

12/21/2017

A regular meeting of the Keene City Council was held Thursday, December 21, 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, Randy L. Filiault, Thomas F. Powers, George S. Hansel, Gary P. Lamoureux, Stephen L. Hooper, Bettina A. Chadbourne, Philip M. Jones, David C. Richards and Mitchell H. Greenwald were present. Councilors Bartolmiej K. Sapeta and Robert B. Sutherland were absent. Councilor Clark led the Pledge of Allegiance. A motion by Councilor Richards to accept the minutes from the December 7, 2017 regular meeting was duly seconded. The motion passed with a unanimous vote in favor.

ANNOUNCEMENTS

The Chair announced the City Council inauguration is scheduled for noon on January 1, 2018. The Municipal Services, Facilities and Infrastructure Committee, the Planning, Licenses and Development Committee, and the Finance, Organization and Personnel Committee will be canceled for the following week. The first City Council meeting in January, which would have been January 4th is canceled as there will be no Committee business to consider.

CONFIRMATIONS

A motion was made by Councilor Greenwald and duly seconded to confirm the following nominations: Mark Florenz to serve as a regular member on the Agricultural Commission with a term to expire December 31, 2020; Charles Daloz to serve as a regular member on the Agricultural Commission with a term to expire December 31, 2020; Councilor Bettina Chadbourne to serve as a regular member on the Agricultural Commission with a term to expire December 31, 2019; Frederick Haap, III to serve as a regular member of the Airport Advisory Commission with a term to expire December 31, 2020; Councilor Mitchell Greenwald to serve as a regular member of the Airport Advisory Commission with a term to expire December 31, 2020; Joe Bendzinski to serve as a regular member of the Airport Advisory Commission with a term to expire December 31, 2020; Bill Hutwelker to serve as a regular member of the Airport Advisory Commission with a term to expire December 31, 2020; Mayor Kendall W. Lane to serve as a regular member of the Airport Advisory Commission with a term to expire December 31, 2019; Curt Hansen to serve as a regular member of the Airport Advisory Commission with a term to expire December 31, 2020; Joshua Greenwald to serve as a regular member of the Assessors Board with a term to expire December 31, 2020; Edward Guyot to serve as a regular member of the Bicycle/Pedestrian Path Advisory Committee with a term to expire December 31, 2020; Dillon A. Benik to serve as a regular member of the Bicycle/Pedestrian Path Advisory Committee with a term to expire December 31, 2018; Drew Bryenton to serve as an alternate member of the Bicycle/Pedestrian Path Advisory Committee with a term to expire December 31, 2019. The Clerk noted that Don Hayes had recently indicated that he would be unable to serve another term on the Bicycle Pedestrian Path Advisory Committee and therefore his name would not be going forward for confirmation. The Clerk continued with the remaining nominations, which included David Souther to serve as an alternate member of the Bicycle/Pedestrian Path Advisory Committee with a term to expire December 31, 2019; Councilor Terry Clark to serve as a regular member of the Cities for Climate Protection with a term to expire December 31, 2020; Dr. Ann Shedd to serve as a regular member of the Cities for Climate Protection with a term to expire December 31, 2020; Christopher Brehme to serve as a regular member of the Cities for Climate Protection with a term to expire December 31, 2020; Alexander VonPlinsky to

serve as a regular member of the Conservation Commission with a term to expire December 31, 2018; Art Walker to serve as a regular member of the Conservation Commission with a term to expire December 31, 2020; Brian J. Reilly to serve as a regular member of the Conservation Commission with a term to expire December 31, 2020; George Hansel to serve as a regular member of the Conservation Commission with a term to expire December 31, 2020; Erin Benik to serve as a regular member of the Historic District Commission with a term to expire December 31, 2020; Kathleen Kennedy Burke to serve as a regular member of the Library Board of Trustees with a term to expire June 30, 2019; Jennifer Carroll to serve as a regular member of the Martin Luther King Jr./Jonathan Daniels Committee with a term to expire December 31, 2020; Dottie Morris to serve as a regular member of the Martin Luther King Jr./Jonathan Daniels Committee with a term to expire December 31, 2020; Kurt Blomquist to serve as a regular member of the Partner City Committee with a term to expire December 31, 2020; Antje Hornbeck to serve as a regular member of the Partner City Committee with a term to expire December 31, 2020; Chris Cusack to serve as a regular member of the Planning Board with a term to expire December 31, 2020; Douglas E. Barrett to serve as a regular member of the Planning Board with a term to expire December 31, 2020; Tammy Adams to serve as an alternate member of the Planning Board with a term to expire December 31, 2020; Michael Forrest to serve as a regular member of the Trustees of Trust Funds and Cemetery Trustees with a term to expire December 31, 2020; Michael Welsh to serve as a regular member of the Zoning Board of Adjustment with a term to expire December 31, 2020; Sean Wallin to serve as a regular member of the Zoning Board of Adjustment with a term to expire December 31, 2020; Jeffrey Stevens to serve as an alternate member of the Zoning Board of Adjustment with a term to expire December 31, 2020. On a roll call vote, with 13 Councilors present and voting in favor the motion carried. Councilors Sapeta and Sutherland were absent.

