

A regular meeting of the Keene City Council was held Thursday, June 7, 2018. The Honorable Mayor Kendall W. Lane called the meeting to order at 7:00 PM. Roll called: Janis O. Manwaring, Thomas F. Powers, Terry M. Clark, Randy L. Filiault, Bartolmiej K. Sapeta, Margaret M. Rice, Robert B. Sutherland, George S. Hansel, Gary P. Lamoureux, Bettina A. Chadbourne, Philip M. Jones, David C. Richards and Mitchell H. Greenwald were present. Carl B. Jacobs and Stephen L. Hooper were absent. Councilor Lamoureux led the Pledge of Allegiance. A motion by Councilor Greenwald to accept the minutes from the May 17, 2018 site visit and regular meeting were duly seconded. The motion passed with a unanimous vote in favor.

ANNOUNCEMENTS

The Mayor announced that on Tuesday, June 19th at 6:30 PM in Council Chambers, there will be a workshop on Parking Issues and Utilization. On Thursday, June 21st, at 5:30 PM in Council Chambers, there will be a Workplace Harassment Workshop. On Tuesday, July 17th, at 6:30 PM in Council Chambers, there will be a Fiscal Policy Workshop. The Mayor announced the summer break will include the week of August 8th and 9th for the Standing Committees and the August 16th City Council meeting. The August 22nd and 23rd Standing Committee meetings will be moved to the last week of the month on August 29th and 30th. The City Council will be back to its normal meeting cycle on September 6th.

PRESENTATION – COMMUNITY DEVELOPMENT – THE NEW 4TH FLOOR

The Mayor recognized Assistant City Manager/Planning Director Rhett Lamb and Acting Health Director John Rogers to address the Council relative to the proposed Community Development Department. Mr. Lamb stated they are pleased to provide the Council an overview of the reorganization of the Departments housed on the fourth floor of City Hall. He continued that perhaps some members of the Council have already heard this presentation which was done before the Finance, Organization and Personnel Committee. He stated the intent is to combine the Health, Code and Planning Departments into one department that will be collectively be known as the Community Development Department. This is seen as a big part of the needed improvements that will shape the City over the next number of years, encouraging Keene's leadership as a cultural and economic hub, as well as a great place for citizens to live, work and play.

Mr. Lamb explained there have been a number of drivers of these changes. One of the most significant is the Economic Development Action Plan that was adopted about a year ago. Other drivers include the City Council Goals that were adopted in 2017 and the 2010 Comprehensive Master Plan. Perhaps the most significant driver was the community, which has told us over the years that our process can be complex and can take too much time. Reacting to all of these ideas, the City is trying to make changes that will build a better process for the review of development projects in the City and to create a more efficient, reliable process for the issuance of permits. Generally stated, we are here to describe a change which would combine the Code, Health and Planning Departments into a Community Development Department. Our intent is to improve the development process with user friendly resources resulting in quicker turn-around times for permits, site plan applications, and all the traditional permits and applications that work their

way through the fourth floor departments today. We want to make it smarter and faster while still preserving the values that we know and care about that make up Keene's quality of life.

Mr. Lamb stated these changes are part of larger initiatives that are taking place as well, such as the Land Use Code Update, the updates to the City's Administrative Code through the Municode contract, and the adoption of incentives for encouraging economic development across the City. He noted the adoption of the tax incentive program for the Marlboro Street corridor, the adoption of RSA 79-E, and also the Economic Revitalization Zone along the Marlboro Street corridor and other initiatives that will create incentives for economic development in Keene. He stated the goal is really to reconfigure the permitting departments, as well as to work more efficiently with departments that contribute to the process like Public Works, Engineering and Fire to accommodate these initiatives and to make development easier in Keene while preserving those principles of good planning and smart development. Mr. Lamb stated that with one department there will be just one department head. The Health Director position will become the Building Health Official. The full time Planner position will be changed to a Senior Planner title. He added recently the Planning Technician position was filled, and an existing vacant permit technician position will be filled as well. The end result is to streamline the permitting process for those applications we most commonly see. Larger, less frequent projects requiring things like board or commission review will still take some time, but the more routinely issued permits will be moved more quickly through the process via empowering staff and cross training them to assist applicants with the overall City permitting process. At this point Mr. Lamb turned the presentation over to Mr. Rogers to discuss the structure of the department with more specificity.

