



KEENE CITY COUNCIL
Council Chambers, Keene City Hall
February 7, 2019
7:00 PM

Roll Call
Pledge of Allegiance

MINUTES FROM PRECEDING MEETING

- January 17, 2019

A. HEARINGS / PRESENTATIONS / PROCLAMATIONS

B. ELECTIONS / NOMINATIONS / APPOINTMENTS / CONFIRMATIONS

1. Confirmations
College/City Commission
Airport Development and Marketing Committee
Heritage Commission
Martin Luther King, Jr./Jonathan Daniels Committee
2. Nominations
Zoning Board of Adjustment
Conservation Commission
Heritage Commission
Energy and Climate Committee
College/City Commission
Trustees of Trust Funds and Cemetery Trustees

C. COMMUNICATIONS

1. Stephen Rokes/Liberty Utilities - Request for Easement - Beneath Hickey-Desilets Park - Installation and Operation of Distribution Line for Propane/Air Distribution System
2. Nancy Sheldon/Shaldu, Ltd. - Acquisition of the Rail Spur that Bisepts Two Parcels of Property - Corner of Ralston and Emerald Streets
3. Tim Zinn/Let it Shine - Request to Use City Property - 2019 Pumpkin Festival

D. REPORTS - COUNCIL COMMITTEES

1. Roxbury Street Bridge Replacement – Aesthetic Options – Public Works Department
2. Request to Solicit and Report on Donations - Human Resources Department
3. Request to Accept Wellness Grant - Human Resources Department
4. Pamela Russell Slack - Public Restrooms at Former Transportation Center and Downtown Restroom - Parks, Recreation and Facilities Director
5. Adopt A Bench Donation - Parks, Recreation and Facilities Director

6. Acceptance of Donation -St. James Thrift Shop - Parks, Recreation and Facilities Director
7. Sponsorship Update - Parks, Recreation and Facilities Director
8. Taxiway 'A' Engineering Contract - Airport Manager
9. Solar Exemption Discussion - Assessing Department

E. CITY MANAGER COMMENTS

F. REPORTS - CITY OFFICERS AND DEPARTMENTS

G. REPORTS - BOARDS AND COMMISSIONS

H. REPORTS - MORE TIME

1. Pathways for Keene - Request to Use City Property - 4 on the 4th Road Race
2. Councilor Filiault - Hours of Operation - Hawkers or Peddler's

I. ORDINANCES FOR FIRST READING

1. Relating to the Conservation Commission
Ordinance O-2019-01

J. ORDINANCES FOR SECOND READING

1. Relating to Water and Sewer Rates
Ordinance O-2019-02

K. RESOLUTIONS

1. In Appreciation of Donna L. Hanscom Upon Her Retirement
Resolution R- 2019-03
2. Relating to Human Rights and the Martin Luther King, Jr./Jonathan Daniels Committee
Resolution R-2019-04

Non Public Session
Adjournment

A regular meeting of the Keene City Council was held Thursday, January 17, 2019. The Honorable Mayor Kendall W. Lane called the meeting to order at 7:00 PM. Roll called: Carl B. Jacobs, Janis O. Manwaring, Thomas F. Powers, Terry M. Clark, Randy L. Filiault, Margaret M. Rice, Bartolmiej K. Sapeta, Robert B. Sutherland, George S. Hansel, Gary P. Lamoureux, Bettina A. Chadbourne, Stephen L. Hooper, Philip M. Jones, David C. Richards and Mitchell H. Greenwald were present. Councilor Hooper led the Pledge of Allegiance. A motion by Councilor Greenwald to accept the minutes from the January 3, 2019 regular meeting was duly seconded by Councilor Jones. The motion passed with a unanimous vote in favor.

ANNOUNCEMENTS – MAYOR

The Mayor announced the Capital Improvements Program for 2021-2025 had been placed on their desks that evening. He referred the CIP to the Planning Board and the Finance, Organization and Personnel Committee. The Finance, Organization and Personnel Committee will start its review on Thursdays, January 24 and February 14. The schedule shows one additional Finance, Organization and Personnel Committee on Thursday, February 28, this date is tentative. The CIP presentation before the Planning Board and City Council will be on Saturday, January 26 at 8:30 AM and will be in the Michael E.J. Blastos Room at 380 Marlboro Street.

CONFIRMATIONS

A motion was made by Councilor Greenwald and duly seconded by Councilor Jones to confirm the following nominations: Michael Remy to serve as an alternate member of Zoning Board of Adjustment with a term to expire December 31, 2021; Arthur Walker to serve as a regular member of Conservation Commission with a term to expire December 31, 2019; and Todd Horner to serve as a regular member of the Bicycle Pedestrian Path Advisory Committee with a term to expire December 31, 2020. On a roll call vote, with 15 Councilors present and voting in favor the nominations were confirmed.

NOMINATIONS

The following nominations were received from the Mayor: David C. Richards to serve as a regular member on the College City Commission with a term to expire December 31, 2021; Andrea White to serve as a regular member of Airport Development and Marketing Committee with a term to expire December 31, 2021; Louise Zerba to serve as an alternate member of Heritage Commission with a term to expire December 31, 2021; and Pamela Knight to serve as a regular member of Martin Luther King, Jr./Jonathan Daniels Committee with a term to expire December 31, 2021. The nominations were tabled until the next regular meeting.

COMMUNICATION – PATHWAYS FOR KEENE – REQUEST TO USE CITY PROPERTY – 4 ON THE 4TH ROAD RACE

A communication was received from Janis Manwaring, on behalf of Pathways for Keene, requesting their annual request for use of City property for the 4 on the 4th Road Race. The request was referred to the Planning, Licenses and Development Committee.

COMMUNICATION – COUNCILOR FILIAULT – HOURS OF OPERATION – HAWKERS AND PEDDLERS

A communication was received from Councilor Filiault, requesting the City Council consider eliminating the hours of operation established by Ordinance for hawking and peddling. The request was referred to the Planning, Licenses and Development Committee.

MSFI REPORT – BRETT AMY THELEN – HARRIS CENTER FOR CONSERVATION EDUCATION – REQUEST TO TEMPORARILY CLOSE A SECTION OF NORTH LINCOLN STREET – AMPHIBIAN CROSSING

Municipal Services, Facilities and Infrastructure Committee report read recommending that the City Council authorize the closing of a portion of North Lincoln Street for several evenings that are coordinated with City staff between March and April, 2019 when conditions are favorable for the amphibian migration. City staff may cancel the closure and/or reopen the road at any time, if deemed necessary for the convenience and safety of the public. A motion by Councilor Manwaring to carry out the intent of the report was duly seconded by Councilor Filiault. The motion passed with a unanimous vote in favor.

PLD REPORT – VICKI BACON – BODY & SOUL ROAD RUNNERS’ CLUB – REQUEST TO USE CITY PROPERTY – RED CAP RUN

Planning, Licenses and Development Committee report read recommending that the City Council grant permission to Body & Soul Road Runners to sponsor a running race on February 9, 2019, subject to the customary licensing requirements of the City Council. In addition, the Police Department shall identify Railroad Street from Main Street to Community Way as a No Parking zone from the hours of 6:00 AM to 11:00 AM. This license is conditional upon the petitioners providing ten volunteer race marshals, and subject to any recommendations of City staff. A motion by Councilor Jones to carry out the intent of the report was duly seconded by Councilor Greenwald. The motion passed with a unanimous vote in favor.

PLD REPORT – JIM NARKIEWICZ – MONADNOCK TRAVEL COUNCIL – USE OF CITY PROPERTY – 2019 ICE AND SNOW FESTIVAL

Planning, Licenses and Development Committee report read recommending that the Monadnock Travel Council be granted permission to use City property on Central Square and Railroad Square, including the outside burning of a fire in an enclosed fire pit on Railroad Square as well as the closure of Railroad Street from Main Street to the exit of the Wells Street Parking structure for the 2019 Ice and Snow Festival on Saturday, February 2, 2019 from 10:00 AM to 4:00 PM. Said permission is granted subject to the customary licensing requirements of the City Council; obtainment of any necessary licenses or permits; and compliance with any recommendations of City Staff. A motion by Councilor Richards to carry out the intent of the report was duly seconded by Councilor Jones. The motion passed with a unanimous vote in favor.

PLD REPORT – KEENE LIONS CLUB – REQUEST TO USE CITY PROPERTY – 30TH
ANNUAL ASHUELOT RIVER DUCK RACE – PUBLIC WORKS DEPARTMENT

Planning, Licenses and Development Committee report read recommending its support of the 30th Annual Great Ashuelot Duck Race and that the Keene Lions Club be granted a license to close the appropriate City street on June 29, 2019, and if necessary on another date, in coordination with City staff; the use of 350 Marlboro Street for counting and sorting ducks and a City front end loader to be coordinated with City Staff; and the provision of the appropriate insurance and indemnification to be coordinated by City Staff. A motion by Councilor Richards to carry out the intent of the report was duly seconded by Councilor Hansel. The motion passed with a unanimous vote in favor.

PLD REPORT – MINDY CAMBIAR – HUNDRED NIGHTS SHELTER – REQUEST FOR
RENEWAL OF LODGING HOUSE LICENSE

Planning, Licenses and Development Committee report read recommending that a lodging house license be issued to Timoleon Chakalos to engage in the operation of a lodging house at 15 Lamson Street subject to the following conditions: no more than 26 persons may reside on the premises at any one time; compliance with all applicable sections of the City Code; compliance with any requirements or recommendations of City staff. Said license will expire on the 17th day of January, 2020 and may be revoked by the City Council in accordance with Section 46-590 “Suspension or Revocation.” A motion by Councilor Richards to carry out the intent of the report was duly seconded by Councilor Greenwald. The motion passed with a unanimous vote in favor.

PLD REPORT – REV. CYNTHIA E. BAGLEY & KATHY BLAIR – THE UNITED CHURCH
OF CHRIST – REQUEST FOR RENEWAL OF LODGING HOUSE

Planning, Licenses and Development Committee report read recommending that a lodging house license be issued to the United Church of Christ to engage in the operation of a lodging house at 23 Central Square subject to the following conditions: said lodging house license shall only being used as an overflow for the Hundred Nights Shelter; and managed by the Hundred Nights Shelter; no more than 16 persons may reside at any one time on the premises; compliance with all applicable sections of the City Code; and compliance with any requirements or recommendations of City staff. Said license will expire on the 17th day of January, 2020 and may be revoked by the City Council in accordance with Section 26-590 “Suspension or Revocation.” A motion by Councilor Richards to carry out the intent of the report was duly seconded by Councilor Greenwald. The motion passed with a unanimous vote in favor.

