of tax relief?

Additional questions to consider include:

1. Where should 79-E apply in Keene? This is explained on Page 2 of the handout which depicts two maps; areas of Keene eligible for 79-E and Proposed 79-E Boundary.

Vice-Chair Jones asked if a petitioner could apply for a waiver to any of the criteria. The City Attorney noted the statute provides some flexibility in the process; both he and the City Manager suggested this not be built into the process; at least not in the beginning.

Along those same lines Councilor Hansel clarified any appeals process would go straight to Superior Court. The City Attorney replied there is a Superior Court process that is quite burdensome. The applicant would have to show the action taken by City Council was discriminatory or in bad faith. Ms. Kessler also noted if an application was denied City Council would have to write a letter to the applicant explaining why it was denied. She added when City Council approves an application it also determines the time of the relief.

Ms. Kessler referred to the handout provided discussing the above questions A through D. She noted the RSA requirements and explained staff's recommendations also provided there.

Councilor Hansel stated he agrees with staff recommendations for A, B, and C. Regarding the staff recommendation for D, he feels up to five years of tax relief leaves too much opportunity for political sides to come in. He recommends a Major (5 years) and a Minor (2 years) with no extensions beyond the 5-year period. Councilor Hansel clarified for Vice-Chair Jones the applicant would apply and City Council would determine which level they receive. The City Attorney noted this was discussed. He suggested it go back to what Ms. Kessler was talking about. The City Attorney recommended tying this type of tiered structure to a specific type of public benefit that is going to be offered. He provided examples and suggested this be tied back into some objective criteria to avoid what Councilor Hansel was talking about.



Councilor Hansel continued noting he would like to find ways to reward or raise up to the maximum amount of tax relief items such as job creation, providing space for public art, and an increased investment in a sustainable building (i.e. solar). Vice-Chair Jones asked if we would have to add incentives for the things Councilor Hansel is talking about. Mr. Lamb said you would first have to define what you mean by these terms, and secondly think about what the threshold would be when somebody complies with for example a sustainability standard. He noted an incentive was built into the Business Growth and Reuse District with a green business basis. Mr. Lamb also clarified we do have the ability to make the incentives list different than what the statute allows; we can refine and add to it. Ms. Kessler added the City can setup guidelines for how it determines what the period of relief is; these are things still to be determined. Councilor Hansel commented he wants this to be as clean and simple as possible.

Councilor Sapeta asked if the burden of proof (public benefit) could be put on the applicant for a Major and Minor category of tax relief. Referring to question B. he also suggested staggering the threshold; minimum threshold greater than \$75,000 might get the applicant more years of tax relief. Mr. Lamb noted during internal discussions we were trying to develop a way to use that style of logic. We know after the relief period is over we will be collecting a higher tax rate. We were trying to look at ways to relate the future value to the years of relief. We will consider this as part of what we want to look at. He added the step Councilor Sapeta is suggesting does require a projection of values.

Councilor Sutherland noted he had a list of questions.

1. Councilor Sutherland clarified this only applies to existing buildings and some of this area has open space. This would only apply to an existing building that has been removed/replaced or rehabilitated. Mr. Lamb agreed adding the building does not have to be rebuilt on the same footprint. (Page 3 question A.)
2. Councilor Sutherland said the minimum threshold of \$75,000 may not impact the value of the building dramatically. His concern is with the tax relief period. Mr. Lamb agreed with the Councilor's comments noting the \$75,000 standard is just an entry into Council's further evaluation whether or not there is public benefit; it is just a threshold. (Page 3 question B.)
3. Councilor Sutherland noted his concern with dormant projects in the City and asked if the tax relief comes with completion of the project. Ms. Kessler noted the Covenant is recorded, the City would need to be clear in the Covenant what the obligations are, if the Covenant is not followed relief would end. The City Attorney clarified the statute defines that the relief does not begin until the project is completed. If the conditions of the Covenant are not satisfied it is as if the relief was never granted.
4. Councilor Sutherland asked why we do not want to include properties in the ERZ that overlap the TIF District. Mr. Lamb explained both the TIF District and 79-E are based on incremental value being added to a district. TIF money goes into a fund which the City uses to improve public infrastructure which is necessary to support development. In the case of 79-E we are giving that incentive back to the developer for a period of time. The incentives are reversed. This is the basic reason we are suggesting an overlap is not a good idea.
5. Councilor Sutherland shared a scenario and provided his understanding of ERZ as being an application to the state for money set aside to help them pay their taxes. Councilor Hansel explained the ERZ is a tax credit on the state business enterprise tax directly related to the number of employees being added.

Following up on Councilor Sutherland's overlap question, Councilor Sapeta asked if we did have the overlap would that allow the developer to choose which incentive to follow. Mr. Lamb said 79-E is driven by the City's investment. The best example is the downtown TIF District, which was established because of a proposal to build a hotel in the late 1990's. The hotel needed parking; the parking structure would be funded by the incremental value created by the investment in the hotel. The developer does not really get to choose; it is based on a TIF plan established when the district is created.

Ms. Kessler continued there are other questions to be considered that are largely related to the process.

1. What is the City Council process for reviewing/approving applications?

2. What City Staff or Department will oversee the application process?

Noting these are things we need more time to figure out so we have provided a recommendation for City Council to direct staff to draft a resolution. We are also recommending the resolution not take effect until 60 days after the Council vote to allow staff to develop the necessary forms.

Councilor Hansel pointed out how important this is; it is a tool in our toolbox allowing us to take control of our economic development destiny. He also noted another important component of this is marketing. He suggested the City is already in a good position to market this.

Regarding the relief period Councilor Sutherland commented he feels there should be no level of discrimination here. He shared his reasons for having a problem with the two or five year periods. Noting his passion for this Councilor Hansel reiterated his reasons for suggesting the Minor and Major relief periods.

Vice-Chair Jones suggested Ms. Kessler be allowed to finish her presentation and then the Committee can discuss the questions Ms. Kessler spoke about.

In looking at the benefits Ms. Kessler said there are two important questions to ask:

1. Would these projects happen without 79-E?
2. Are the projects going to increase the increment and provide a longer term benefit to the community, in addition to addressing the identified public benefit?

Mr. Lamb commented this is an outstanding tool that we should consider. Staff is happy to continue the discussion and write a resolution if that is the Committee's wish.