NOMINATION

The following nominations were received from the Mayor: Jake Pipp to serve as an alternate member of Cities For Climate Protection with a term to expire December 31, 2020; Kenneth Bergman to serve as an alternate member of Conservation Commission with a term to expire December 31, 2018; Councilor Gary Lamoureux to serve as a regular member of Partner City Committee with a term to expire December 31, 2019; and Frank Richter to serve as a regular member of Partner City Committee with a term to expire December 31, 2020. The nominations were tabled until the next regular meeting.

COMMUNICATION – VICKY MORTON – SAFETY CONCERNS WITH CITY INFRASTRUCTURE

A communication was received from Vicky Morton, commenting on various infrastructures within the City in terms of safety concerns. The communication was referred to the Municipal Services, Facilities and Infrastructure Committee.

COMMUNICATION – COUNCILORS FILIAULT AND CLARK – RECOMMENDING THE CITY TAKE A POSITION ON NET NEUTRALITY RULES

A communication was received from Councilors Filiault and Clark, recommending that the City take a position on the net neutrality rules being issued by the FCC. The communication was referred to the Planning, License and Development Committee.

MSFI REPORT – MAYOR LANE – RENAMING CARPENTER FIELD TO THE PATRICIA T. RUSSELL PARK

Municipal Services, Facilities and Infrastructure Committee report read recommending a Resolution be drafted for the renaming of Carpenter Street Field to the Patricia T. Russell Park. A motion by Councilor Manwaring to accept the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

MSFI REPORT – PRESENTATION OF INFLOW AND INFILTRATION EVALUATION OF THE CITY’S WASTEWATER COLLECTION SYSTEM BY HAZEN & SAWYER ENVIRONMENTAL ENGINEERS

Municipal Services, Facilities and Infrastructure Committee report read recommending acceptance of this item as informational. The Chair filed the report into the record as informational.

MSFI REPORT – DEPARTMENTAL PRESENTATION – PROTECTING KEENE’S WATER SYSTEMS

Municipal Services, Facilities and Infrastructure Committee report read recommending acceptance of this item as informational. The Chair filed the report into the record as informational.

PLD REPORT – HANNAH PELKEY, ATLAS PYRO VISION – REQUEST TO DISCHARGE CLASS C FIREWORKS

Planning, Licenses and Development Committee report read recommending that Megan Burke Kidder be granted permission for the discharge of Class C fireworks on Saturday, December 23, 2017 at a private function at her home on 361 Chesterfield Road contingent on the following: subject to the customary licensing requirements of the City Council; that the location is deemed compliant with all applicable New Hampshire Fire Safety Codes and approved by the Fire Department; that the petitioner obtain a Class C Fireworks Permit; that the fireworks vendor furnish a certificate of liability insurance in the amount of \$1,000,000 naming the City of Keene and the petitioner as additional insured; and, compliance with any recommendations of City Staff. In addition, the petitioner agrees to absorb the cost of any City services provided. 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 – RENEWABLE ENERGY ADVOCACY LETTERS TO NH LEGISLATURE – CITIES FOR CLIMATE PROTECTION

Planning, Licenses and Development Committee report read recommending the Mayor send a letter to the NH Legislature requesting a “no” vote on January 3, 2018 regarding HB-592 and HB-114

because they conflict with the NH's Renewable Energy Goals and the City's Comprehensive Master Plan. 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 – AIRPORT ADVISORY COMMISSION – CHANGE OF NAME AND RESPONSIBILITIES

Planning, Licenses and Development Committee report read recommending that City staff be instructed to introduce an Ordinance for 1st reading that would change the name of the Airport Advisory Commission to the Airport Development and Marketing Committee with the charge of the Committee to take a proactive role in the development of the Keene Dillant-Hopkins Airport by collaborating with other City and local economic development efforts to implement the airport master plan. In addition, the committee members would also serve as ambassadors for the airport both locally and regionally. 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 – MAYOR LANE – PROPOSED AMENDMENTS TO THE CITY COUNCIL RULES OF ORDER

Planning, Licenses and Development Committee report read recommending the adoption of the proposed amendments to the City Council Rules of Order. The Chair referred this back to committee for further consideration.