FOP REPORT – ACCEPTANCE OF DONATIONS TO LIBRARY COMPUTER FUND –
KEENE LIBRARY

Finance, Organization and Personnel Committee report read recommending that the City Manager be authorized to do all things necessary to accept a donation of \$10,195.96 from the Trustees of the Keene Public Library and the Friends of the Keene Public Library to be used to purchase five laptop computers. A motion by Councilor Greenwald to carry out the intent of the

report was duly seconded by Councilor Jacobs. The motion passed with a unanimous vote in favor.

FOP REPORT – ACCEPTANCE OF DONATIONS TO LIBRARY RENOVATION PROJECT
– CAMPAIGN MANAGERS FOR THE NEXT CHAPTER

Finance, Organization and Personnel Committee report read recommending acceptance of donations in the amount of \$219,201.66 as listed in the July 19, 2018 to the December 21, 2018 Cambridge Trust report with the donations 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 by Councilor Jacobs. The motion passed with a unanimous vote in favor.

FOP REPORT – TARA REARDON, NH COMMUNITY LOAN FUND – CDBG
APPLICATION FOR THE ACQUISITION AND MAINTENANCE OF TANLGEWOOD
PARK

Finance, Organization and Personnel Committee report read recommending the Keene City Council supports a CDBG application through Cheshire County for the purchase of Tanglewood Manufactured Housing Park by an owner cooperative. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded by Councilor Jacobs. The motion passed with a unanimous vote in favor.

FOP REPORT – REQUESTING AUTHORIZATION TO DISPOSE OF CITY PROPERTY –
CITY ASSESSOR

Finance, Organization and Personnel Committee report read recommending that the City Manager be authorized to do all things necessary to dispose of City owned property, as justice may require, for property known as 0 off Wetmore Street, located on Map 116 Lot 18. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded by Councilor Jacobs. The motion passed with a unanimous vote in favor.

FOP REPORT – SUSTAINABLE ENERGY RESOLUTION – CONSERVATION
COMMISSION

Finance, Organization and Personnel Committee report read recommending this item be accepted as informational. The report was filed into the record as informational.

CITY MANAGER COMMENTS

The City Manager announced the new 24 hour work schedule at the Keene Fire Department has been implemented. The Fire Chief has reported that the transition was successful and the department is very happy with the change.

The City Manager continued that on Friday, January 18, 2019, the Mayor and Medard Kopczynski, Director of Economic Development Initiatives and Special Projects, will be walking with her for the first of several walks in the downtown to talk to businesses about wayfinding signs, the availability of 79E in the downtown currently and the collection of email addresses for those interested in receiving parking updates and information.

The City Manager turned her focus to the CIP books. She explained that on page 18 of the CIP book, 10 projects were highlighted as new items added to the 6 year plan. At the time of finalizing the document, she included funding for a welcome center and a public restroom with a \$134,000 price tag. Since then a larger project in the area of downtown and Gilbo Avenue has been discussed with Mondanock Economic Development Corporation which would include public restrooms. She recommends eliminating the funds for the welcome center and public restroom in the FY 20 CIP document. She further went on to page 36, the General Fund Multi-Year Projections show year one of the plan as a 2.4% increase in general fund expenses, excluding bonds.

MORE TIME

More time was granted by the Chair for the following items in Committee: Roxbury Street Bridge Replacement – Aesthetic Options – Public Works Department; Pamela Russell Slack – Public Restrooms at Former Transportation Center.

MEMORANDUM – FINANCE DIRECTOR AND ORDINANCE O-2019-02: RELATING TO WATER AND SEWER RATES

A memorandum was received from the Finance Director along with Ordinance O-2019-02: Relating to Water and Sewer Rates. The memorandum was filed into the record. Ordinance O-2019-02 was referred by the Chair to the Finance, Organization and Personnel Committee.

MSFI REPORT AND ORDINANCE O-2018-22: RELATING TO LOADING ZONES AND PARKING

Municipal Services, Facilities and Infrastructure Committee report read recommending the adoption of Ordinance O-2018-22 Relating to Loading Zones and Parking. The report was filed into the record. Ordinance O-2018-22 was read for the second time. A motion by Councilor Manwaring for adoption of the Ordinance was duly seconded by Councilor Greenwald. On roll call vote, 15 Councilors were present and voting in favor. Ordinance O-2018-22 declared adopted.

MSFI REPORT AND RESOLUTION R-2018-36: RELATING TO SUSTAINABLE ENERGY GOALS

Municipal Services, Facilities and Infrastructure Committee report read recommending the adoption of Resolution R-2018-36: Relating to Sustainable Energy Goals. The report was filed into the record. A motion by Councilor Manwaring for adoption of the Resolution was duly seconded by Councilor Filiault. On show of hands vote, 14 Councilors were present and voting

01/17/2019

in favor and one opposed. Councilor Sutherland voted in opposition. Resolution R-2018-36 declared adopted.

RESOLUTION R-2019-01: IN APPRECIATION OF GARY L. SCHNEIDER UPON HIS RETIREMENT

Resolution R-2019-01: In Appreciation of Gary L. Schneider Upon His Retirement was read by title only. A motion by Councilor Greenwald for adoption of the Resolution was duly seconded by Councilor Jacobs. The motion carried with a unanimous vote in favor.

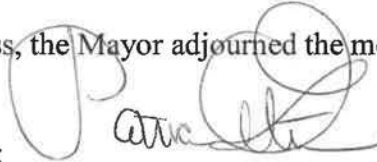
RESOLUTION R-2019-02: IN APPRECIATION OF TODD A. GARDNER UPON HIS RETIREMENT

Resolution R-2019-02: In Appreciation of Todd A. Gardner Upon His Retirement was read by title only. A motion by Councilor Greenwald for adoption of the Resolution was duly seconded by Councilor Jacobs. The motion carried with a unanimous vote in favor.

ADJOURNMENT FOR LEGAL ADVICE

At 8:08 PM, there being no further business, the Mayor adjourned the meeting for legal advice.

A true record, attest:

A handwritten signature in cursive script, appearing to read "Patricia", written over a circular stamp or seal.

City Clerk



City of Keene, N.H.
Transmittal Form

January 16, 2019

TO: Mayor and Keene City Council

FROM: Mayor Kendall W. Lane

ITEM: B.1.

SUBJECT: Confirmations

COUNCIL ACTION:

In City Council February 7, 2019.
Voted unanimously to confirm the nominations.

In City Council January 17, 2019.
Tabled until the next regular meeting.

RECOMMENDATION:

I hereby offer the following individuals as nominees to the designated Board or Commission:

College City Commission

David C. Richards, slot 4
201 Court Street
Term to expire Dec. 31, 2021

Airport Development and Marketing Committee
Andrea White, slot 4
Flagg Road, Marlow, NH
Term to expire Dec. 31, 2021

Heritage Commission
Louise Zerba, slot 8, alternate
regular to alternate member
Term to expire Dec. 31, 2021

Martin Luther King, Jr./Jonathan Daniels Committee
Pamela Knight, slot 7
158 High Street
Term to expire Dec. 31, 2021

ATTACHMENTS:

Description

White_background

Knight_background



City of Keene, N.H.
Transmittal Form

January 29, 2019

TO: Mayor and Keene City Council

FROM: Mayor Kendall W. Lane

ITEM: B.2.

SUBJECT: Nominations

COUNCIL ACTION:

In City Council February 7, 2019.
Tabled until the next regular meeting.

RECOMMENDATION:

I hereby nominate the following individuals to serve on the designated Board or Commission:

Zoning Board of Adjustment

Louise Zerba, slot 7 alternate
re-nomination

Term to expire Dec. 31, 2021

Conservation Commission

Dr. Steven Bill, slot 8 alternate
69 Baker Street

Term to expire Dec. 31, 2019

Heritage Commission

Christine Houston, slot 4
92 Ridgewood Avenue

Term to expire Dec. 31, 2021

Energy and Climate Committee

Cary Gaunt, slot 9 alternate
110 Arch Street, Apt. 19

Term to expire Dec. 31, 2020

College/City Commission

Ely Thayer, slot 6
110 Arch Street, Apt. 4

Term to expire Dec. 31, 2019

Trustees of Trust Funds and Cemetery

Trustees

Jennie Newcombe, slot 5
324 Main Street

Term to expire Dec. 31, 2021

ATTACHMENTS:

Description

Bill_background

Houston_background

Gaunt_background

Thayer_background

Newcombe_background



City of Keene, N.H.
Transmittal Form

February 4, 2019

TO: Mayor and Keene City Council

FROM: Stephen Rokes, Liberty Utilities

THROUGH: Patricia A. Little, City Clerk

ITEM: C.1.

SUBJECT: Stephen Rokes/Liberty Utilities - Request for Easement - Beneath Hickey-Desilets Park -
Installation and Operation of Distribution Line for Propane/Air Distribution System

COUNCIL ACTION:

In City Council February 7, 2019.

Referred to the Planning, Licenses and Development Committee.

ATTACHMENTS:

Description

Communication - Liberty Utilities

Liberty Utilities-Easement Agreement

Map

BACKGROUND:

Liberty Utilities is requesting an easement from the City that would allow the installation and operation of a distribution line for their propane/air distribution system beneath a small portion of Hickey-Desilets Park. The installation of the line will provide redundancy and an additional loop for potential future customers.



In City Council February 7, 2019.
Referred to the Planning, Licenses and Development Committee.


Patricia Castle
City Clerk

January 23, 2019

City Clerk
City of Keene
3 Washington Street
Keene, NH 03431

To: The Honorable Mayor Kendal Lane and City Council

On behalf of Liberty Utilities (EnergyNorth Natural Gas) Corp., I write to request an easement from the City that will allow the Company to install and operate a distribution line for our Propane/Air Distribution System beneath a small portion of the Hickey-Desilets Park. We request this easement to help facilitate and meet best practices for a Horizontal Directional Drill (HDD) that will cross beneath the Ashuelot River along the north side of the Winchester Street Bridge. The Public Utilities Commission recently approved our request for this crossing.

The installation of this line will provide redundancy and an additional loop for a portion of our distribution system, thus providing more reliable service to our current customers and potential future customers. It will also allow an easier and safer means for repairs and scheduled maintenance to other components of the distribution system.

Attached is a drawing of the crossing showing where the line will cross beneath the Park. This is the same drawing approved by the Commission. Also enclosed is a draft easement.

Please put this request on the agenda of the next City Council meeting.

We appreciate your consideration and support in this matter.

Respectfully,

A handwritten signature in blue ink that reads "Stephen Rokes".

Stephen Rokes
Manager, Gas Operations
Office: 603-352-1230

After recording return to:
Judith Coulombe
Liberty Utilities
9 Lowell Road
Salem, NH 03079

EASEMENT AGREEMENT

THIS EASEMENT AGREEMENT is made this ____ day of _____, 2019 by and between the **CITY OF KEENE**, a municipal corporation duly organized and existing under the laws of the State of New Hampshire and having a usual place of business at 3 Washington Street, Keene, New Hampshire 03431 (hereinafter referred to as the "Grantor") and **LIBERTY UTILITIES (ENERGYNORTH NATURAL GAS) CORP.**, a New Hampshire corporation, having its principal place of business at 15 Buttrick Road, Londonderry, New Hampshire 03053 (hereinafter referred to as the "Grantee"). Grantor and Grantee are collectively referred to herein as the "Parties."