Vice-Chair Jones asked why the CBD was not included. Mr. Lamb discussed the overlaps again and explained that is why we did not use it in our downtown.

Councilor Sapeta said some level of competitive thresholds is healthy. He likes the idea of having the historic structures and adding time to the relief. Regarding the revitalization of Marlboro Street he asked if it would be beneficial to extend 79-E down south from Marlboro Street and queried if properties with a change of use (residential to business) would also qualify. Mr. Lamb replied the concept behind this proposal has been a business oriented incentive area (revitalization of a former commerce area) so we did not extend it into the residential districts. If successful perhaps there is an opportunity to extend it in the future. The only non-residential uses in the residential preservation area are the B&B concept. Councilor Sapeta indicated this would only apply to three or four houses and this neighborhood really needs it.

Referring to Page 3 question A, Councilor Sutherland commented he likes that this can be changed over time.

Vice-Chair Jones asked for public comments.

Mitchell Greenwald urged the Committee to keep the process simple and generous if you want it to be useful. He pointed out only one project used the SEED District. Councilor Greenwald suggested the actual acceptance process will eliminate a lot of the concerns because the petitioner is going to have to prove the project and why they want the five or seven years. Again he recommended keeping it simple.

Vice-Chair Jones asked for Committee discussion on questions A through D to provide staff direction.

Question A. What types of structures should qualify?

Councilor Sapeta suggested including language that a change in use from residential to mixed use would also qualify for this.

Question B. What should the threshold be for substantial rehabilitation?

No objections were posed by the Committee as this can be amended in the future.

Councilor Sapeta asked if it would be beneficial to have some sort of analysis that lumps all the residential properties and having commercial properties separate. We could then look at that valuation and the 15% here or there. Ms. Kessler noted she did not do this analysis but could easily do one. Chair Jones commented it is staff's recommendation to not use the percentage. Councilor Hansel reiterated this is the minimum threshold and if we get applications we have to reject we can raise it.

Question C. What public benefits should 79-E promote?

Ms. Kessler reiterated the suggestions made during the discussion; job creation, public art, sustainable buildings or renewable energy or heat certified buildings.

Question D. What is the period of tax relief?

Councilor Hansel again recommended a high and low division.

Mr. Lamb clarified for Vice-Chair Jones the period of relief starts with completion of the project and recording of the Covenant.

Councilor Sutherland said if we are going to have a two stage process we need to be clear, so people understand what the criteria is, on what qualifies for two years and what qualifies for five years. He agrees we should keep this simple and easy to understand. Councilor Hansel disagreed with Councilor Sutherland suggesting this makes it more specific rather than the up to five years recommended by staff.

Councilor Sapeta agreed with the divisions suggesting one public benefit provides for two or three years of relief; multiple public benefits could trigger the five years of relief. He also suggested this could be applied to question B threshold criteria; \$75,000 would get two or three years of relief and if the threshold is increased five years of relief could be allowed. Councilor Sapeta also liked the four years for historic structures.

Councilor Hansel's recommendation was to tie it to jobs. Mr. Lamb suggested this might be hard to measure to ensure they are living up to the Covenant. Councilor Hansel noted it is important to build in some flexibility for the future.

Councilor Sapeta asked if it would be beneficial to include mixed use development.

Councilor Sutherland suggested building in a reporting mechanism/feedback so Council can understand the benefit of this, and be reactive to necessary changes. Mr. Lamb said there is no reason why we could not do a report out annually on the 79-E activities. All approvals will come through the City Council. Projects and expiration dates will be part of the administrative process so there should be no problem building a report.

Councilor Sapeta asked if the administrative procedures would be approved by the Council. Mr. Lamb explained the procedures would be part of the resolution. This is the reason for the 60 days Ms. Kessler mentioned earlier in the discussion.

There being no comments from the Committee or public Vice-Chair Jones 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 City Council authorize City staff to draft a Resolution for the local adoption of NH RSA 79-E.





City of Keene, N.H.  
*Transmittal Form*

November 9, 2017

**TO:** Mayor and Keene City Council  
**FROM:** Finance, Organization and Personnel Committee  
**ITEM:** D.2.

**SUBJECT:** Jack Dugan/MEDC - Request to Lease Parking Spaces - Wells Street Parking Lot

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**RECOMMENDATION:**

On 5-0 vote, the Finance, Organization and Personnel Committee recommends the City Manager be authorized to do all things necessary to negotiate and execute a long term lease with Monadnock Economic Development Corporation for parking spaces within the Wells Street Parking Garage.

**BACKGROUND:**

Mr. Jack Dugan of Monadnock Economic Development Corporation (MEDC) stated he was before the Committee about leasing 20-25 spaces on a long term basis on the south end of the Wells Street parking garage.. Mr. Dugan stated the request is so that the Monadnock Food Co-op could expand its facility on the Railroad land.

Mr. Dugan referred to a plan and identified the Railroad land and the Food Co-op site. He identified the current parking spaces belonging to the Monadnock Food Co-op. He also identified those spaces owned by the Cheshire Medical Center. Mr. Dugan stated the proposal is to expand the Food Co-op building by about 5,600 square feet towards the east of the existing building. There will also be a new north south walkway to access the covered parking.

Mr. Dugan went on to say the plan is to have the Cheshire Medical Center relocate their parking to the garage, which would provide for employees and patients of the Medical Center to park directly across from the medical center. This would also provide the Co-op with 20 additional spaces on the Railroad land. This would also provide the City the opportunity to utilize some of the under-utilized spaces at the parking deck.

Chair Greenwald asked whether MEDC has negotiated the parking rates with the City. Mr. Dugan stated this would be part of the negotiation.

Councilor Chadbourne stated it was exciting to see the Food Co-op expanding and anything the City can do to support this would be good. Councilor Powers referred to the lot on the south end and asked what the plan for this area was. Mr. Dugan stated these spaces have been completed and there is no more expansion being planned for that location.

Councilor Clark asked how leasing out these 25 spaces would impact public parking. City Manager, Elizabeth Dragon stated that the former City Manager had looked at the Wells Street parking and has determined these spaces had been under-utilized and is available for a long-term need for this project. The Councilor clarified this would not be a hindrance for public parking needs. Ms. Dragon stated there would still be available spaces for

public parking. Ms. Dragon asked Mr. Kopczynski to weigh in on this issue.