Mr. Rogers stated that they are attempting to streamline three departments into one to make them more efficient and simplify the process for our customers and citizens of the City. They have worked on simplifying the process already through LEAN training, which included reviewing processes to see if there is any efficiency to be gained. In addition to the fourth floor departments, this weeklong training also included the Fire and Public Works Departments. He spoke about how the training was used to provide a means to audit current processes. Mr. Rogers went on to discuss new software that has been implemented to make the permitting process more efficient in terms of various department's ability to work together on things like plan reviews. This software is also capable of providing online applications and payment of fees to make it easier for people to apply for permits. They also recently reduced the fee schedule for owner occupied permits if the property owners uses licensed plumbers, electricians, etc. This makes it easier for the City to do a plan review if they know the applicant is using licensed professionals, as well as making the inspections process simpler.

Mr. Rogers continued that with the filling of the Planning Technician position, the intent now is to cross train the Planning Technician and the Permit Technician because they are the frontline personnel that someone will work with when applying for permits. They will also be given more responsibilities and authority to help the public through the process more efficiently. The streamlining of the Land Use Code will also facilitate a cleaner process for applicants. Mr. Rogers referenced the recent planning workshop that demonstrated the complex nature of the current regulations and contrasted that with what a possible single sheet for the zone might be. To wrap up the presentation, Mr. Lamb provided reassurance that the reconfiguration includes all the tasks that the Planning, Code and Health Departments have traditionally done. The

department would also continue to support all the boards and commissions it currently does and the programs that they each do would continue.

Councilor Sapeta thanked the City staff for doing this and felt it would alleviate some of the stresses on the City's customers and allow for better customer service.

Mayor Lane thanked the staff for their presentation regarding the reconfiguration of the fourth floor departments.

CONFIRMATION

A motion was made by Councilor Greenwald and duly seconded to confirm the following nomination: Brian W. Johnson to serve as a regular member of the Airport Development and Marketing Committee with a term to expire December 31, 2020. On a roll call vote, with 13 Councilors present and voting in favor the nomination was confirmed. Councilors Jacobs and Hooper were absent.

NOMINATIONS

The following nominations were received from the Mayor: Paul Bocko to serve as a regular member of the Ashuelot River Park Advisory Board, with a term to expire December 31, 2020 and Richard Blood to serve as a regular member of the Airport Development and Marketing Committee, with a term to expire December 31, 2020. The nominations were tabled until the next regular meeting.

COMMUNICATION – DARRYL MASTERSON – RESIGNATION – COLLEGE CITY COMMISSION

A communication was received from Darryl Masterson resigning from the College City Commission. 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 – ROD THOMPSON – RESIGNATION – AIRPORT DEVELOPMENT AND MARKETING COMMITTEE

A communication was received from Rod Thompson resigning from the Airport Development and Marketing 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.

COMMUNICATION – CAROLYN SWEET/MACHINA ARTS – USE OF CITY PROPERTY – FIRST FRIDAY EVENTS

A communication was received from Carolyn Sweet from Machina Arts, requesting permission for the use of City property on Railroad Square for a series of First Friday events that would

include art exhibits, vendors, live performances and activities. The communication was referred to the Planning, Licenses and Development Committee.

COMMUNICATION – KEVIN DREMEL – USES OF CITY PROPERTY – KEENE MUSIC FESTIVAL

A communication was received from Kevin Dremel, requesting the annual license to hold the Keene Music Festival on September 1, 2018. The communication was referred to the Planning, Licenses and Development Committee.