WITNESSETH, that Grantor, for consideration paid by Grantee, does hereby grant and release unto Grantee, its successors and assigns, forever, with Quitclaim Covenants, an easement and right-of-way on, over, under, across, through and along certain portions of the land owned in fee by Grantor lying and being in the City of Keene, County of Cheshire, State of New Hampshire, situated on the northerly side of Winchester Street and the easterly side of Island Street, being more particularly described in that certain deed dated November 9, 1912, recorded with the Cheshire County Registry of Deeds in Book 363, Page 519 (the "Property"). The approximate location of said easement (hereinafter referred to in its entirety as the "Easement Area") is to originate on the westerly bank of the Ashuelot River, being the easterly boundary of the City of Keene property and is to extend in a westerly direction one hundred and seventy five (175) feet. Said strip of land is to be approximately fourteen (14) feet in width, the center line of which is seven (7) feet northerly of the southern boundary of the Property, said southern boundary being the northerly line of Winchester Street; the actual location of the Easement Area shall be inclusive of the Gas Facilities, as defined below, in the location based upon actual installation of the Gas Facilities.

Said easement and right-of-way herein granted include the following rights and privileges:

1. The permanent and perpetual easement, right, privilege and authority to, including without limitation, install, construct, reconstruct, repair, replace, relocate, add to, maintain, and remove underground and/or grade level gas systems including but not limited to gas mains and gas service lines, pipes and valve boxes, with all necessary

2018-06-014-3001
Winchester St., Keene

appurtenances and accessories thereto including but not limited to fittings and equipment (collectively, the "Gas Facilities"), as Grantee may now and from time-to-time deem necessary.

2. The further perpetual right and easement from time to time to pass and repass over, across and upon said land of the Grantor as is reasonable and necessary for the use and enjoyment of the easement and right-of-way herein granted.
3. Grantor agrees not to erect or maintain within the Easement Area any building, permanent structure or physical obstructions (said physical obstructions shall not mean or include sidewalks, curbs, park benches) of any kind or nature whatsoever, including trees and shrubbery or permit the same to be so erected or maintained, except such as Grantee may specifically consent to in writing, which consent shall not be unreasonably withheld or delayed.
4. The permanent and perpetual easement, right, privilege and authority to clear and keep cleared the portions and areas of the premises wherein the Gas Facilities is specifically located of such trees, shrubs, bushes, above ground and below ground structures, objects and surfaces as may in the opinion and judgement of the Grantee, its successors and assigns, interfere with the safe operation and maintenance of said Gas Facilities.
5. The Gas Facilities and other appurtenances which are installed, constructed and maintained by Grantee in the Easement Area shall at all times be and remain the property of Grantee, and shall be maintained and serviced exclusively by Grantee.
6. Grantee covenants that, in the event the surface of the Easement Area is disturbed at any time and from time-to-time by Grantee or any party acting on behalf of Grantee, then Grantee, at its sole cost and expense, within a reasonable time thereafter, shall repair and restore the surface of the Easement Area to the condition which existed prior to any such disturbance.
7. Grantor shall have the right to request a relocation of the Easement Area, and Grantee agrees to cooperate therewith within a reasonable timeframe. In the event the Grantor elects to relocate the Easement Area, any costs or expenses arising out of said relocation will be borne solely and exclusively by Grantor.
8. As to their respective obligations hereunder, the Parties agree to comply with all applicable codes, rules, regulations and laws.

The easement and right-of-way herein granted is non-exclusive and shall be binding upon and inure to the benefit of the successors and assigns of the respective Parties hereto.

For Grantor's title, see deed dated November 9, 1912, recorded with the Cheshire County Registry of Deeds in Book 363, Page 519.

IN WITNESS WHEREOF, Grantor has caused this EASEMENT AGREEMENT to be duly executed the day and year first above written.

CITY OF KEENE

By: Elizabeth A. Dragon
Its: City Manager

State of New Hampshire
County of _____ } ss.

On this the ____ day of _____, 2019, before me, the undersigned Notary Public/Justice of the Peace, personally appeared Elizabeth A. Dragon known by me or who proved to me through satisfactory evidence of identity to be the person whose name is signed on the preceding easement agreement and acknowledged to me that she signed it voluntarily for its stated purpose.

Notary Public/Justice of the Peace
Printed Name: _____
My Commission Expires: _____



Liberty Utilities®

WATER | GAS | ELECTRIC

WORK ORDER NUMBER: 431814-37601
PROJECT NAME: ASHUELOT RIVER CROSSING

BUDGET NAME: GAS SYSTEM PLANNING & RELIABILITY



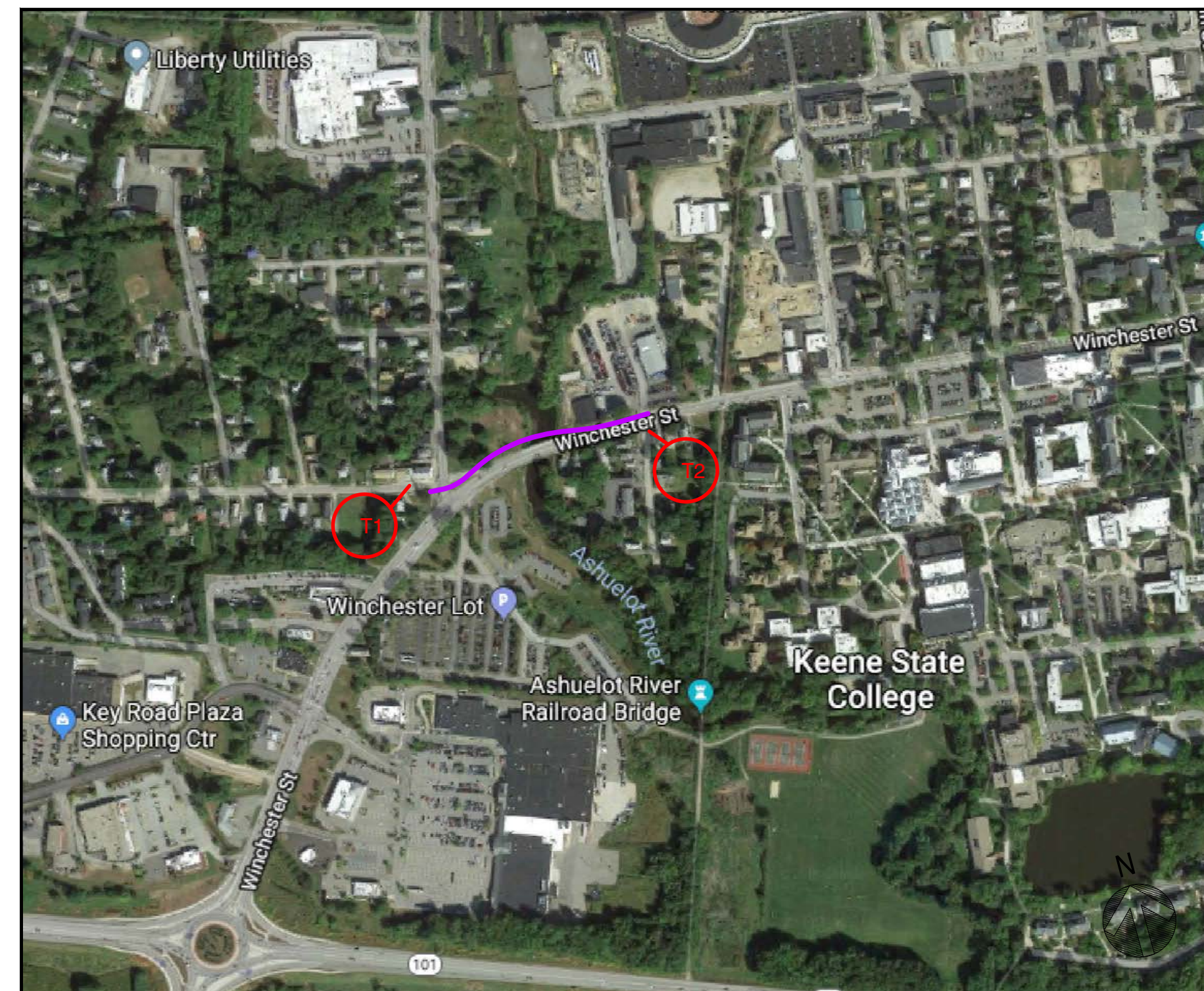
Know what's below.
Call before you dig.

PROJECT INFORMATION

GAS ENGINEER: ANDREW MILLS
 CONSTRUCTION SUPERVISOR: STEVE ROKES
 PERMITS: CITY OF KEENE EXCAVATION PERMIT
 NH DES SHORE LAND PERMIT
 PUC PUBLIC WATER CROSSING LICENSE
 COUNTY: CHESHIRE
 TOWN: KEENE
 24 HR. EMERGENCY LINE: LIBERTY UTILITIES OF NEW HAMPSHIRE
 1-603-216-3620

VICINITY MAP

NOT TO SCALE



SHEET INDEX

DWG.	DESCRIPTION
T-1	TITLE SHEET
L-1	LAYOUT PLAN

PROJECT SUMMARY TABLE

PROPOSED INSTALLATION			PROPOSED ABANDONMENT		
LENGTH (FT)	SIZE (IN)	TYPE	LENGTH (FT)	SIZE (IN)	TYPE
720	8"	HDPE	0	NA	NA
110	8"	MDPE	0	NA	NA
25	4"	MDPE	0	NA	NA

