

City of Keene
New Hampshire

FINANCE, ORGANIZATION AND PERSONNEL COMMITTEE
MEETING MINUTES

Thursday, October 22, 2015

6:30 PM

Council Chambers

Members Present:

Mitchell H. Greenwald, Chairman
Terry M. Clark
Thomas F. Powers
Randy L. Filiault

Staff Present:

Acting City Manager, Med Kopczynski
City Attorney, Thomas Mullins
Airport Director, Ed Mattern
Finance Director, Steve Thornton
Public Works Director, Kurt Blomquist
Andrew Bohannon
IMS Director, Rebecca Landry

Kendall Lane, Mayor

Councilors Present:

Carl B. Jacobs

Chair Greenwald called the meeting to order at 6:30 PM

**1. MEMORANDUM: Parks, Recreation and Facilities Director -
Donation - Cheshire Rail Trail Phase 3**

Parks, Recreation and Facilities Director Andrew Bohannon stated the first donation is for \$15,000 from the Monadnock Conservancy to be used for the Cheshire Rail Trail Phase 3 project. The City is responsible for a 20% match which equals \$82,323.10. With the prior donation from Pathways for Keene and this donation from the Monadnock Conservancy,

the City's portion would be reduced to \$37,323.10. To date, \$45,000 has come in as donations for this project. Mr. Bohannon extended his appreciation for these donations towards this project.

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

On 4-0 vote, the Finance, Organization and Personnel Committee recommend that the Acting City Manager be authorized to do all things necessary to accept a donation of \$15,000 from The Monadnock Conservancy and that the money be allocated for the Cheshire Rail Trail Phase 3 project.

2. MEMORANDUM: Recreation Programmer - Summer Soccer Camp Facility Use Agreement

Mr. Bohannon explained the Challenger Sports Corporation provides a summer camp program in the city. The city derives 20% of their fee structure. Last year the city received \$610 from this program. The week this program is scheduled for is not traditionally a week the Parks and Recreation Department conducts their summer camps so it works out well for scheduling purposes.

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

On 4-0 vote, the Finance, Organization and Personnel Committee recommend that the Acting City Manager be authorized to execute a facility use agreement between the City of Keene and Challenger Sports Corporation to hold a one week soccer camp during the week of August 15-19, 2016 at Fuller School Field.

3. MEMORANDUM: Airport Director - Lease Agreement Renewal – Keene Congregation of Jehovah's Witnesses

Airport Director Ed Mattern stated this land lease agreement is for property located on Route 32 – Jehovah's Witness Church. They have been leasing a portion of land for over flow parking which is set to expire at the end of this month and they are looking to renew it for another three-year period. He noted the CPI adjusted rate is included in the Committee's packet which is approximately \$2,100 per year.

Mr. Mattern stated because the land in question is not needed for aviation purposes in the near future, staff recommends granting this request. He noted the Airport Advisory Commission has also approved this request.

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

On 4-0 vote, the Finance, Organization and Personnel Committee recommends the Acting City Manager be authorized to do all things necessary to negotiate and execute a Land Lease Agreement between the City and the Keene Congregation of Jehovah's

Witnesses, relative to land at the Dillant-Hopkins Airport.

4. MEMORANDUM: Public Works Director & Planning Director - Winchester Street Reconstruction Project – Professional Services Contract - Engineering Study Phase

Public Works Director Kurt Blomquist and Planning Director Rhett Lamb were the next two speakers. Mr. Lamb began by saying this project was originally conceived, but not constructed as part of the Keene/Swanzey Bypass project. Because the Winchester Street reconstruction is an important project for the City, staff has continued to support the project through the ten year planning process and assignment of local funds toward this project. The Council last saw this project in October 2014 at which point the City was pursuing a request for qualifications and the Manager was authorized to negotiate and execute a contract with McFarland Johnson. In that negotiation process staff suggested an alternative way to adjust the contract that was originally contemplated with McFarland Johnson. Mr. Lamb then turned the presentation over to Mr. Blomquist.

Mr. Blomquist explained this is a locally managed project. He noted when staff sat down with the contractor to discuss the typical NHDOT scope contract, they realized the proposal did not have what the community was looking for. For example, one of the aspects was property acquisition and it was proving to be difficult to guess-estimate if they would need property acquisition or not. As a result, staff approached NHDOT and asked whether a slightly modified approach could be considered rather than the standard negotiation of a full contract. The rationale for that was this would give staff a better understanding for negotiating the scope for the final design plan. He noted this is a large project with an estimated \$5,300,00 budget which extends from the roundabout at Winchester Street and Route 101 up to the Ashuelot River Bridge. It also involves the reconfiguration of Key Road and the reconfiguration of Pearl, Island and Winchester Streets intersection and the replacement of the Island Street Bridge.

At that point staff sat down with McFarland Johnson and revised the estimate which at this point is \$260,599. That scope and estimate was forwarded to NHDOT for its review and they have approved the plan.

Mr. Blomquist stated this keeps the City on track as far as the contract it signed with NHDOT which calls for the City to implement the project within 14 months and to complete it within three years. In addition, NHDOT in their draft 10-year plan has pushed this project out to FY18-19. He felt it would be better for the City to keep with the contract timeline it signed with NHDOT and put pressure on NHDOT to bring the project construction back to FY17-18. Looking forward to this project it is the chance for another gateway to the City to be dramatically changed.