COMMUNICATION – PEGGY SCHAUFFLER/COUNTRY LIFE – USE OF CITY PROPERTY - SANDWICH BOARD SIGN

A communication was received from Peggy Schaufler from Country Life, requesting permission for the placement of a portable sandwich board sign on City property located at the corner of Roxbury Street and Main Street for wayfaring purposes. The communication was referred to the Planning, Licenses and Development Committee.

COMMUNICATION – ANTHONY & FANELLA LEVICK/GRANITE ROOTS BREWING – REQUEST TO SELL BEER AT FARMER’S MARKET

A communication was received from Anthony & Fanella Levick from Granite Roots Brewing, requesting to sell beer produced by them at their nano brewery at the Farmer’s Market of Keene. The Liquor Commission requires that the governing body give permission for this sale every year. The communication was referred to the Planning, Licenses and Development Committee.

COMMUNICATION – COUNCILOR TERRY CLARK – PROPOSED AMENDMENT TO OPERATING BUDGET - SUSTAINABILITY MANAGER

A communication was received from Councilor Clark, requesting to adjust the Proposed FY 2018-19 City Manager budget by \$43,124 to fund a contract position of sustainability manager. The communication was tabled until later in the meeting.

COMMUNICATION – COUNCILOR GEORGE HANSEL – PROPOSED AMENDMENT TO OPERATING BUDGET – ECONOMIC DEVELOPMENT COORDINATOR

A communication was received from Councilor Hansel, requesting to increase the budget by \$25,000, which is the sum representing the City’s contribution to a public/private partnership that will hire an economic development coordinator. The communication was tabled until later in the meeting.

COMMUNICATION – COUNCILOR RANDY FILIAULT – PROPOSED AMENDMENT TO OPERATING BUDGET – HUNDRED NIGHTS SHELTER

A communication was received from Councilor Filiault, requesting to amend the Fiscal Year 2019 Operating Budget to withhold the \$20,000 funding allocation to Hundred Nights Shelter

until a review of their financials and statistical information has been conducted by City staff. The communication was tabled until later in the meeting.

MSFI REPORT – SKATE PARK LOCATION – PARKS, RECREATION AND FACILITIES DIRECTOR

Municipal Services, Facilities and Infrastructure Committee report read recommending that the skate park remain at its current location on Gilbo Avenue. 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 – DEPARTMENT PRESENTATION – WATER METER LEAK DETECTION

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 – REPORT OUT – DISCUSSION REGARDING A PROPOSED ORDINANCE FOR DISORDERLY RESIDENCES

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 – REPORT OUT – RECONSTRUCTION OF THE CITY ROADWAYS AND THE ADDITION OF SIDEWALK CONSTRUCTION TO RECONSTRUCTION PROJECTS

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.

FOP REPORT – ACCEPTANCE OF DONATIONS TO LIBRARY RENOVATION PROJECT

Finance, Organization and Personnel Committee report read recommending the City Manager do all things necessary to accept a donation of \$105,514.00 as listed in the April 20, 2018 – May 11, 2018 Cambridge Trust report to be deposited into the Library Renovation Temporarily Restricted City Trust as part of the Next Chapter Campaign Drive. 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 – THOMAS TRANSPORTATION PARKING SPACE LEASE - AIRPORT

Finance, Organization and Personnel Committee report read recommending the City Manager do all things necessary to negotiate and execute a land lease for 40 parking spaces at the Dillant-Hopkins Airport with Thomas Transportation. 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 announced the City recently received word that our designation for an Opportunity Zone was approved by the Federal Department of Treasury. This means that for investors looking for an opportunity fund investments, they have an opportunity to receive a deferral of taxes on owed unrealized capital. If the investor holds the investments in the opportunity fund for at least 10 years, then the investor will be eligible for an increase in the basis of the original investment. The City Manager went on to congratulate the Assessing department in getting the tax cards available to the public online. The City Manager went on to state how the City has reached the 39th year being a Tree City USA from the Arbor Day Foundation. Keene is one of 17 communities in New Hampshire and is second, tied with Hanover. The City Manager went on about the Wastewater Treatment Plant hosting an open house on Tuesday, June 12, 2018. They will be celebrating the successful completion of \$6.5 million of equipment and infrastructure upgrades. The City Manager continued that Heritage Commission had completed a very successful workshop series as well as an architectural walking tour of School Street neighborhood.