PROPOSED GAS SERVICES

	REPLACEMENTS	TIE OVERS	TOTAL SERVICES	METER OUTS
ESTIMATED GAS SERVICES	0	0	0	0

LEGEND

— — — — —	EXISTING GAS MAIN	⊙	TEST WELL
— — — — —	EXISTING GAS MAIN TO BE ABANDONED	⊙	REGULATOR STATION
— — — — —	PROPOSED GAS MAIN	⊙	SINGLE CUSTOMER REGULATOR
— — — — —	PROPOSED GAS MAIN UPRATE	⊙	METER
— — — — —	EXISTING WATER MAIN	⊙	METER WITH REGULATOR
— — — — —	EXISTING SEWER MAIN	⊙	TEST POINT (STATION)
— — — — —	EXISTING UNDERGROUND COMMUNICATIONS	⊙	GAS SERVICE TIE-OVER
— — — — —	EXISTING STORM WATER	⊙	GAS SERVICE REPLACEMENT
CS	COATED STEEL GAS MAIN	MMO	METER MOVE OUT
CI	CAST IRON GAS MAIN	⊙	TELEPHONE MANHOLE
BS	BARE STEEL GAS MAIN	⊙	DRAIN MANHOLE
WI	WROUGHT IRON GAS MAIN	⊙	ELECTRIC MANHOLE
HD	HIGH DENSITY POLYETHYLENE GAS MAIN	⊙	CATCH DRAIN
MD	MEDIUM DENSITY POLYETHYLENE GAS MAIN	⊙	SEWER MANHOLE
LP	LOW PRESSURE	⊙	FIRE HYDRANT
IP	INTERMEDIATE PRESSURE	⊙	UTILITY POLE
MP	MEDIUM PRESSURE	⊙	WETLAND
HP	HIGH PRESSURE	⊙	VALVE
AT	ATTACHED	⊙	CRITICAL GAS VALVE
BH	BRIDGE HANGER	⊙	PRESSURE CONTROL FITTINGS
BLGH	BUILDING HANGER	⊙	TRANSITION
DB	DIRECTIONAL BORE	⊙	END CAP
IS	INSERTED	⊙	REDUCER
OC	OPEN CUT	⊙	ELECTRONIC MARKER
PB	PNEUMATIC BORE	⊙	
PL	PLOWED	⊙	
RT	ROOF TOP	⊙	
(E)	EXISTING	⊙	
(P)	PROPOSED	⊙	
		⊙	GAS MAIN TIE IN LOCATION
		⊙	GAS MAIN ABANDONMENT LOCATION

PROJECT DESCRIPTION

HDD 720' of 8" HDPE under Ashuelot River in the vicinity of the Winchester St Bridge. 110' of 8" MDPE to tie into existing 6" PE on Pearl St and 4" CI on Winchester St. Install small section of 4" PE to cross road to tie into existing 4" CI main on eastern end of project.

GENERAL NOTES

- THE PROPOSED GAS MAIN SHOWN IS APPROXIMATE AND SUBJECT TO CHANGE.
- PROPERTY LINE, STRUCTURES, STREET LINE, ETC. WAS COMPILED THE LIBERTY UTILITIES GIS DATA BASE AND ARE TO BE CONSIDERED APPROXIMATE.
- EXISTING UTILITIES, WHERE SHOWN, HAVE BEEN COMPILED FROM ABOVE GROUND EVIDENCE ONLY AND ARE TO BE CONSIDERED APPROXIMATE. LIBERTY UTILITIES DOES NOT GUARANTEE THE LOCATION OF THE UNDERGROUND UTILITIES SHOWN OR THAT ALL EXISTING UTILITIES AND/OR SUBSURFACE STRUCTURES ARE SHOWN.

REVISIONS

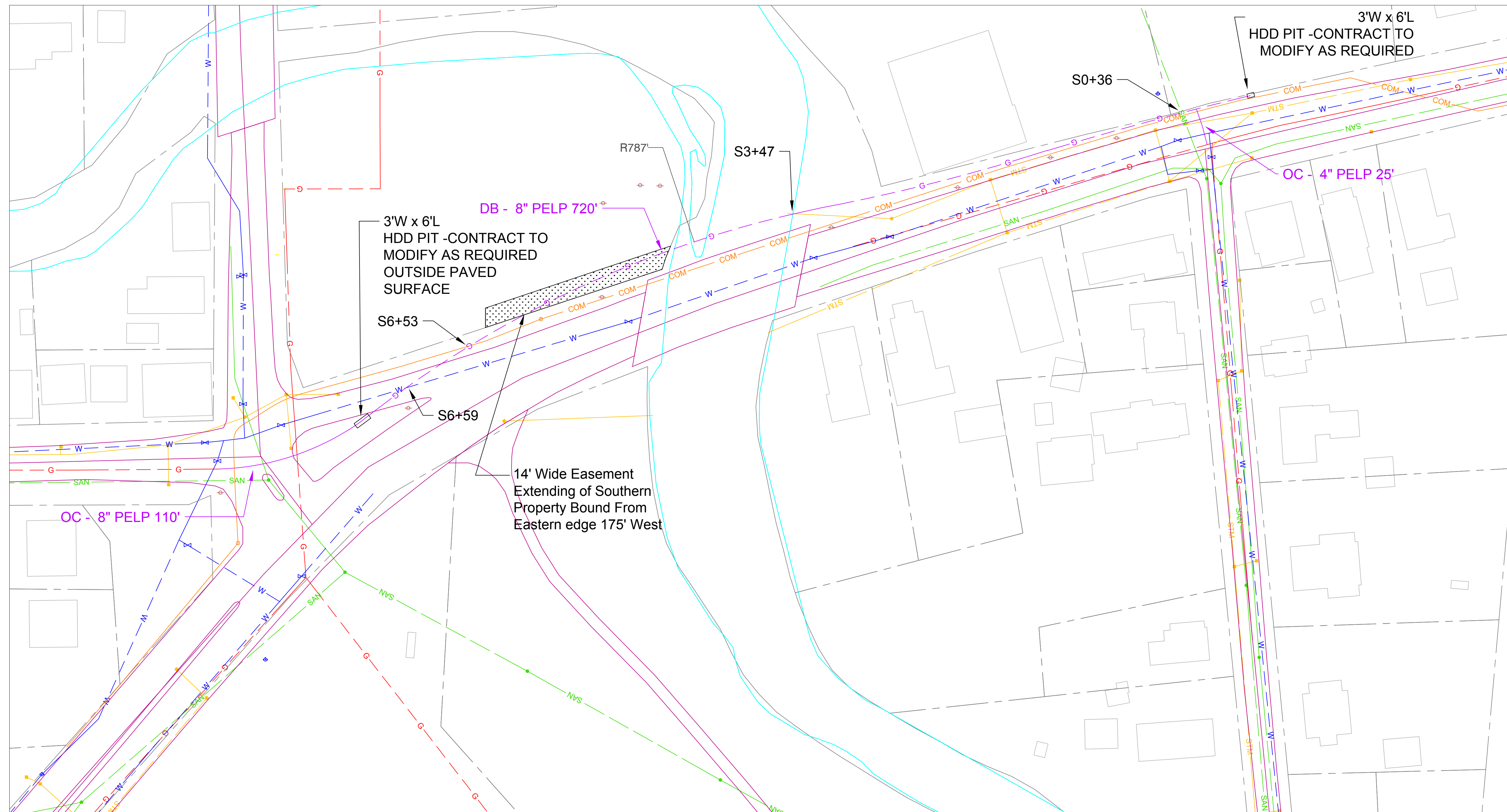
REV. #	DATE	DESCRIPTION
1	9-6-2018	UPDATES PER PUC STAFF COMMENTS
0	4-11-2018	INITIAL DESIGN FOR BID

DESIGNED BY	A. MILLS	4-4-2018	603-260-1597
DRAWN BY	A. MILLS	4-11-2018	603-260-1597
CHECKED BY	B. FROST	4-13-2018	603-475-9143
AS-BUILT BY			
	NAME	DATE	PHONE #

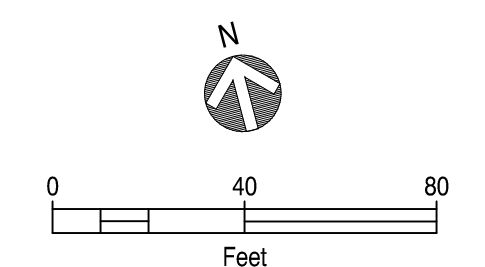
SITE NAME:
WO# 431814-37601
 ASHUELOT RIVER CROSSING
 KEENE, CHESHIRE

DRAWING TITLE:
TITLE SHEET

DRAWING NO:
T-1



Know what's below.
Call before you dig.



PROPOSED

REVISIONS

REV. #	DATE	DESCRIPTION
1	9-6-2018	UPDATES PER PUC STAFF COMMENTS
0	4-11-2018	INITIAL DESIGN FOR BID

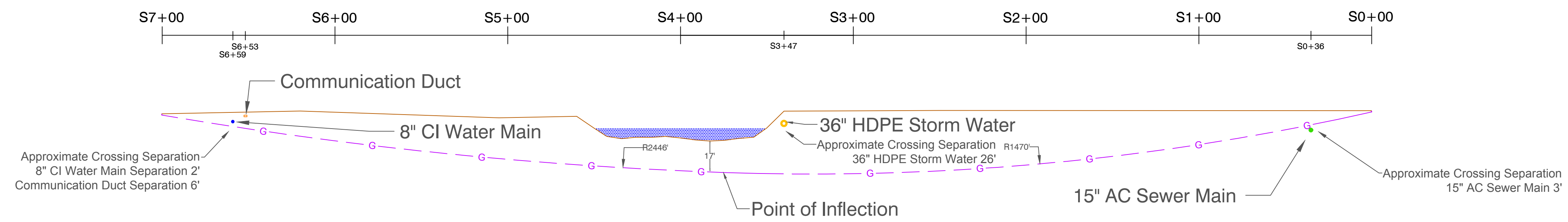
DESIGNED BY	A. MILLS	4-4-2018	603-260-1597
DRAWN BY	A. MILLS	4-11-2018	603-260-1597
CHECKED BY	B. FROST	4-13-2018	603-475-9143
AS-BUILT BY			
	NAME	DATE	PHONE #

SITE NAME:
WO#431814-37601

ASHUELOT RIVER CROSSING
KEENE, CHESHIRE

PROJECT TITLE:
LAYOUT SHEET

DRAWING NO:
L-1





City of Keene, N.H.
Transmittal Form

February 1, 2019

TO: Mayor and Keene City Council

FROM: Nancy Sheldon/Shaldu, Ltd.

THROUGH: Patricia A. Little, City Clerk

ITEM: C.2.

SUBJECT: Nancy Sheldon/Shaldu, Ltd. - Acquisition of the Rail Spur that Bisects Two Parcels of Property - Corner of Ralston and Emerald Streets

COUNCIL ACTION:

In City Council February 7, 2019.

Referred to the Finance, Organization and Personnel Committee, and the Bicycle, Pedestrian Path Advisory Committee.

ATTACHMENTS:

Description

Communication_Shaldy, Ltd

Backup_Shaldy, Ltd.

BACKGROUND:

Nancy Sheldon, Shaldu, Ltd., is seeking to acquire the rail spur that bisects two parcels of her property on the corner of Ralston and Emerald Streets.

Shalldu, Ltd.