Mr. Kopczynski stated the Wells Street lot has had a decline in parking for a while and currently most of this lot is reserved parking. Right now there are 43 spaces leased by the Marriott Courtyard Hotel. This lease ends in February and the City would need to start having a conversation with the hotel on this. He stated 20 spaces are utilized by City Hall, 16 spaces are reserved for public use and 36 spaces are kiosk spaces. The kiosk spaces are used at a 3% rate. On the bottom deck, 78 spaces are reserved for the public and 29 available kiosk spaces. These kiosk spaces have a utilization rate of about 40%. He noted that staff is supportive of increased utilization.

The lower deck would be more for patient parking and there might be a need to create some handicap spaces.

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

On 5-0 vote, the Finance, Organization and Personnel Committee recommends the City Manager be authorized to do all things necessary to negotiate and execute a long term lease with Monadnock Economic Development Corporation for parking spaces within the Wells Street Parking Garage.



City of Keene, N.H.  
*Transmittal Form*

November 9, 2017

**TO:** Mayor and Keene City Council

**FROM:** Finance, Organization and Personnel Committee

**ITEM:** D.3.

**SUBJECT:** Rebecca Bullock - Proposed CDBG Application - Monadnock Food Co-op

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**RECOMMENDATION:**

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that Resolution R-2017-38 be tabled in order for the Mayor to schedule a public hearing and to recommend adoption of Resolution R-2017-38 after the public hearing.

**ATTACHMENTS:**

**Description**

Resolution R-2017-38

**BACKGROUND:**

Ms. Rebecca Bullock of Southwest Regional Planning Commission addressed the Committee next. Ms. Bullock provides writing and administrative services for block grants.

Ms. Bullock explained the Block Grant program is sponsored by the US Department of Housing and Urban Development. The funds awarded are done so on a competitive basis and can be used for housing, public utilities and economic development projects that benefit low and moderate income people. This grant would provide \$500,000 to MEDC and/or Cypress Street LLC of which MEDC is the sole member. They would use the funds to purchase Unit J of the Railroad land and pay for the expansion of the building Cypress Street LLC owns and leases to the Monadnock Food Co-op. The Food Co-op will create 25 new jobs as a result of this expansion and the project is estimated to be a 1.5 million dollar investment.

Mr. Dugan took over the presentation and added clarity by saying that MEDC created Cypress Street LLC to develop the condominium land unit site. The Food Co-op's plan is to expand to the east by 5,600 square feet and the plan is to use a block grant to pay for part of this project. He added the requirements of a block grant are for each \$20,000 received, a new job will be created by the business involved. This block grant will be for \$500,000 which would cause the creation of 25 new full-time jobs. Another requirement is for every dollar from the block grant another dollar has to be invested from another source. Another requirement is that 60% of the new hires need to be from low to moderate income households.

Mr. Michael Faber, General Manager of the Food Co-op stated since opening 4.5 years ago the store has nearly doubled in sales and has also doubled the number of employees (nearly 100 at this time). He noted the Co-op not only brings customers downtown to support other businesses but they hope to reach four million in sales of local products this year and support local farmers and local producers. He stated they are excited about this project because the current location has had many constraints. He further stated they also did a



market survey when the store was in its planning phase and this store has surpassed those numbers by a large margin. The same consultant has been hired to look at this expanded space and the numbers produced are feasible.

Councilor Jacobs referred to the term “re-adopt” and asked what this meant. Ms. Bullock stated the applicant’s plans are specific to the CDBG program. The Housing and Community Development Plan need to be readopted every three years and the Residential Anti-Displacement Relocation Assistant Plan need to be readopted with every application.

Councilor Clark asked whether this expansion would also expand the solar arrays on this site. Mr. Faber stated this would not be part of the plan initially, but would be a goal for the next few years.

Attorney Mullins explained this is a new process for the City as the CDBG process and applications used to be run through the Housing Authority but due to the retirement of the individual who was running this program; it is now being run through Southwest Regional Planning Commission. One of the changes now is that the Council will be holding a public hearing in connection with the CDBG applications. The Attorney asked Ms. Bullock whether the public hearing needs to be held before the action on the Resolution by the City Council because it is the Resolution that authorizes the application to be made to the City for the CDBG funds. Ms. Bullock answered in the affirmative.

The Attorney also asked whether there was a timing issue connected to this process. Ms. Bullock answered in the affirmative again. Attorney Mullins read for the record a proposed motion for approval from Ms. Bullock. Ms. Bullock was satisfied with the language of the motion.

Councilor Powers asked for the difference between tabled and more time. Attorney Mullins stated when you table an item it goes before the Council as part of the agenda packet and the Council does not deal with it, it is tabled. When things are put on more time the issue comes back to the Committee for its recommendation.

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

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that Resolution R-2017-38 be tabled in order for the Mayor to schedule a public hearing and to recommend adoption of Resolution R-2017-38 after the public hearing.



# CITY OF KEENE

R-2017-38

Seventeen

In the Year of Our Lord Two Thousand and .....

## APPROVING AN APPLICATION FOR CDBG FUNDS

A RESOLUTION .....

*Resolved by the City Council of the City of Keene, as follows:*

WHEREAS, the City of Keene has stated as one of its Community Goals that the economic development base of the City be diversified; and

WHEREAS, the present national economic climate suggests there is a need for development that would provide jobs; and

WHEREAS, the Monadnock Economic Development Corporation has been incorporated for the purpose of working to expand the economic base of the Monadnock region; and

WHEREAS, the U.S. Department of Housing and Urban Development has established a Community Development Block Grant Program which is administered within the State of New Hampshire by the Community Development Finance Authority; and

WHEREAS, the Community Development Block Grant would provide up to \$500,000 to be subgranted to Monadnock Economic Development Corporation (MEDC) and/or Cypress St. Development, LLC, of which MEDC is the sole member, who would use the net proceeds of the CDBG to purchase Unit G on the Railroad Land and pay for soft costs related to the expansion of the building that Cypress St. Development, LLC owns and leases to the Monadnock Food Co-op.