MORE TIME

More time was granted by the Chair for the following item in Committee: Options for Main Street Crosswalks and Lighting Changes and Relating to the Acceptance of LED Street Light Program Rebate and Use of Funds for Downtown Crosswalk and Lighting Repairs and Improvements (Resolution R-2018-19).

MEMORANDUM – ASSISTANT CITY MANAGER/HUMAN RESOURCES DIRECTOR AND ORDINANCE O-2018-09 RELATING TO ADMINISTRATIVE DEPARTMENTS

A memorandum was received from the Assistant City Manager/Human Resources Director along with Ordinance O-2018-09. The memorandum was filed into the record. Ordinance O-2018-09 was referred to the Finance, Organization and Personnel Committee.

FOP REPORT AND ORDINANCE O-2018-08-A: RELATING TO CLASS ALLOCATION AND SALARY SCHEDULE

Finance, Organization and Personnel Committee report read recommending the adoption of Ordinance O-2018-18 Relating to Class Allocation and Salary Schedule. This item was tabled until later in the meeting.

MSFI REPORT AND RESOLUTION R-2018-12: RELATING TO THE ABSOLUTE DISCONTINUANCE OF A PUBLIC WAY KNOWN AS WELLS STREET PARKING LOT AND RESOLUTION R-2018-13: FOR THE RETURN OF A PUBLIC RIGHT-OF-WAY KNOWN AS WELLS STREET

Municipal Services, Facilities and Infrastructure Committee report read recommending the adoption of Resolutions R-2018-12 and R-2018-13. The report was filed as informational. The

Clerk noted that Councilors Manwaring, Sapeta and Chadbourne were unable to attend the site visit and were therefore ineligible to participate in the vote. A motion by Councilor Filiault for adoption of Resolution R-2018-12 was duly seconded. On a show of hands vote, with 13 Councilors voting in favor the motion carried. Resolution R-2018-12 declared adopted. A motion by Councilor Filiault for adoption of Resolution R-2018-13 was duly seconded. On a show of hands vote, with 13 Councilors voting in favor the motion carried. Resolution R-2018-13 declared adopted. Councilors Manwaring, Sapeta and Chadbourne abstained.

FOP REPORT AND RESOLUTION R-2018-18 RELATING TO AN APPROPRIATION FOR LOWER MAIN STREET CROSSWALK IMPROVEMENT PROJECT

Finance, Organization and Personnel Committee report read recommending the adoption of Resolution R-2018-18 Relating to an Appropriation for Lower Main Street Crosswalk Improvement Project. The report was filed into the record. Resolution R-2018-18 was read for the second time. A motion by Councilor Greenwald for adoption of the Resolution was duly seconded. On showing of hands, 13 Councilors were present and voting in favor. Resolution R-2018-18 declared adopted.

TABLED ITEMS: COMMUNICATION – COUNCILOR TERRY CLARK- PROPOSED AMENDMENT TO OPERATING BUDGET – SUSTAINABILITY MANAGER; COMMUNICATION – COUNCILOR GEORGE HANSEL – PROPOSED AMENDMENT TO OPERATING BUDGET- ECONOMIC DEVELOPMENT COORDINATOR; COMMUNICATION – COUNCILOR RANDY FILIAULT - PROPOSED AMENDMENT TO OPERATING BUDGET – HUNDRED NIGHTS SHELTER; FOP REPORT AND RESOLUTION R-2018-17-A: RELATING TO THE 2018/2019 FISCAL YEAR BUDGET