‰ Nancy Sheldon
262 Central Park West
New York, NY 10024

February 1, 2019

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

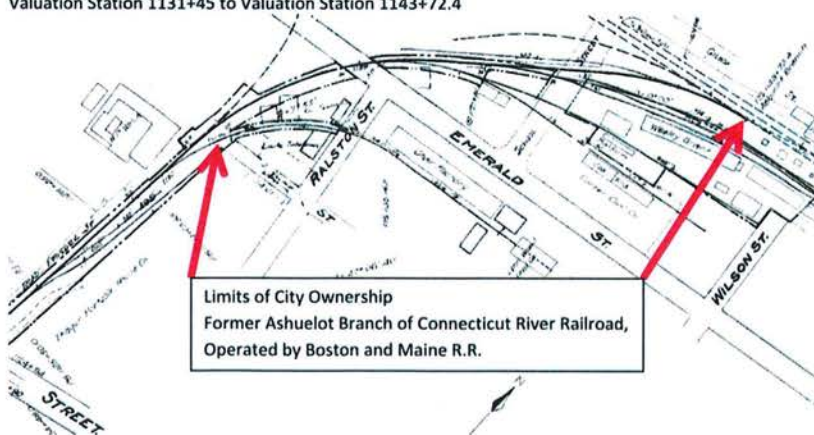
Honorable Mayor and City Council:

We write to request that the proposal described below be included in the agenda at the next meeting of the City Council and/or its appropriate committee. My family owns the property at 1 Ralston Street through Shalldu, Ltd. Our deceased father, Harry B. Sheldon, Jr., purchased the 0.66 acre parcel in 1974. He subsequently sold half the property to Braden Printing. Over the last several years my siblings and I have been thinking about developing our lot at the corner of Ralston and Emerald Streets. While we have not settled on a specific plan we are confident that the City would like to see the site improved.

The properties are bisected by a rail spur that runs between our lot and the Braden lot at 19 Ralston Street. Shalldu wishes to acquire the spur in anticipation of development. We have periodically corresponded with Al Braden on this topic and we would cooperate with him to the extent he is interested in a portion of the spur.

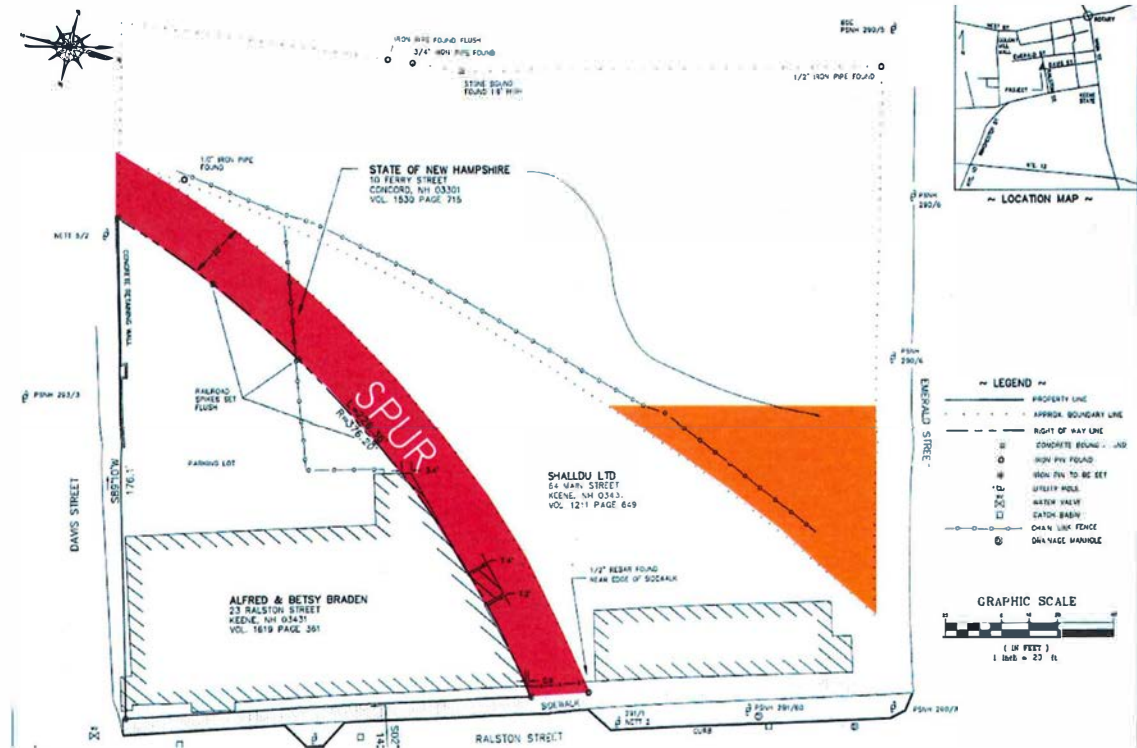
The City of Keene was granted certain pieces and parcels of land by the State of New Hampshire under a Quitclaim Deed in September 1988 and recorded in the Cheshire County Registry. I have attached a copy of the 1988 Deed. The map below shows the area of land granted by the State to the City.

V42.5/22 Ashuelot Branch
Ownership Limits – City of Keene, Cheshire County Registry of Deeds Book 1259 Page 0808
Valuation Station 1131+45 to Valuation Station 1143+72.4



Hon. Kendall W. Lane
and Keene City Council
Page 2
February 1, 2019

The map below is a closeup of the properties and the red spur that is the subject of this request.



Our family (through Shalldu, Ltd.) wishes to acquire the rail spur that bisects the properties. We look forward to hearing from you.

I can be reached by email: [REDACTED] or by phone at 212.724.09844 or 646.765.7807.

Thank you for your consideration.

Sincerely yours,

In City Council February 7, 2019.
Referred to the Finance, Organization and Personnel Committee,
and the Bicycle, Pedestrian Path Advisory Committee.

City Clerk

010219

08 SEP -7 PM 3:10

REC'D SEP 7 1988
CLERK OF DEEDS
LYONS HUSAL

609

Handwritten signature

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CHESHIRE COUNTY

REGISTRY OF DEEDS
KEENE, NEW HAMPSHIRE

SEP - 7 1988

Received _____
at 3:10 o'clock _____
P M

Recorded in Vol. 1259 Page 808
Attest *Register*
Register

(131)

Handwritten signature

①

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QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS that the State of New Hampshire, hereinafter referred to as "Grantor", for consideration paid, grants to the City of Keene, New Hampshire, with quitclaim covenants, all of its right, title and interest in and to those pieces or parcels of land situated in the City of Keene, Cheshire County, New Hampshire and bounded and described as follows:

- (a) All parcels shown on Boston and Maine Railroad Valuation Plan V39.1NH31 entitled "Right-of-Way and Track Map, Fitchburg R.R. Co.", dated June 30, 1914, between Station 1603+95 and Station 1623+20 thereon; and
- (b) All parcels shown on Boston and Maine Railroad Valuation Sheet Number V39.1NH S.L. 32, entitled "Station Map-Lands, Fitchburg R.R. Co.", dated June 30, 1914 between Stations 1623+20 and Station 1676+00 thereon; and
- (c) Those parcels shown on Boston and Maine Railroad Valuation Sheet Number V39.1NH33, entitled "Right-of-Way and Track Map, Fitchburg R.R. Co.", dated June 30, 1914 between Station 1676+00 and Station 1709+70, being the eastern boundary of Parcel No. 23; and
- (d) Those parcels shown on Boston and Maine Railroad Valuation Plan V42.5/SL22, entitled "Station Map-Lands, Connecticut River R.R. Co.", dated June 30, 1914, between approximately Station 1131+45, being the northeast boundary of Parcel No. 9, and Station 1143+72.4.

The Grantor also expressly releases any right or interest in the above-described properties created by statute under RSA 228:60-a, RSA 228:60-b, and RSA 228:60-c.

TO HAVE AND TO HOLD the above-described premises, with all the privileges and appurtenances thereto belonging, to the City of Keene, New Hampshire, its successors and assigns, to its own use and behoof forever.

IN WITNESS WHEREOF the said State of New Hampshire has caused these presence to be executed in its name, by the Commissioner of Transportation, thereunto duly authorized, this 23rd day of August, 1988.

THE STATE OF NEW HAMPSHIRE
Department of Transportation

By: Wallace E. Stickney
Wallace E. Stickney, Commissioner

STATE OF NEW HAMPSHIRE
COUNTY OF MERRIMACK, SS.

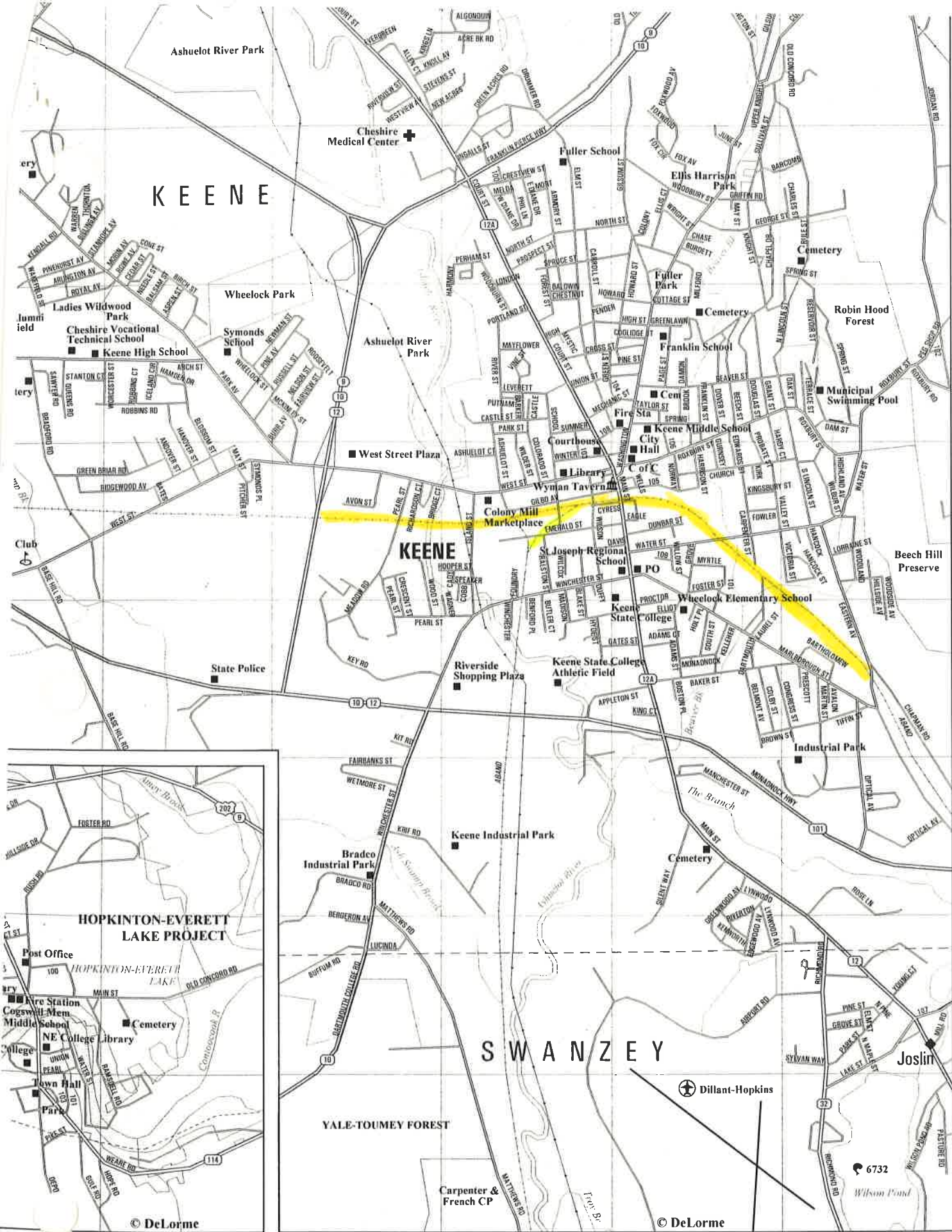
On this the 23rd day of August, 1988, before me, the undersigned officer, personally appeared WALLACE E. STICKNEY, Commissioner of the New Hampshire Department of Transportation, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he, being authorized to do so, has executed the same for the purposes therein contained.