NOW, THEREFORE, BE IT RESOLVED that the City Council approve and support the City's grant application to the New Hampshire Community Development Finance Authority for an amount up to \$500,000 in Community Development Block Grant funds: that the Council re-adopt the Housing and Community Development Plan; that the City will re-adopt the Residential Anti-Displacement and Relocation Assistance Plan; that the City will accept the grant if it is approved and enter into a contract with the New Hampshire Community Development Finance Authority; and, further, that the City Manager is authorized to execute any documents which may be necessary for the contract.

\_\_\_\_\_  
Kendall W. Lane, Mayor



City of Keene, N.H.  
*Transmittal Form*

November 9, 2017

**TO:** Mayor and Keene City Council

**FROM:** Finance, Organization and Personnel Committee

**ITEM:** D.4.

**SUBJECT:** Acceptance of Donations to Library Renovation Project - Next Chapter Campaign Chairs -  
Keene Public Library

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**RECOMMENDATION:**

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to accept donations of \$27,315.78 as listed in the Cambridge Trust October 2017 Donor list to be deposited into the Library Renovation Temporarily Restricted City Trust as part of the Next Chapter Campaign Drive.

**BACKGROUND:**

Ms. Judy Putnam Co-Chair of the Library Capital Campaign updated the Committee on the library campaign. She asked the Committee accept donations that came into the fund in October in the amount of \$27,315.78. She noted the campaign is at 99% of the goal but they are still actively receiving contributions. Ms. Putnam stated they hope to reach their 100% goal in the next month.

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

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to accept donations of \$27,315.78 as listed in the Cambridge Trust October 2017 Donor list to be deposited into the Library Renovation Temporarily Restricted City Trust as part of the Next Chapter Campaign Drive.





City of Keene, N.H.  
*Transmittal Form*

November 9, 2017

**TO:** Mayor and Keene City Council  
**FROM:** Finance, Organization and Personnel Committee  
**ITEM:** D.5.

**SUBJECT:** Acceptance of Donation - Community Center Feasibility Study - Parks, Recreation and Facilities Department

---

**RECOMMENDATION:**

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept a donation of \$10,000.00 for the purposes of conducting a Community Center Feasibility Study.

**BACKGROUND:**

Parks, Recreation and Facilities Director, Andy Bohannon stated he was before the Committee with a donation of \$10,000 from the Keene Senior Center for the purpose of conducting a community center feasibility study. Mr. Bohannon stated during the CIP discussion the Senior Center came forward and indicated they would provide a donation towards this project.

Mr. Bohannon then recognized Cameron Tease, Director of the Keene Senior Center, and Harry Ahern the Board Chair. Mr. Tease stated their current location is great, but they have space and parking problems. He stated they are happy the City is part of this process and were pleased to present check to the City. Mr. Ahern stated they are also pleased to be part of this feasibility study.

Chair Greenwald explained the Senior Center is a private organization, which is not part of the City. Mr. Tease added the Senior Center was established in 1957, it is a 501-C3 organization. They have a Board of Directors and work closely with many organizations in the city.

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

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept a donation of \$10,000.00 for the purposes of conducting a Community Center Feasibility Study.



City of Keene, N.H.  
*Transmittal Form*

November 9, 2017

**TO:** Mayor and Keene City Council  
**FROM:** Finance, Organization and Personnel Committee  
**ITEM:** D.6.

**SUBJECT:** Community Center Feasibility Study - Parks, Recreation and Facilities Department

---

**RECOMMENDATION:**

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to execute a professional service contract with Bargmann Hendrie + Archetype, Inc. (BH+A) for \$35,890.00 for the Community Center Feasibility Study.

**BACKGROUND:**

Mr. Bohannon stated firms were solicited to complete the feasibility study. Four firms responded, the firms were narrowed down to three and the review Committee consisting of city staff came up with a recommendation of Bargmann Hendrie + Archetype, Inc. (BH+A) from Boston, MA. The estimate from this firm to conduct the feasibility study is \$35,890.

Councilor Jacobs asked whether the selection was based on an estimate or qualification. Mr. Bohannon stated the selection was based on qualifications as opposed to an RFP, which would have been based on price. Councilor Chadbourne asked whether the anticipated amount was shared with the applicants. Mr. Bohannon answered in the negative; services were requested based on the scope of work outlined for the project. The applicants were rated based on criteria that were outlined and BH+A came out on top.

Councilor Powers asked Mr. Bohannon to outline what the City has asked this firm to complete. Mr. Bohannon went over the scope of work, which include a needs assessment, a space utilization plan, a conceptual site plan of the building design, an artist rendering of the building and a performance budget, which would look at programs and staffing. The scope of work also included community engagements and public presentations.

Councilor Clark felt it makes sense to collaborate with the Senior Center on this endeavor. He asked whether the level of activities offered to seniors is growing and whether the City was meeting those needs. Mr. Bohannon stated it was growing; especially pickle ball, as well as other "shape-up" programs.

Ms. Dragon shared some of her experiences with similar projects. She noted that her experience involved CDBG funds, which were phased out over several years between three non-profit organizations and the Franklin Rec Center. Ms. Dragon stated without the CDBG funds these projects would not have been possible. She stated there were many benefits that came out of this – seniors attended more programs, there was more multi-generational feel to the building, the cost of maintaining the building was shared by the organizations based on their use of the building's square footage. Ms. Dragon felt this could be a potentially a great project for CDBG funds and Keene could become the second community to access CDBG funds for

such a project.

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

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to execute a professional service contract with Bargmann Hendrie + Archetype, Inc. (BH+A) for \$35,890.00 for the Community Center Feasibility Study.





City of Keene, N.H.  
*Transmittal Form*

November 9, 2017

**TO:** Mayor and Keene City Council

**FROM:** Finance, Organization and Personnel Committee

**ITEM:** D.7.

**SUBJECT:** Acceptance of Donation - Summer Playground Scholarships - Parks, Recreation and Facilities Department

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**RECOMMENDATION:**

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept a donation of \$307.75 and that the money be used for the Recreation Department summer playground scholarship fund.

**BACKGROUND:**

Mr. Bohannon addressed the Committee again and stated the Rec. Center recently held a Middle School Dance and raised \$307.75. These funds are for the purpose of providing summer playground scholarship funds.

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

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept a donation of \$307.75 and that the money be used for the Recreation Department summer playground scholarship fund.