Resolution R-2018-17-A: Relating to the 2018-2019 Fiscal Year Budget was read by title only. A motion by Councilor Greenwald for adoption of the Resolution was duly seconded. The Mayor indicated he was removing from the table the communication from Councilor Clark (Item C7). The Mayor recognized Councilor Clark. A motion to amend by Councilor Clark to adjust the proposed budget by adding \$40,000 to account 00300 61401 (Sustainability Coordinator), \$3,060 to account 00300 61704 (SS/Medicare) and \$64 to account 00300 61705 (Worker's Comp) for a total of \$43,124 as a funding source for a contract position for a sustainability coordinator was duly seconded. Discussion ensued. A motion by Councilor Greenwald to amend the motion to stipulate that the position not be filed until a job description and statement of goals had been developed through the City Manager's office and reviewed by the Finance, Organization and Personnel Committee and voted by the City Council failed to carry with 12 Councilors in opposition. Councilor Greenwald voted in favor. Discussion continued. Councilor Hansel moved the question. Referring to the original motion, a roll call vote failed to carry with 13 Councilors present and 5 Councilors voting in favor. Councilors Manwaring, Powers, Rice, Sutherland, Hansel, Lamoureux, Chadbourne and Greenwald voted in opposition. Councilors Jacobs and Hooper were absent.

The Mayor indicated he was removing from the table the communication from Councilor Hansel (Item C8). The Mayor recognized Councilor Hansel. A motion to amend by Councilor Hansel to increase the account 00003-62185 Marketing and Development by \$25,000 as the City's

contribution to a public/private partnership that will hire a downtown economic development or revitalization coordinator was duly seconded. The Councilor referred to a memorandum from the City Manager which had been placed on the Councilors' desks, which answered many questions that had been raised previously. In response to a question from Councilor Jones as to the appropriate title of the position, the City Manager noted that the position has been frequently referred to as a "downtown coordinator." She continued that economic development will obviously be a part of the focus. In response to a question from Councilor Sutherland as to how this position differs from the position currently held by the former City Manager; the Manager referred to her memorandum that addressed this issue. She noted that she has assigned tasks for the next two years to the Economic Development Initiatives and Special Projects staff member. The focus will primarily be the land use code project, the oversight of the library renovation and parking in the downtown, which is an important asset to economic development. Also the position has been a point of contact when someone calls to inquire about property available for development. She noted that although the position was not included in her original budget; it was part of her requested changes to the Finance, Organization and Personnel Committee for an amendment. She continued this position is a contract position with MEDC and it makes sense because there are several organizations working on the downtown and there is not a lot of coordination between them. Using this position through MEDC, there is an opportunity to coordinate those efforts and those issues identified in the economic development plan related to the downtown. Although the focus could change, for right now this is the work plan that has been established. The Manager continued there is not one place to go as to what is happening in the downtown even in terms of events. Getting more involved with event planning and coordination and hopefully eliminating some of the duplication of effort. Hosting it at MEDC makes more sense because they are eligible to apply for grants and they are a bit more nimble in terms of moving projects forward. The way that we could protect tax dollars is the MOU that would be directing the efforts, but not the day to day activities of the position. Discussion ensued. On a showing of hands with 13 Councilors present and eight voting in favor, the motion passed. Councilors Powers, Clark, Sapeta, Jones and Richards voted in opposition.

The Mayor indicated he was removing from the table the communication from Councilor Filiault (item C9). The Mayor recognized Councilor Filiault. A motion to amend by Councilor Filiault to withhold the \$20,000 funding in cost center 00001- 62149 for Hundred Nights Shelter until further documentation is provided to City staff was duly seconded. The Councilor continued that in the last several months after talking to members of City staff, they felt that the information provided by One Hundred Nights Shelter was not accurate. The Councilor continued that the issue was number of beds available, who or who was not from the area, and their financials. He would like the information to be brought forward and reviewed by staff and then brought forward to the Finance, Organization and Personnel Committee. He noted he is concerned with this information – and no matter the expenditure – this is taxpayers' dollars – and when there are questions about the information provided – that might change a vote it is the responsibility of the Councilors to make certain all the information is on the table. Discussion ensued. As Chair of the FOP Committee, Councilor Greenwald stated he was concerned with the process. He noted there is an internal committee that reviews the outside agency requests and hopefully next year the Committee will receive more information as to what the Committee based their recommendation on, but what he is wrestling with is the desire to further audit this organization. Councilor Greenwald asked for clarification on what the Committee should be looking for.