IN WITNESS WHEREOF I hereunto set my hand and official seal.

Neil D. MacPherson
Justice of the Peace/Notary Public

NEIL D. MacPHERSON, Notary Public
My Commission Expires April 9, 1991





D
E
F
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J
K

1" = 0.4 mi (0.6 km)

**STATE OF NEW HAMPSHIRE
INTER-DEPARTMENT COMMUNICATION**

From: Louis A. Barker
Railroad Planner

Date: October 17, 2011

At: Dept. of Transportation
Bureau of Rail and Transit

thru: Christopher Morgan, Administrator, Bureau of Rail & Transit

SUBJECT: State-owned Ashuelot Branch Railroad Corridor, Keene
Ownership

TO: Mike Pillsbury
Deputy Commissioner

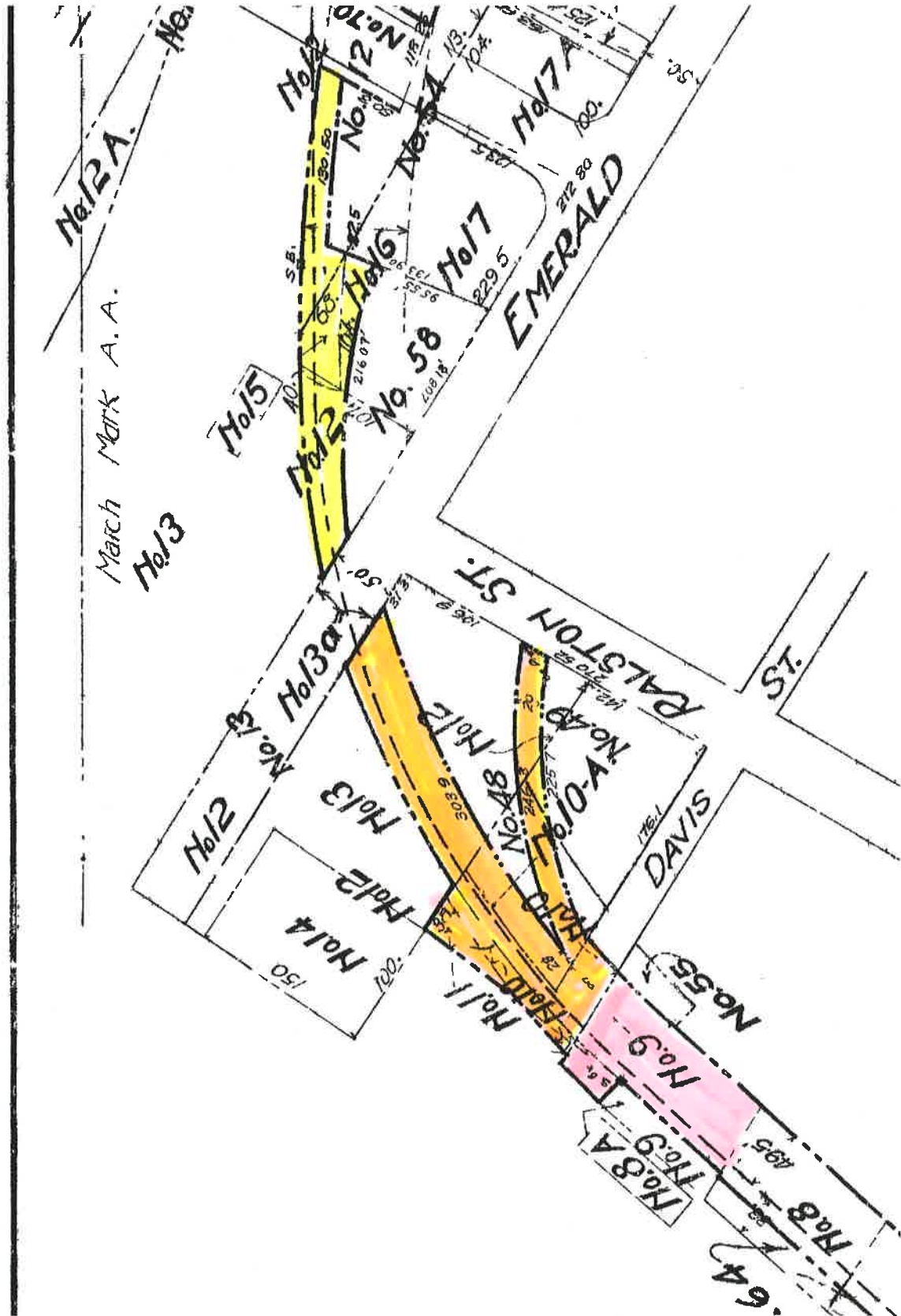
Please find attached a copy of the Quitclaim Deed dated August 23, 1988 from the State of New Hampshire, Grantor, to the City of Keene for segments of the State-owned Cheshire and Ashuelot Branch Railroad Corridors in Keene. Also, I have attached excerpts from the Ashuelot Branch Valuation Section 42.5/SL22, 42.5/22 and the City Tax Map.

In researching recent property request regarding railroad property I compared paragraph (d) to the valuation maps on file in the Bureau of Rail & Transit. It is my opinion that the State's ownership actually ends at what is known as Davis Street. This disagrees with what it shown the City of Keene tax maps therefore two property requests were referred by the City to this office.

Unless there are other steps necessary I request permission to inform the City of Keene of this finding and to redirect the property requests to the City of Keene as well.

Please review, comment and if acceptable I will prepare correspondence to the City of Keene and to the applicants.

Attachments



42.5 / 5L22



City of Keene, N.H.
Transmittal Form

January 20, 2019

TO: Mayor and Keene City Council

FROM: Tim Zinn, Let it Shine

THROUGH: Patricia A. Little, City Clerk

ITEM: C.3.

SUBJECT: Tim Zinn/Let it Shine - Request to Use City Property - 2019 Pumpkin Festival

COUNCIL ACTION:

In City Council February 7, 2019.

Referred to the Planning, Licenses and Development Committee.

ATTACHMENTS:

Description

Communication_Zinn

BACKGROUND:

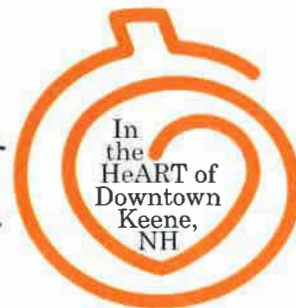
This is the annual request from Let it Shine for a license to conduct the Keene Pumpkin Festival in the HeART of Downtown Keene on Sunday, October 27, 2019.

Let it Shine!



PumpkinFestival.org
c/o Sterling, 214 Washington Street
Keene, NH 03431

Keene
Pumpkin
Festival



January 20, 2019

Honorable Mayor and Keene City Council,

With gratitude to everyone who pitched in to make Keene Pumpkin Festival 2018 a wonderful success, Let it Shine is submitting applications to run a similar event in 2019.

The jack-o'-lanterns designed, carved and displayed by school children will again be the focal point of Keene Pumpkin Festival in the HeART of Downtown Keene, with a cap of 5,000 individual works of pumpkin art.

The same entertainment and activity programming is planned, including the HeART tent featuring practicing artists and opportunities for participants to create. A Photo Booth and Face Painting would be offered for the third year. Free games, including Pumpkin Bowling would, for the third year, take place on the east side of Central Square. The plan is to continue to follow the event plan from 2017 and 2018 without significant changes.

Let it Shine's mission statement, established in 2011, includes a commitment to nonprofits in the area:

The Pumpkin Festival is a community-hosted, family-friendly celebration of fall and of what is unique about Keene, New Hampshire. It is also a celebration of artistry and creativity and a demonstration of our commitment to non-profit efforts to serve those in need.

To try to address this in 2019, we would like to offer deserving area nonprofits the opportunity to provide "bake sale" style refreshments, involving no cooking, in the footprint of the festival, probably on the west side in front of Pedraza's. If this idea meets with Council and staff approval, we would welcome youth-oriented nonprofits a chance to apply to host this refreshment table.

Other than addressing the nonprofit responsibility of our charter, Let it Shine hopes to three-peat in organizing devoted pumpkin-loving volunteers—including students—and generous donors in offering the community a fun, family-oriented, arts-oriented, visually exciting day in the heart of our beautiful Downtown.

We look forward to our third year of rekindling the magic of Keene Pumpkin Festival.

Respectfully,

A handwritten signature in black ink, appearing to read 'Tim Zinn'.

Tim Zinn and the Board of Let it Shine

In City Council February 7, 2019.
Referred to the Planning, Licenses and
Development Committee.

Shaundi Rider photo, 2018

A handwritten signature in black ink, appearing to read 'Patricia Castle'.
City Clerk



CITY OF KEENE
USE OF CITY PROPERTY APPLICATION
STREET FAIR/EVENT LICENSE

Applicant/Sponsoring Organization Information:

NAME OF ORGANIZATION: Let it Shine Inc.