City of Keene, N.H.  
*Transmittal Form*

November 9, 2017

**TO:** Mayor and Keene City Council  
**FROM:** Finance, Organization and Personnel Committee  
**ITEM:** D.8.

**SUBJECT:** Runway 14/32 Construction - Public Works Department

---

**RECOMMENDATION:**

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the unspent balance from the Airport Road Culvert Replacement Project (90290; \$2,921.95) be reallocated for the construction phase of the Runway 14/32 Reconstruction Project (90802) at the Dillant-Hopkins Airport; and

That the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept and execute a grant offering from the New Hampshire Department of Transportation, Bureau of Aeronautics for the construction phase of the Runway 14/32 Reconstruction Project at the Dillant-Hopkins Airport; and

That the Finance, Organization and Personnel Committee recommend that the City Manager be authorized to do all things necessary to negotiate and execute a Professional Services Agreement with Ballantine Aviation Consulting Services, PLLC for the Runway 14/32 Reconstruction Project at the Dillant-Hopkins Airport in an amount not to exceed \$484,468.

**BACKGROUND:**

City Engineer Don Lussier and Airport Manager Jack Wozmak were the next two presenters. Mr. Lussier stated a little over a year ago, staff was directed to submit a grant application for the design phase of this project. This design has been completed and the project was sent out to bid. Based on those construction bids, a grant application was submitted and as of October 25, NHDOT has advised the City the project has been approved. The project is on track to start in the spring.

To that end there are certain administrative items that need to be completed. The first is to move funds into the project account. He noted the airport culvert project is completed and closed out and staff is requesting these funds be moved into the Runway 14/32 project. These funds will be used to cover the city's 5% share of the project cost.

The second item is for the City Manager to accept and execute the grant offer.

The last item is to execute the design contract with the consultant which was selected through a competitive bid process. The City negotiated with them for the design phase and they have completed that work successfully. Mr. Lussier felt it is always beneficial to have the same consultant which does the design work also complete the construction work.

Councilor Powers clarified the contract for professional services is essentially construction oversight. Mr. Lussier agreed and added this would also include work related to testing. The Councilor asked for explanation on the construction contract. Mr. Lussier explained the Committee and Council don't need to take a specific action on this because this was approved through the CIP and it went through a competitive bid process which complies with the purchasing requirement. This work will be done by SUR Construction, the same company that completed the Runway 2/20 work.

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

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the unspent balance from the Airport Road Culvert Replacement Project (90290; \$2,921.95) be reallocated for the construction phase of the Runway 14/32 Reconstruction Project (90802) at the Dillant-Hopkins Airport; and

That the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept and execute a grant offering from the New Hampshire Department of Transportation, Bureau of Aeronautics for the construction phase of the Runway 14/32 Reconstruction Project at the Dillant-Hopkins Airport; and

That the Finance, Organization and Personnel Committee recommend that the City Manager be authorized to do all things necessary to negotiate and execute a Professional Services Agreement with Ballantine Aviation Consulting Services, PLLC for the Runway 14/32 Reconstruction Project at the Dillant-Hopkins Airport in an amount not to exceed \$484,468.





City of Keene, N.H.  
*Transmittal Form*

November 8, 2017

**TO:** Mayor and Keene City Council  
**FROM:** Steve Thornton, Finance Director  
**THROUGH:** Elizabeth A. Dragon, City Manager  
**ITEM:** H.1.  
**SUBJECT:** Relating to Water and Sewer Rates

---

**RECOMMENDATION:**

That Ordinance O-2017-20 relating to water and sewer utility rates have a first reading at the November 16, 2017 meeting of the City Council and that it be referred to the Finance, Organization and Personnel Committee for a recommendation.

**ATTACHMENTS:**

**Description**

Ordinance O-2017-20

Rate Change Sample Calculations

**BACKGROUND:**

City staff has conducted its annual review of the water and sewer fees that provide the primary sources of revenue for the Water and Sewer utility enterprise funds. The results of that review are contained in the rate change recommendation incorporated into Ordinance O-2017-20.

The rate structure utilized by the city has two key components for each service account.

The first is a fixed component, based on meter size. It is designed to recover the principal and interest cost of capital projects funded by bonds and the loan portion of state aid programs.

The second component is a volume based rate that is designed to provide funding for operations, maintenance, and capital costs of the water distribution and treatment systems, as well as the wastewater collection and treatment systems.

The volume rate is the same for all customers and is charged for each 100 cubic feet (hcf) of water used.

As part of the development of the 2018-2023 Capital Improvement Program and the FY18 Operating Budget, projected debt service, capital, and operating costs for FY18 were run through a rate setting model that calculates the fixed rate based upon meter hook up size, and the volumetric rate based upon water usage. Consumption volumes were adjusted to current experience.

**This process produced combined water and sewer rates for FY 18 that are slightly lower than current utility rates.**

In the water fund, the rate model calls for a 13.89% increase (from \$3.96 per HCF to \$4.51) in the portion of the rate associated with the volume of water used.

The fixed portion of the water rate will increase by about 2.66% or \$.19 per quarter on a residential 5/8" hookup.

Water Fund operating costs decreased by about \$40,000 from FY 17 to FY 18. Capital costs and debt service on the other hand, increased by about \$287,000.

The rate model also generates rates for the sewer system capital and operational expenses. A sewer volume rate decrease of 9.41% is recommended. The rate will decrease from \$5.74 per hcf to \$5.20 per hcf.

The fixed portion of the sewer rate will decrease by 5.93%, or about \$3.27 per quarter for a residential hookup.

While operating costs increased by about \$18,000, capital costs and debt service decreased by about \$452,000, resulting in a net decrease.

To put the proposed rate changes in perspective, typical residential users (household with a 5/8" meter hookup, and annual water usage of between 80 and 132 hcf) should see annualized combined utility bills that range between .72% and 1.12% lower than current bills, generating annual cost decreases in the range of \$11.00 to \$11.52.

Commercial customers could see annualized bills that range from approximately .10% to .97% lower than what they might see under the current rate structure, based upon the volumes of water used. The actual impact of the rate change can vary, due to the size of the meter hookup, and the amount of water used.

Actual rate changes are slightly lower than anticipated in the FY 18-23 CIP. The CIP projected a combined utility bill decrease of about .22%. The lower rate is the result of reduced operating costs in both the Water and Sewer Fund adopted FY18 budgets when compared to projected costs used in preparation of the CIP.

Calculations demonstrating these estimates are attached.