Councilor Filiault replied that if upon review of the information by the City Manager there is a discrepancy, the Manager would advise the Committee accordingly. On a showing of hands, the motion failed to carry with 13 Councilors present, and four voting in favor. Councilors Manwaring, Powers, Clark, Sapeta, Rice, Sutherland, Hansel, Lamoureux, and Chadbourne voted in opposition.

A motion by Councilor Greenwald to adopt the Resolution R-2018-17-B was seconded. On a showing of hands, 13 Councilors were present and voting in favor. Resolution R-2018-17-B declared adopted.

TABLED ITEM: FOP REPORT AND ORDINANCE O-2018-08-A: RELATING TO CLASS ALLOCATION AND SALARY SCHEDULES

The Mayor indicated he was removing Ordinance O-2018-18-A (Item II) from the table. The report was filed as informational. Ordinance O-2018-08-A: Relating to Class Allocation and Salary Schedules 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 passed. Councilors Jacobs and Hooper were absent. Ordinance O-2018-08-A declared adopted.

FOP REPORT AND RESOLUTIONS R-2018-08: RELATING TO THE APPROPRIATION OF FUNDS FOR THE GOOSE POND DAM IMPROVEMENTS PROJECT; R-2018-09: RELATING TO THE APPROPRIATION OF FUNDS FOR THE WINCHESTER STREET BY-PASS PROJECT; R-2018-10: RELATING TO THE APPROPRIATION OF FUNDS FOR THE CONSOLIDATED INFRASTRUCTURE PROJECT; AND R-2018-11: RELATING TO THE APPROPRIATION OF FUNDS FOR THE MARTELL COURT HEADWORKS REPLACEMENT PROJECT

Finance, Organization and Personnel Committee report read recommending the adoption of Resolution R-2018-08, R-2018-09, R-2018-10 and R-2018-11. The report was filed into the record. Resolution R-2018-08: Relating to the Appropriation of Funds for the Goose Pond Dam Improvements Project was read for the second time. A motion by Councilor Greenwald for adoption of the Resolution was duly seconded. On roll call vote, 13 Councilors were present and voting in favor. Councilors Jacobs and Hooper were absent. Resolution R-2018-08 declared adopted.

Resolution R-2018-09: Relating to the Appropriation of Funds for the Winchester Street By-Pass Project was read for the second time. A motion by Councilor Greenwald for adoption of the Resolution was duly seconded. On roll call vote, 13 Councilors were present and voting in favor. Councilors Jacobs and Hooper were absent. Resolution R-2018-09 declared adopted.

Resolution R-2018-10: Relating to the Appropriation of Funds for the Consolidated Infrastructure Project was read for the second time. A motion by Councilor Greenwald for adoption of the Resolution was duly seconded. On roll call vote, 13 Councilors were present and voting in favor. Councilors Jacobs and Hooper were absent. Resolution R-2018-10 declared adopted.

06/07/2018

Resolution R-2018-11: Relating to the Appropriation of Funds for the Martell Court Headworks Replacement Project was read for the second time. A motion by Councilor Greenwald for adoption of the Resolution was duly seconded. On roll call vote, 13 Councilors were present and voting in favor. Councilors Jacobs and Hooper were absent. Resolution R-2018-11 declared adopted.

ADJOURNMENT FOR COLLECTIVE BARGAINING

At 9:02 PM, the Mayor adjourned the Council meeting for the purposes of collective bargaining strategy and legal advice. The meeting reconvened at 9:22 PM.

On motion by Councilor Greenwald, voted unanimously to authorize the City Manager to do all things necessary to execute the negotiated contract with Keene Police Department Supervisors, AFT-NH, AFT Local #6305, AFL-CIO to be effective July 1, 2018 through June 30, 2022.

ADJOURNMENT

At 9:23 PM, there being no further business, the Mayor adjourned the meeting.

A true record, attest:


City Clerk