Chair Greenwald stated he is surprised the City is not sure what it is going to do about property acquisition and design. Mr. Blomquist stated they have some concepts and the City could guess about how many parcels it might need, but there is also the chance it might not need any. Mr. Blomquist went on to say there is a roundabout concept that has

been envisioned for Key Road, there are also options being considered for the bridge and these are not conversations the City has had with the community. He stated there is extensive community outreach being planned for this project; meeting with property owners, businesses and the public in general. All these groups have different interests.

He noted the Ivy Drive area sees a lot of pedestrians, this is something the City could give some thought to or the Main Street theme could be brought here. Although staff does have some concepts; it was not ready to negotiate a full scope \$900,000 service contract.

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

On 4-0 vote, the Finance, Organization and Personnel Committee recommend the Acting City Manager be authorized to do all things necessary to negotiate and execute a preliminary design and technical services contact with McFarland Johnson for an amount not to exceed \$260,599 for the Winchester Street Reconstruction Project. Funding for this work to come from the Winchester Street Reconstruction Project budget of the CIP.

5. MEMORANDUM & DRAFT RESOLUTION: Finance Director - Council Policy - Acceptance of Donations

Finance Director Steve Thornton stated there was a question a couple of weeks about the amount of donations the city received for the last fiscal year that ended on June 30. He reported the City received \$136,000 in donations. The majority of these donations were for the library project and bike trails.

Mr. Thornton went on to say in response to a conversation Councilor Powers had with the Acting City Manager regarding how donations are handled, staff looked at the Resolution about how donations are handled and saw they are pretty outdated when it comes to accounting practices. As a result, staff has prepared a replacement Resolution R-2015-39 which incorporates current practices, which are in accordance with good accounting practices. It calls for all donations to be accepted by the City Council, deposited into a special revenue fund, accounted for individually and used for the purpose it was intended for.

Councilor Powers noted to language which talked about Council accepting all monetary donations and asked how personal property will be handled. Attorney Mullins stated he would need to look at the statute to get this information. Councilor Powers stated for each donation received by the city there are multiple steps the process needs to go through causing a lot of staff time and asked whether small donations could not be consolidated into a single memorandum, but for donation like the one the City received today for \$15,000 should be handled separately. He stated he did not want to see staff having to leave their home in the evenings to attend a Thursday meeting for a \$20 donation

Acting City Manager Med Kopczynski stated this is something he has discussed with department heads and felt there might be a process to streamline the paperwork. As far as a

staff time accepting these donations; the Fire Chief, Police Chief, and the Parks and Recreation Director all felt it was in good public spirit to represent the donor even for a very small donation. He asked Mr. Bohannon to address this issue.

Mr. Bohannon stated the approach they take is if someone is making a donation they are trying to build something within this community and he felt it was his duty as the Parks and Recreation Director to come forward and recognize the donor. He stated it was his way of publicly saying thank you. He added Parks and Rec. also takes the video clip of the meeting with him accepting these donations and adding it to their Facebook page. He stated he also enjoys recognizing these donations before the Council.

Chair Greenwald stated he did not want any department head to feel it was necessary to be here in person and felt if staff saw it fit, this is something which could also be handled by the Chair.

Councilor Clark felt this still has something to do with staff comp time. He felt it would be prudent to look at streamlining the process but also accept these donations and duly recognize the donors. Chair Greenwald felt if every department head counted every minute of every hour as comp time it would make for a very sad employment situation and stated if department heads felt this was important he would “back” them up.

Councilor Powers stated he agrees with Mr. Bohannon and did not imply donations should not be recognized. However, once a department head goes home they should be able to stay home and come out only if they want to. He suggested combining all donations and perhaps accepting them on the first Finance Committee day of the month. The Minute Taker expressed her gratitude as a member of the public when her donation to the Police Department was accepted in person by the Police Chief last year.

In response to Councilor Powers’ question about including personal property in the acceptance policy; Attorney Mullins stated he would be hesitant about including personal property as the Resolution was drafted keeping in mind statute which is RSA 31:95-b which specifically talks about monetary donations. Another reason he would not recommend including personal property is also because unlike monetary donations there could be a reason why the Council might not want to accept a property donation and he felt it was best to look at these individually.

Councilor Jacobs felt every donation was important and felt there should not be a level at which the Council is more grateful and stated he appreciates any level of donation and agreed with what Mr. Bohannon said.

Mayor Lane stated he agrees with Councilor Powers in that all donations could be accepted at one meeting rather than spreading them out. He also felt a \$25 donation is just as important to a person as a \$15,000 donation. Sometimes there are donations made in memory of a loved one which can be difficult for an individual to make and should be accepted with the same degree of sincerity as any other donation.

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Chair Greenwald asked the City Attorney whether this draft Resolution was ready to be approved. Attorney Mullins stated he had no changes.

Mr. Bohannon stated he can appreciate waiting on accepting donations once a month which makes it much easier for staff. He asked the Committee to keep in mind if a Council cycle is missed a check could be held for nearly five weeks. Mr. Thornton stated such an issue can be handled administratively.

Joe Mirzoeff of 50 Summit Road asked whether this matter is in reference to grants as well. It was indicated this was just in reference to donations.

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

On 4-0 vote, the Finance, Organization and Personnel Committee recommends the adoption of Resolution R-2015-39.

The meeting adjourned at 7:00 PM.

Respectfully submitted by,
Krishni Pahl, Minute Taker