APPLICANT NAME: Tim Zinn

ADDRESS: 43 Grove Street, Keene, NH

DAYTIME PHONE: 603 209 4179 EVENING: () FAX #: ()

E-MAIL: [REDACTED]

DAY OF EVENT CONTACT NAME AND CELL NUMBER: Tim Zinn 603 209 4179

Ruth Sterling 603 355 0214

Special Event Information:

SPECIAL EVENT ON CITY PROPERTY STREET FAIR

DISCHARGE OF FIREWORKS

SERVING OF ALCOHOL AT A CITY FACILITY - please specify location HEBERTON HALL

COMMUNITY ROOM

PARADE, WALK-A-THON, OR BIKE/FOOT RACE REQUIRING STREET CLOSURES/POLICE ASSISTANCE

OTHER (please specify) _____

EVENT TITLE: Keene Pumpkin Festival in the HeART of Downtown Keene

EVENT DATE(S): 10-27-19 ESTIMATED ATTENDANCE: 5,000

LOCATION OF EVENT: Central Square

DURATION OF USE (INCLUDING SET UP/BREAKDOWN): from: 7 AM / PM to: 9:30 AM / PM

HOURS OF ACTUAL EVENT: from: Noon AM / PM to: 7 AM / PM

DESCRIPTION OF EVENT: A family-friendly display of jack-o'-lanterns

Please attach additional sheets as necessary

STREET CLOSURES/DETOURS REQUESTED: None except as required

by the City

Please attach additional sheets as necessary



CITY OF KEENE
USE OF CITY PROPERTY APPLICATION
STREET FAIR/EVENT LICENSE

Form with columns for YES/NO and various questions: DOES THE EVENT REQUIRE ACCESS TO CITY WATER?, BOOTH(S), EXHIBIT(S), DISPLAY(S) AND/OR ENCLOSURE(S), CANOPY(IES) AND/OR TENT(S), SCAFFOLDING, BLEACHER(S) OR OTHER STRUCTURES, CHILDREN'S CARNIVAL OR INFLATABLE RIDES, VEHICLE(S) AND/OR TRAILER(S), WILL YOUR EVENT ENCUMBER METERED PARKING SPACES?, PORTABLE TOILET(S), ENTERTAINMENT, BANNERS OR TEMPORARY SIGNAGE, WILL THE EVENT BE ADVERTISED?



**CITY OF KEENE
USE OF CITY PROPERTY APPLICATION
STREET FAIR/EVENT LICENSE**

Is this the first time your organization has sponsored this event? Yes No

If not, has the person(s) in charge of organizing the event changed since it was last applied for? Yes No

For events that have been held previously, has the City provided any support or services to your event? Yes No

If so, please describe: DPW, Fire + Emergency services + KPD

DETAILED MAP OF PROPOSED EVENT FOOTPRINT: Please provide as an attachment to your application a single line sketch/drawing of the layout of the event. On the sketch/drawing include sidewalks/streets/lanes to be closed and/or blocked, locations of vendors (merchandise, food, etc.), display tables, or other encumbrances, and identify areas of activities (start lines, finish lines, attractions, etc.). *See separate pdf Map*

PLEASE INDICATE WHETHER THE FOLLOWING ITEMS PERTAIN TO YOUR EVENT:

YES	NO	
<u>X</u>	_____	WILL ACTIVITIES AND ATTENDEES BE ENCUMBERING THE TRAVELED PORTION OF ANY PUBLIC WAY, STREET OR LANE?
_____	<u>X</u> ?	FOOD CONCESSIONS AND/OR OUTDOOR COOKING
_____	<u>X</u>	USE OF PROPANE
_____	<u>X</u>	OUTDOOR BURNING (CAMPFIRE) <i>(candles)</i>
<u>X</u>	_____	SET UP OF TABLES AND CHAIRS (if so, how many): <u>5 tables</u>
<u>X</u>	_____	DOES THE EVENT REQUIRE ACCESS TO CITY ELECTRICAL? (location): _____



**CITY OF KEENE
USE OF CITY PROPERTY APPLICATION
STREET FAIR/EVENT LICENSE**

YES

NO

X

SOUND AMPLIFICATION (if yes, indicate start/end times): Noon - 7pm

Bandstand

OTHER MISCELLANEOUS INFORMATION YOU WISH TO PROVIDE PERTAINING TO THIS EVENT:

(Protocol meetings will be held with the applicant as necessary to seek further details relative to the request for a license and/or funding for City services. Please be aware, the City may place additional conditions or requirements on the event at its sole discretion to ensure public safety)



City of Keene, N.H.
Transmittal Form

January 23, 2019

TO: Mayor and Keene City Council

FROM: Municipal Services, Facilities & Infrastructure Committee

ITEM: D.1.

SUBJECT: Roxbury Street Bridge Replacement – Aesthetic Options – Public Works Department

COUNCIL ACTION:

In City Council February 7, 2019.

Voted unanimously to carry out the intent of the first recommendation. Motion on option two failed to carry with no votes in favor. Voted unanimously to select Option C for the Roxbury Street bridge railings.

RECOMMENDATION:

On a vote of 3-2, the Municipal Services, Facilities & Infrastructure Committee eliminated lighting as an option in the Roxbury Street bridge designs. Chair Manwaring and Councilor Lamoureux opposed.

On a vote of 3-2, the Municipal Services, Facilities & Infrastructure Committee recommend that the City Council select Option A for the Roxbury Street bridge railings. Councilors Filiault and Sutherland opposed.

BACKGROUND:

The City Engineer recalled this is a follow-up on the aesthetic options for the Roxbury Street bridge replacement; he thanked the Committee for keeping this on schedule. He recalled that the Roxbury Street bridge, built in 1950, is one of 11 municipal bridges red listed by NH Department of Transportation (DOT) and is scheduled for replacement in summer 2019. Previously, this Committee approved the structure design (precast concrete rigid frame) and the accelerated bridge construction option (full road closure up to two months). This project is funded through the NH Bridge Aid Program through which NH DOT pays for 80% of the project, leaving the City responsible for 20% of the cost. At the last meeting, the City Engineer and project consultant from McFarland Johnson presented three aesthetic options for the bridge:

- Option A: decorative concrete columns at each of the bridge corners with steel vehicle protection and pedestrian railing in between.
- Option B: decorative concrete columns at each of the bridge corners, with a low concrete wall (vehicle protection) between them and more decorative steel railing above for pedestrians.
- Option C: entirely concrete.

All options are designed currently with decorative lighting on each of the four bridge corners, which he hopes will be included less for function and more so as a decorative enhancement for the bridge. At the last meeting the Committee asked his preferred aesthetic option, which he is asked rarely as an engineer, and upon reflection he knows all three options meet the design needs but aesthetically he first prefers Option B, followed by Option A. He recommended the Committee consider lighting carefully; he feels this bridge is a gateway between the industrial City center and residential neighborhoods. He thinks more aesthetic railing and lighting will create a greater focal point to notice that transition. He also likes a visual connection to the river; even though Beaver

Brook is channelized, he thinks it is a disservice to pretend it does not exist and hide it behind a concrete wall.

The City Engineer continued by responding to the three questions the Committee asked at the last meeting:

- The possibility of solar power for the decorative lighting:
 - The City Engineer showed a photo demonstrating the arc of the sun throughout the day at the southeast corner of the bridge closest to the adjacent two-story residence on December 21, the shortest day of the year. During the winter months, there will not be enough solar exposure to power the lights. During the rest of the year, however, there will be sufficient exposure to power the lights all day. If Council still feels strongly about solar options for the other nine months of the year, it is possible to install a remote solar panel down the street, where there is better light. This will require an easement from the property owner and will be considerably more expensive (an additional \$20,000 approximately). While the City Engineer will always advocate for renewable energy options when they are the best option, but he does not recommend solar for this project because of the reasons listed.
- Cost estimates for each option including decorative lighting (all of which are within the \$70,000 budget Council approved for this project):
 - Option A: \$49,200 (City cost: \$9,840)
 - Option B: \$64,200 (City cost: \$12,840)
 - Option C: \$34,200 (City cost: \$6,840)
- Cost estimates for each without decorative lighting (\$14,200):
 - Option A: \$35,000 (City cost: \$7,000)
 - Option B: \$50,000 (City cost: \$10,000)
 - Option C: \$20,000 (City cost: \$4,000)

Councilor Filiault asked if the existing City street lights will light the bridge to City standards if no decorative lighting is installed. The City Engineer replied yes, the existing utility pole light meets current City standards, which were converted to LEDs recently and will remain as such. If decorative lighting is installed on the bridge, the existing adjacent utility pole light will be removed to eliminate redundancy.

Councilor Sutherland said he spoke with people in the neighborhood and some could not recall that there is a bridge; additionally, when asked, most neighbors said they would vote in favor of the least expensive option over aesthetics. In looking at the roadway and bridge size, he noticed how much the railings will be exposed to snow and salt from the roadway and therefore will require more maintenance because of winter corrosion. He also said he visited the bridge at night and there is already sufficient light to read. While Options A and B would be nice in a park environment, he favors Option C because it is the least expensive and most conducive to public art.

Councilor Hooper asked if the decorative lights in the designs must be solar. The City Engineer replied no, the fixtures will be the same regardless of solar power. Councilor Hooper said he agrees with the City Engineer that this bridge should be a gateway and that passersby should know they are going over a bridge. He favors Option A.

Councilor Lamoureux recalled that solar would be effective nine months of the year. He asked if there is a switch mechanism to use solar during those nine months and change to grid electricity during the remaining months. The Public Works Director said that technology exists and the City considered it for the pedestrian crossings on West Street. Unfortunately however, the City would still pay the meter fee during those nine months and therefore save little because usage cost is low compared to the meter fee.

Councilor Lamoureux recalled being involved with the Wells Street concrete parking structure, where the City learned that regular rock salt deteriorates concrete; he asked if the concrete would deteriorate similarly on this bridge. The City Engineer said salt is a problem and concern with all three options because they all have concrete structures. The industry has learned more about what causes salt deterioration and found that better concrete sealing slows the degradation. Staff seals garage surfaces regularly now, which will occur with this

bridge as well regardless of these aesthetic options.

Councilor Lamoureux noted the City street lights used to turn off at times; he asked if that still occurs now that they are LED. The Public Works Director said there have not been issues with the lights turning off intermittently. The lights run on a power cell with a sensor that causes the lights to turn off when there is a certain level of daylight. There have been problems in the past when the sensor fails and the light operates incorrectly. There have also been problems in the past with the lights power recycling inconsistently; that is no longer a problem with the new technology.

Councilor Sutherland asked if this is the only bridge crossing Beaver Brook that will be replaced in the foreseeable future. The City Engineer replied no, the George Street bridge is also red listed and will be replaced in 2022. The Spring Street bridge is red listed as well but is not scheduled for replacement yet; the bridge is 23 years-old and designed currently like Option C in the Roxbury project. The Church Street bridge is also red listed but not yet scheduled for replacement. The Public Works Director said the Water Street bridge, which was replaced approximately 10 years ago, has more utilitarian, open cast aluminum railings that are NH DOT standard.

Councilor Lamoureux said he thinks the cost difference is minimal enough to provide the tax payer a more aesthetic bridge and lighting.

Councilor Filiault said he visited the bridge and believes Option C is a better fit for the neighborhood aesthetics; he thinks the railing would look out of place. Instead, he favors Option C without decorative lighting. If solar power was more feasible he would favor the decorative lighting; without a fiscally responsible solar option, the lights are merely aesthetic and unnecessary. Price excluded, he likes the aesthetics of Option C.