It is recommended that the new rates become effective for all bills issued beginning in January, 2018.



# CITY OF KEENE

O-2017-20

Seventeen

In the Year of Our Lord Two Thousand and .....

Water and Sewer Utility Charges

AN ORDINANCE .....

*Be it ordained by the City Council of the City of Keene, as follows:*

That Appendix B Fee Schedule of the Ordinances of the City of Keene, as amended, are hereby further amended by deleting the effective 2017 text and inserting the bolded text under effective 2018 in the accompanying rate schedule in Section 98-511 (a) and in Section 98-512 (a) of Appendix B so that Section 98-511 (a) and Section 98-512 (a) would read as follows:

### Appendix B

	effective	effective
<b><u>Section 98-511 (a). Water</u></b>		
<b><u>Meter Rates</u></b>	<b><u>2017</u></b>	<b><u>2018</u></b>
Volume Rate (\$ per hcf)	3.96	<b>4.51</b>
Fixed Quarterly Charge (meter size in inches)		
5/8 inches	6.89	<b>7.08</b>
3/4 inches	9.93	<b>10.19</b>
1 inch	17.65	<b>18.12</b>
1 1/2 inches	39.71	<b>40.77</b>
2 inches	70.60	<b>72.48</b>
3 inches	158.84	<b>163.07</b>
4 inches	282.39	<b>289.91</b>
6 inches	635.38	<b>652.29</b>

**Section 98-512 (a). Sewer**

<b><u>Rates</u></b>	<b><u>2017</u></b>	<b><u>2018</u></b>
Volume Rate (\$ per hcf)	5.74	5.20
Fixed Quarterly Charge (meter size in inches)		
5/8 inches	55.15	51.88
3/4 inches	79.42	74.71
1 inch	141.19	132.81
1 1/2 inches	317.67	298.83
2 inches	564.75	531.25
3 inches	1270.69	1195.32
4 inches	2259.01	2125.00
6 inches	5082.76	4781.26

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Kendall W. Lane, Mayor



# CITY OF KEENE, NEW HAMPSHIRE

## Typical Household Cost Comparison FY 18 Operating Budget preparation

### FAQ Consumption

20 units = 20 HCF per quarter

20 per quarter X 4 = 80 HCF per year = 8,000 CF per year

27 units = 27 HCF per quarter

27 per quarter X 4 = 108 HCF per year = 10,800 CF per year

33 units = 33 HCF per quarter

33 per quarter X 4 = 132 HCF per year = 13,200 CF per year

	20 units = 20 HCF per quarter 20 per quarter X 4 = 80 HCF per year = 8,000 CF per year	27 units = 27 HCF per quarter 27 per quarter X 4 = 108 HCF per year = 10,800 CF per year	33 units = 33 HCF per quarter 33 per quarter X 4 = 132 HCF per year = 13,200 CF per year			
<b>2017 projected rates</b>						
Sewer Fixed	\$55.15	\$55.15	\$55.15		\$55.15	\$55.15
Sewer Consumption	\$5.74	\$114.80	\$114.80	20	\$154.98	\$189.42
Water Fixed	\$6.89	\$6.89	\$6.89		\$6.89	\$6.89
Water Consumption	\$3.96	\$79.20	\$79.20	20	\$106.92	\$130.68
	Quarterly Bill	\$256.04	\$256.04	Quarterly Bill	\$323.94	\$382.14
	Annual Cost	\$1,024.16	\$1,024.16	Annual Cost	\$1,295.76	\$1,528.56
	<b>QUARTERLY COST INCREASES</b>	<b>\$7.20</b>	<b>\$7.20</b>	<b>QUARTERLY COST INCREASES</b>	<b>\$9.72</b>	<b>\$11.88</b>
	<b>ANNUAL COST INCREASE</b>	<b>\$28.80</b>	<b>\$28.80</b>	<b>ANNUAL COST INCREASE</b>	<b>\$38.88</b>	<b>\$47.52</b>
	<b>% ANNUAL INCREASE</b>	<b>2.89%</b>	<b>2.89%</b>	<b>% ANNUAL INCREASE</b>	<b>3.09%</b>	<b>3.21%</b>
<b>2018 projected rates</b>						
Sewer Fixed	\$51.88	\$51.88	\$51.88		\$51.88	\$51.88
Sewer Consumption	\$5.20	\$104.00	\$104.00	20	\$140.40	\$171.60
Water Fixed	\$7.08	\$7.08	\$7.08		\$7.08	\$7.08
Water Consumption	\$4.51	\$90.20	\$90.20	20	\$121.77	\$148.83
	Quarterly Bill	\$253.16	\$253.16	Quarterly Bill	\$321.13	\$379.39
	Annual Cost	\$1,012.64	\$1,012.64	Annual Cost	\$1,284.52	\$1,517.56
	<b>QUARTERLY COST INCREASES</b>	<b>(\$2.88)</b>	<b>(\$2.88)</b>	<b>QUARTERLY COST INCREASES</b>	<b>(\$2.81)</b>	<b>(\$2.75)</b>
	<b>ANNUAL COST INCREASE</b>	<b>(\$11.52)</b>	<b>(\$11.52)</b>	<b>ANNUAL COST INCREASE</b>	<b>(\$11.24)</b>	<b>(\$11.00)</b>
	<b>% ANNUAL INCREASE</b>	<b>-1.12%</b>	<b>-1.12%</b>	<b>% ANNUAL INCREASE</b>	<b>-0.87%</b>	<b>-0.72%</b>