FOP REPORT – ALLOCATION FROM THE LAND USE CHANGE TAX FUND TO THE MONADNOCK CONSERVANCY FOR LAND ACQUISITION – CONSERVATION COMMISSION

Finance Organization and Personnel Committee report read recommending the City Manager be authorized to do all things necessary to allocate \$25,000 of the Land Use Change Tax Fund for the purposes of providing financial support to the Monadnock Conservancy in its effort to acquire 130 acres in northeast Keene and 50 acres in Gilsum from Patricia Lake for permanent conservation, pending City staff approval of independent land assessment from the Conservancy. 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 – BULLETPROOF VEST PARTNERSHIP GRANT PROGRAM – 2017 – POLICE DEPARTMENT

Finance Organization and Personnel Committee report read recommending the City Manager be authorized to do all things necessary to accept \$3,296.37 from the Bulletproof Vest Partnership Grant Program funds of the US Department of Justice, Bureau of Justice Programs. 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 STATE DRUG FORFEITURE MONIES – POLICE DEPARTMENT

Finance Organization and Personnel Committee report read recommending the City Manager be authorized to do all things necessary to accept drug forfeiture payments from the State of New Hampshire in the amount of \$17,988.95. 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 – EVENT PLANNING – PUBLIC WORKS DEPARTMENT

Finance Organization and Personnel Committee report read recommending acceptance of this item as informational. The Chair filed the report into the record as informational.

FOP REPORT – CHESHIRE TV OPERATING AGREEMENT – IT DEPARTMENT

Finance Organization and Personnel Committee report read recommending the City Council authorize the City Manager to do all things necessary to negotiate and execute a renewal operating agreement with Cheshire TV. 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 – RFP 02-18-06 STORAGE AREA NETWORK REPLACEMENT – IT DEPARTMENT

Finance Organization and Personnel Committee report read recommending the City Manager be authorized to do all things necessary to negotiate and execute a contract with Cambridge Computer Services, Inc. for the acquisition and implementation of a Reduxio storage area network solution. 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 mentioned she was able to attend a Homeless Memorial Day at the Common. She read a proclamation from Governor Sununu to recognize the event. The City Manager took a moment to thank the Human Services Department, the city staff departments and the Mayor who participated in the adopt-a-family program this year. The program requests each department to adopt a family for the holiday and purchase gifts for them. The gifts are then given to the family through the Human Services Department. The City Manager reminded that there was free parking still available through December 25, 2017 and encouraged everyone to shop local to help the local economy.

CONSERVATION COMMISSION RECOMMENDATION ON EVERSOURCE ENERGY PETITION RELATED TO TRIMMING AND REMOVAL OF TREES AND BRUSH ALONG SCENIC ROADS

A memorandum was received from Conservation Commission recommending the City Council approve the petition from Eversource Energy related to the trimming and removal of trees and brush adjacent to and beneath its power lines along scenic roads provided that: 1. The 24” oak tree near line 101 from pole 13 on Chapman Road be removed from the list of trees slated for removal and 2. Eversource Energy make landowners aware of the option for leaving topped dead or diseased trees

for the purposes of supporting wildlife habitat. The memorandum was referred to the Municipal Services, Facilities and Infrastructure Committee.

MORE TIME

More time was granted by the Chair for: Eversource Energy – Tree Trimming on Scenic Roads; Gilbo East Parking Lot Improvements – Public Works Department; Vicki Bacon, Body & Soul Road Runners – Request to Use City Property – Red Cap Run.

FOP REPORT AND ORDINANCE O-2017-20: RELATING TO WATER AND SEWER RATES

Finance, Organization and Personnel Committee report read recommending the adoption of Ordinance O-2017-20. The report was filed as informational. Ordinance O-2017-20 was read for the second time. A motion by Councilor Greenwald for adoption of the Ordinance was duly seconded. On a roll call vote, with 13 Councilors present and voting in favor, the motion carried. Ordinance O-2017-20 declared adopted with an effective date as of the January 2018 billing. Councilors Sapeta and Sutherland were absent.