**CITY OF KEENE, NEW HAMPSHIRE**  
Sample Commercial Cost Comparison FY18 Rate Setting

	<b>Laundry Business:</b> Units of 100 HCF per year = Meter size	<b>Small Restaurant</b> Units of 100 HCF per year = Meter size	<b>Medium Manufacturing Business</b> Units of 100 HCF per year = Meter size	<b>Medium Manufacturing Business</b> Units of 100 HCF per year = Meter size
<b>2017 rates</b>				
Sewer Fixed	\$564.75	\$55.15	\$1,270.69	\$564.75
Sewer Consumption	\$5.74	\$5.74	\$5.74	\$5.74
Water Fixed	\$70.60	\$6.89	\$158.84	\$70.60
Water Consumption	\$3.96	\$3.96	\$3.96	\$3.96
	Quarterly Bill	Quarterly Bill	Quarterly Bill	Quarterly Bill
	Annual Cost	Annual Cost	Annual Cost	Annual Cost
	<i>monthly cost increase</i>	<i>monthly cost increase</i>	<i>monthly cost increase</i>	<i>monthly cost increase</i>
	<b>QUARTERLY COST INCREASE</b>	<b>QUARTERLY COST INCREASE</b>	<b>QUARTERLY COST INCREASE</b>	<b>QUARTERLY COST INCREASE</b>
	<b>ANNUAL COST INCREASE</b>	<b>ANNUAL COST INCREASE</b>	<b>ANNUAL COST INCREASE</b>	<b>ANNUAL COST INCREASE</b>
	<b>% ANNUAL INCREASE</b>	<b>% ANNUAL INCREASE</b>	<b>% ANNUAL INCREASE</b>	<b>% ANNUAL INCREASE</b>
<b>2018 proposed rates</b>				
Sewer Fixed	\$531.25	\$51.88	\$1,195.32	\$531.25
Sewer Consumption	\$5.20	\$5.20	\$5.20	\$5.20
Water Fixed	\$72.48	\$7.08	\$163.07	\$72.48
Water Consumption	\$4.51	\$4.51	\$4.51	\$4.51
	Quarterly Bill	Quarterly Bill	Quarterly Bill	Quarterly Bill
	Annual Cost	Annual Cost	Annual Cost	Annual Cost
	<i>monthly cost increase</i>	<i>monthly cost increase</i>	<i>monthly cost increase</i>	<i>monthly cost increase</i>
	<b>QUARTERLY COST INCREASE</b>	<b>QUARTERLY COST INCREASE</b>	<b>QUARTERLY COST INCREASE</b>	<b>QUARTERLY COST INCREASE</b>
	<b>ANNUAL COST INCREASE</b>	<b>ANNUAL COST INCREASE</b>	<b>ANNUAL COST INCREASE</b>	<b>ANNUAL COST INCREASE</b>
	<b>% ANNUAL INCREASE</b>	<b>% ANNUAL INCREASE</b>	<b>% ANNUAL INCREASE</b>	<b>% ANNUAL INCREASE</b>



City of Keene, N.H.  
*Transmittal Form*

November 8, 2017

**TO:** Mayor and Keene City Council  
**FROM:** Planning, Licenses and Development Committee  
**ITEM:** I.1.  
**SUBJECT:** Relating to Building Permits

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**RECOMMENDATION:**

On a vote of 4-0, the Planning, Licenses and Development Committee recommends the adoption of Ordinance O-2017-19 Relating to Building Regulations.

**ATTACHMENTS:**

**Description**

Ordinance O-2017-19

**BACKGROUND:**

John Rogers, Acting Health Director addressed the ordinance. This ordinance change is to clarify the procedure on how to handle building permit applications that are received after there is a legally noticed change in either the Building Code or Zoning Code that if so adopted would be justification for refusal of the permit. He clarified the bolded text is inserted into Section 18-27 Permits in Chapter 18- Building Regulations.

“Building permits shall not be issued for applications made after the first legal notice of proposed changes in the building code or zoning ordinance has been posted pursuant to the provisions of RSA 675:7.; and the proposed changes in the building code or the zoning ordinance would, if adopted, justify refusal of such permit.”

Vice-Chair Jones asked for Committee questions.

Councilor Sapeta commented this is a great thing to add as it clarifies for the design community what could/should happen, and how it may affect them.

There being no further comments from the Committee or public Vice-Chair Jones 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 the adoption of Ordinance O-2017-19 Relating to Building Regulations.



# CITY OF KEENE

Seventeen

In the Year of Our Lord Two Thousand and .....  
Relating to Building Regulations

AN ORDINANCE .....

*Be it ordained by the City Council of the City of Keene, as follows:*

That the Ordinances of the City of Keene, as amended, are hereby further amended by inserting the bolded text in Section 18-27 PERMITS in Chapter 18 - BUILDING REGULATIONS

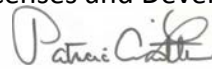
Sec. 18-27. - Permits.

- (a) Permits required. Any person, who intends to erect a building, structure, or sign; alter an existing building, structure, or sign; or construct or demolish any building, structure, or sign; or change the occupancy of a building or structure, shall obtain permits from the code enforcement department and if applicable, the fire department, before the work has begun. This requirement includes any type of work, which is regulated by the building and fire codes enforced by the city. The code enforcement and fire departments may approve minor repair work without the requirement of a permit provided such approval is not in violation of the codes and all permit applications for the code enforcement department and the fire department shall be distributed by the code enforcement department. Incomplete applications shall be rejected. **Building permits shall not be issued for applications made after the first legal notice of proposed changes in the building code or zoning ordinance has been posted pursuant to the provisions of RSA 675:7; and the proposed changes in the building code or the zoning ordinance would, if adopted, justify refusal of such permit.**

\_\_\_\_\_  
Kendall W. Lane, Mayor

In City Council November 3, 2017.

Referred to the Planning, Licenses and Development Committee.

  
City Clerk





City of Keene, N.H.  
*Transmittal Form*

November 14, 2017

**TO:** Mayor and Keene City Council

**FROM:** Tom Moran, Utilities Maintenance Manager, Donna Hanscom, Assistant Public Works Director

**THROUGH:** Elizabeth A. Dragon, City Manager

**ITEM:** J.1.

**SUBJECT:** Relating to Sole Source Purchasing - Rockwell Automation-Allen Bradley

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**RECOMMENDATION:**

Recommend that Resolution R-2017-39 have a first reading and it be referred to the Finance, Organization and Personnel Committee for a recommendation.

**ATTACHMENTS:**

**Description**

Resolution R-2017-39

**BACKGROUND:**

The City's Water Treatment Facility was built in 1993 using Allen Bradley PLCs and components for its SCADA. In this first installation, the City added SCADA to the Wastewater Treatment Plant, Martell Court Pump Station and 27 water and wastewater sites. Allen Bradley components are used at all sites to enable seamless communication. In 2017, PLCs at the Water Treatment Facility and the Martell Court Pump Station will be upgraded to allow continued communication and control and staff recommends that Allen Bradley components be used.