RESOLUTION R-2017-38: RELATING TO AN APPLICATION FOR CDBG FUNDS – MONADNOCK FOOD CO-OP EXPANSION PROJECT

Pursuant to Section 19 of the City Charter, the Chair called for the reconsideration of Resolution R-2017-38 relating to Approving an Application for CDBG Funds, which was approved at the December 7, 2017 City Council Meeting. The Chair explained that the use of CDBG funds for property acquisition is not permitted. It is necessary that the Resolution's purpose be amended to reflect the use of funds to support the expansion of the building that MEDC owns and leases to the Monadnock Food Co-op. It will be necessary that we hold another public hearing and act upon this Resolution after that hearing. A motion by Councilor Greenwald to amend Resolution R-2017-38 by replacing the last "Whereas" statement in the resolution so that it would read:

"Whereas: the Community Development Block Grant would provide up to \$500,000 to be subgranted to Monadnock Economic Development Corporation (MEDC) which would use the funds for the construction and expansion of the building that MEDC owns and leases to the Monadnock Food Co-op" was duly seconded. The Mayor set the public hearing on Resolution R-2017-38-A for Thursday, January 18, 2018 at 7:00 PM. The Mayor tabled Resolution R-2017-38-A until January 18th at which point it will be considered after the public hearing has closed.

MEMORANDUM & RESOLUTION R-2017-44: RELATING TO THE ACCEPTANCE OF AN ADDITIONAL APPROPRIATION OF HIGHWAY BLOCK GRANT FUNDS

A memorandum was received from the City Engineer along with Resolution R-2017-44. The memorandum was filed into the record. Resolution R-2017-44 was referred by the Chair to the Finance, Organization and Personnel Committee. The Mayor set a public hearing for Thursday, January 18, 2018 at 7:05 PM.

PLD REPORT AND RESOLUTION R-2017-41: RELATING TO ADOPTING THE PROVISIONS OF RSA 79-E “COMMUNITY REVITALIZATION TAX RELIEF INCENTIVE”

Planning, Licenses and Development Committee report read recommending the adoption of Resolution R-2017-41. The report was filed as informational. A motion by Councilor Richards for adoption of the Resolution was duly seconded. On a show of hands vote, with 13 Councilors present and voting in favor, the motion carried. Councilors Sapeta and Sutherland were absent. Resolution R-2017-41 declared adopted.

MEMORANDUM & RESOLUTIONS R-2017-45: RELATING TO AUTHORIZATION OF THE HERITAGE COMMISSION TO TEMPORARILY ASSUME THE COMPOSITION AND DUTIES OF THE HISTORIC DISTRICT COMMISSION

A memorandum was received from the City Planner along with Resolution R-2017-45. The memorandum was filed into the record. The Mayor explained this was a time sensitive matter and deals with the CDBG application for the Monadnock Food Co-op. The majority of the membership of the Historic District Commission has a conflict of interest on this application and therefore a quorum not obtainable. This Resolution would temporarily authorize the Heritage Commission to assume the composition and duties of the Historic District Commission. A motion by Councilor Greenwald to suspend the Rules of Order to allow action on Resolution R-2017-45 was duly seconded. On a roll call vote, with 13 Councilors present and voting in favor, the motion carried. Councilors Sapeta and Sutherland were absent. A motion by Councilor Greenwald for adoption of Resolution was duly seconded. On a show of hands vote, with 13 Councilors present and voting in favor, the motion carried. Councilors Sapeta and Sutherland were absent. Resolution R-2017-45 declared adopted.

FAREWELL TO COUNCILOR ROBERT J. O’CONNOR

The Mayor invited Councilor O’Connor to come forward. The Mayor stated that tonight is Councilor O’Connor’s last meeting. He noted that Councilor O’Connor joined the Council in 2012 to fill a vacancy that opened when Councilor Jones moved from Ward Four to Ward Five. In 2013 the voters in Ward Four went on to re-elect him for a four year term. As that term comes to an end, we would like to express our appreciation to Councilor O’Connor for his years of service on the Council. He went on to present Councilor O’Connor with a departing gift to commemorate his service. Councilor O’Connor stated he has enjoyed his time on the Council and noted how hard the City staff works and how knowledgeable they are. The Mayor went on to present Councilor O’Connor with a Key to the City of Keene in appreciation for his many contributions to the City.

ADJOURNMENT

At 7:55 PM, there being no further business, the Mayor adjourned the meeting.

A true record, attest:

City Clerk