SCADA components are available from other manufacturers, though the brands are not interchangeable and each has its own compatible hardware and software. Although the components are similarly priced and have similar operational functions, having a SCADA system that uses multiple brands is more expensive because hardware items would be duplicated and software programming would be more complex to accommodate multiple types of software.

Allen Bradley is a proprietary product, available exclusively from Rockwell Automation. As a matter of company policy, Rockwell Automation and Rockwell Software products only provide product and sales support to local authorized distributors, and Horizon Solutions of Manchester NH is our local distributor.



# CITY OF KEENE

R-2017-39

Seventeen

In the Year of Our Lord Two Thousand and .....  
RELATING TO SPECIAL EQUIPMENT PURCHASE STANDARDIZATION

A RESOLUTION .....

*Resolved by the City Council of the City of Keene, as follows:*

WHEREAS: There are certain items of equipment regularly purchased by the City that need to be compatible with each other, need regular stocking of compatible replacement parts, and need reliable factory maintenance, and

WHEREAS: City Code Sec. 2-1336 provides that the normal purchasing requirements may be waived where it is deemed inadvisable to solicit bids because of a single source of supply or because of the need of standardization of materials supplied and equipment or services.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Keene that the Council hereby waives any City purchasing requirements to the contrary and authorizes the standardization of Rockwell Automation/Allen Bradley Hardware and software components for the Water and Wastewater SCADA systems, as long as City staff is aware that the prices being paid by the City are compatible with the prices being charged by those companies to other municipalities and competitive in general with similar products from other companies.

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Kendall W. Lane, Mayor



City of Keene, N.H.  
*Transmittal Form*

November 14, 2017

**TO:** Mayor and Keene City Council

**FROM:** Thomas P. Mullins, City Attorney

**ITEM:** J.2.

**SUBJECT:** Relating to Ensuring that Keene is a Safe and Welcoming Community for all People Regardless of Race, Creed, Ethnicity, Religion or Immigration Status

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**RECOMMENDATION:**

That the City Council refer the attached Resolution R-2017-40, to Ensure that that Keene is a Safe and Welcoming Community for all People Regardless of Race, Color, Creed, Ethnicity, Religion or Immigration Status to the Finance, Organization and Personnel Committee for consideration and a recommendation back to City Council.

**ATTACHMENTS:**

**Description**

Resolution R-2017-40, to Ensure that Keene is a Safe and Welcoming Community for all People Regardless of Race, Creed, Ethnicity, Religion or Immigration Status

**BACKGROUND:**

A request from the Keene Immigrant and Refugee Partnership for consideration in adopting a resolution for the purpose of making Keene a safe and welcoming environment for all people was introduced to City Council and referred to the Finance, Organization and Personnel Committee where it was placed on more time to allow staff to work with KIRP in creating such a resolution. Attached is Resolution R-2017-40, for consideration.



# CITY OF KEENE

R-2017-40

In the Year of Our Lord Two Thousand and ....Seventeen.....

A RESOLUTION ..... A RESOLUTION TO ENSURE THAT KEENE IS A SAFE AND  
WELCOMING COMMUNITY FOR ALL PEOPLE REGARDLESS OF RACE,  
CREED, ETHNICITY, RELIGION OR IMMIGRATION STATUS

*Resolved by the City Council of the City of Keene, as follows:*

WHEREAS, the City of Keene has a long and rich history of welcoming and successfully integrating diverse groups of people, including various immigrant groups, into its civic life; and

WHEREAS, immigrants can in particular contribute essential skills as employees and entrepreneurs, thereby strengthening both our local economy and our cultural diversity, which is especially important in a state where the population is aging and many young people look elsewhere for economic and cultural opportunity; and

WHEREAS, the resources of the City are limited, and the funding of City services through local property taxes are an issue of extraordinary concern; and

WHEREAS, recent studies have shown that humane treatment of immigrants by local governments, including local law enforcement agencies, enhances cooperation, contributes to economic and social wellbeing, and lowers crime rates; and

WHEREAS, there have been a number of recent events involving racist intolerant behavior in our community which were addressed in a letter signed by community leaders including the Mayor, the Cheshire County Sheriff, the former Police Chief, and the SAU 29 Superintendent of Schools; and

WHEREAS, the City of Keene, acting through the City Council, adopted a Resolution Embracing Diversity and Denouncing Activities of Hate, Intolerance, and Intimidation in any form or manner; and

WHEREAS, the City of Keene is blessed with the legacy of Jonathan Daniels and the example he provided of fighting for justice and offering compassion for those in need; and

WHEREAS, The City of Keene Comprehensive Master Plan encourages us to work to provide outreach and education to all citizens to create an ethic of tolerance and general respect for others; and

WHEREAS, individuals may not be arrested, or detained except in accordance with the requirements of the Fourth Amendment to the United States Constitution, and Part 1, Article 19 of the New Hampshire Constitution, both of which prohibit the arrest, or the prolonged detention of an individual in the absence of a properly issued criminal



warrant, or probable cause that the individual has committed a criminal offense as defined by federal, state or local law; and

WHEREAS, individuals may not be temporarily detained or questioned except in accordance with the requirements of the Fourth Amendment to the United States Constitution, and Part 1, Article 19 of the New Hampshire Constitution, both of which require a reasonable suspicion, based on specific articulable facts, that the individual has been, or is about to be engaged in, criminal activity; and

WHEREAS, the Tenth Amendment to the United States Constitution prohibits the Federal Government from compelling States, and by extension the political subdivisions thereof, from employing local resources to administer and enforce Federal programs, including Federal immigration and naturalization programs;

NOW, THEREFORE, BE IT RESOLVED, THAT THE CITY OF KEENE:

Will encourage that the following policies be adopted within the City of Keene:

1. To only inquire into the immigration or citizenship status of an individual where the inquiry relates to a legitimate City purpose as required by federal, state, or local law that is otherwise unrelated to the enforcement of a civil immigration law.
2. To only assist U.S. Immigration and Customs Enforcement (ICE) or Customs and Border Protection (CBP) in actions intended to enforce federal immigration statutes when required to do so by a federal, state or local law that has been deemed enforceable against the City, or required of the City, by a judicial court with competent jurisdiction over the City.
3. To only cooperate with ICE or CBP in a request to detain or to report an individual when required to do so by a federal, state or local law that has been deemed enforceable against the City, or required of the City, by a judicial court with competent jurisdiction over the City.

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Kendall W. Lane, Mayor