The Public Works Director recalled that if decorative lighting were installed, the adjacent existing street light would be removed so there would be no redundant lighting.

Chair Manwaring asked the bridge length. The City Engineer replied the bridge will have a 22' opening with 24'-26' railings to include the concrete endcap pillars, which are designed as 2.5'. Chair Manwaring said the bridge seems small and she does not think the decorative lighting is necessary. She favors Option A, without decorative lighting.

Councilor Filiault moved for the Municipal Services, Facilities & Infrastructure Committee to recommend that the City Council select Option C, without the lighting package, for the Roxbury Street Bridge railings. Councilor Sutherland seconded the motion.

Councilor Lamoureux said he will vote against the motion. He said Council has spent significant time discussing investments in the community. Parts of the City might not be aesthetically pleasing currently but Council should invest in those parts of the community, which will promote economic development. An aesthetic difference might not mean much to the Council right now, but it might mean a lot to someone considering moving to this City. He prefers the decorative lighting in that corridor as will be a nicer gateway into the City. He favors Option A, with the decorative lighting.

Councilor Hooper agreed and said he dislikes that it is unclear you are crossing a bridge, which will be worse with Option C. For the minimal cost difference, even though he is usually frugal, he thinks it will be money well spent to add architectural quality to that part of town. He was surprised at the low cost of the project in the grand scope of City projects. He favors Option A, with decorative lighting.

Councilor Filiault agreed that the City needs improvements but said beauty is subjective. He does not think Beaver Brook is a luxurious river and Option C will look better in that area. There is already adequate lighting at the bridge and he does not think decorative lighting is necessary. With option C, the City can do an

improvement that looks good and saves money.

Councilor Sutherland said light pollution in the City is already excessive; he said the Commercial Street parking lot is a good example. He said Council's job is to focus on a quality City environment as well as a sustainable environment. Adding four lights to this concentrated area increases monitoring and repair time and thus costs. In terms of this being a gateway into the City, he thinks there are other ways to enhance the bridge and per Councilor Carl Jacobs, Option C best facilitates public art.

Councilor Hooper said he likes Option A because it adds architectural interest. He suggested Option A, without lighting, as a compromise.

Councilor Lamoureux asked the cost difference between running the one adjacent street light and the four proposed decorative lights. The City Engineer did not know, but the decorative lights use a smaller bulb than the streetlights; it would not be four times the cost but he could not say the difference exactly.

On a vote of 2-3 the motion to recommend that the City Council select Option C, without the lighting package, for the Roxbury Street Bridge railings failed. Chair Manwaring and Councilors Hooper and Lamoureux opposed.

Councilor Sutherland made the following motion, which Councilor Filiault seconded. On a vote of 3-2, the Municipal Services, Facilities & Infrastructure Committee eliminated lighting as an option in the Roxbury Street bridge designs. Chair Manwaring and Councilor Lamoureux opposed.

Councilor Lamoureux made the following motion, which Councilor Hooper seconded. On a vote of 3-2, the Municipal Services, Facilities & Infrastructure Committee recommend that the City Council select Option A for the Roxbury Street bridge railings. Councilors Filiault and Sutherland opposed.

Councilor Lamoureux asked if it is possible to add a conduit for future lighting while the bridge is being constructed. The City Engineer replied yes, it should be easy.



City of Keene, N.H.
Transmittal Form

January 24, 2019

TO: Mayor and Keene City Council

FROM: Finance, Organization and Personnel Committee

ITEM: D.2.

SUBJECT: Request to Solicit and Report on Donations - Human Resources Department

COUNCIL ACTION:

In City Council February 7, 2019.

Voted unanimously to carry out the intent of the report.

RECOMMENDATION:

On 4-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to solicit and accept donations from local and regional businesses and service vendors to be used for events sponsored by employees in 2019.

BACKGROUND:

Asst. City Manager, Human Resources Director, Beth Fox addressed the Committee regarding the solicitation of donations from local businesses and service vendors for calendar year 2019. She thanked all vendors who supported employee events for the past year. She specifically identified Northeast Delta Dental and Health Trust which made cash contributions that supported the 2018 employee recognition event. Those donations are key for the City to putting on this event, which is enjoyed by employees and all those who attend.

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

On 4-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to solicit and accept donations from local and regional businesses and service vendors to be used for events sponsored by employees in 2019.



City of Keene, N.H.
Transmittal Form

January 24, 2019

TO: Mayor and Keene City Council

FROM: Finance, Organization and Personnel Committee

ITEM: D.3.

SUBJECT: Request to Accept Wellness Grant - Human Resources Department

COUNCIL ACTION:

In City Council February 7, 2019.

Voted unanimously to carry out the intent of the report.

RECOMMENDATION:

On 4-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept the wellness grant from HealthTrust to be used for employee wellness activities in 2019.

BACKGROUND:

Ms. Fox stated this request is for the City Manager to be authorized to accept a wellness grant from Health Trust. She noted that in July of 2018 the City changed health carrier to Health Trust. She added that Health Trust has a different way that they structure wellness training. There were four employees who participated in their wellness coordinator training activity earlier this month. For this participation, the City was awarded \$2,000 to promote programs to advance wellness within the organization. Vicki Flanders, Sheryl Zinn, Maria Costellano and Duncan Watson were the City employees who participated in this training. The Health Trust has a large number of packaged programs that can be rolled out to employee groups.

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

On 4-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept the wellness grant from HealthTrust to be used for employee wellness activities in 2019.



City of Keene, N.H.
Transmittal Form

January 24, 2019

TO: Mayor and Keene City Council
FROM: Finance, Organization and Personnel Committee
ITEM: D.4.

SUBJECT: Pamela Russell Slack - Public Restrooms at Former Transportation Center and Downtown Restroom - Parks, Recreation and Facilities Director

COUNCIL ACTION:

In City Council February 7, 2019.
Report filed as informational.

RECOMMENDATION:

On 4-0 vote, the Finance, Organization and Personnel Committee recommends the communication regarding public bathrooms as well as the staff memorandum be accepted as informational.

BACKGROUND:

Ms. Pamela Russell Slack of 260 Beaver Street addressed the Committee and stated she had submitted her communication because of the possibility that bathrooms were being planned for the transportation center. She stated she was not in favor of this and outlined those concerns in a letter. She added that she also works in this area and is aware of some of the issues surrounding this location. She added she has included the option of a Portland Loo only because this was a suggestion that was raised during a Council meeting on October 20, 2018.

Parks Recreation and Facilities Director Andy Bohannon stated since this item was put on more time another suggestion has come forward. As a result he would like to include this as part of a larger project moving forward. He went on to say when the project was initially estimated it was at a cost of \$104,600 whereas a Portland Loo would have been a rough difference of about \$30,000.

The Chairman asked the City Manager to address the plan for Gilbo Avenue which could have a significant impact on this proposal. Ms. Dragon stated the City has recently learned that MEDC is proposing an arts and culture corridor that will come down Gilbo Avenue, across Main Street down to the Monadnock Food Co-op. This would involve a pedestrian way along Gilbo Avenue. The city's property on Gilbo Avenue would be used as a welcome center. They will also create a permanent concept for the farmers market under a gazebo as well as potentially an ice rink, the skate park and performance area. They are also thinking about areas where artists can reside, and locations for displaying art. Ms. Dragon indicated these plans are in conceptual stage and MEDC is looking to bring in a consultant to bring more detail to the plan with public input.

The Manager stated the City's concern is spending \$104,000 or even \$134,000 to locate a Portland Loo when there might be a much larger plan for this area. She stated this arts corridor anticipates using many funding sources (new market tax credit, an opportunity zone, TIF district). The Chair added that he understood that the

skate park was also being contemplated. The Manager agreed and noted that Jack Dugan is speaking with the individuals who are raising funds. There is discussion about taking those raised funds and folding them into this project for potentially an increased footprint.

The Chairman reiterated this is a large project which is not ready for public outreach yet; however, they could not see spending close to \$100,000 on public restrooms at this time. He stressed the City needs bathrooms downtown, and this is not an attempt to postpone that need, but making any kind of commitment at this time is premature.

Councilor Jacobs stressed the need for bathrooms downtown and asked for a timeframe for the larger project. The City Manager stated she recently attended a meeting where \$5,000 was approved to be spent on a consultant. Their commitment is to raise \$40,000 and they are close to that. She continued there are changes happening at MEDC and while Jack Dugan and Bob Elliot are still there it would be important to develop a good understanding of how the finances might work by the spring of 2020. The project itself would happen after that.

Councilor Chadbourne stated she agrees with everything that has been said and agreed there is a need for bathrooms downtown, but MEDC seems to have a plan for a large project and she felt the City should wait to see how these plans move forward. She stated the Manager of Yolo's had approached her recently. He had a concern about the people who use the public bathrooms in his facility and leaving needles and other such things, which are causing many problems. She stated she is excited about the arts plan and recalled back in the 80's when Mechanic Street had something similar.

Councilor Powers referred to the downtown bathroom project in the CIP and noted his understanding that the project had been removed. The Councilor continued that he doesn't want to see this project lost and suggested that there might be some way to mark this project as a priority.

Ms. Russell Slack addressed the Committee again and stated she was aware of MEDC's project, but what is not mentioned is someone being present to take care of these restrooms. This is an issue that has been raised in the past and the safety concerns that exist. She noted the safety has increased with the addition of lighting, but if public restrooms are added more security would be necessary because the cost of this is not included in the City's cost. What is also not mentioned is that this is still a bus stop and the bus comes twice a day. She would like to see the City work with Greyhound Transportation to get more transportation to the City and noted the only reason the service und comes to Keene is because of the contract they have with the State of Vermont.

The City Manager stated staffing is something that was being considered, but the City stopped looking at this once they heard MEDC's proposal. The Chamber of Commerce had a plan to have someone present at this location as well. She went on to say Southwest Regional Commission is also looking at the transportation system and creating a transportation hub and how that would interact with a project like this.

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

On 4-0 vote, the Finance, Organization and Personnel Committee recommends the communication regarding public bathrooms as well as the staff memorandum be accepted as informational.



City of Keene, N.H.
Transmittal Form

January 24, 2019

TO: Mayor and Keene City Council

FROM: Finance, Organization and Personnel Committee

ITEM: D.5.

SUBJECT: Adopt A Bench Donation - Parks, Recreation and Facilities Director

COUNCIL ACTION:

In City Council February 7, 2019.

Voted unanimously to carry out the intent of the report.

RECOMMENDATION:

On 4-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept the donation of a bench from the Keene High School Class of 1956 and that the bench be placed along the Cheshire Rail Trail.

BACKGROUND:

Mr. Bohannon stated Keene High School Class of 1956 would like to adopt a bench and locate it along the Cheshire Rail Trail on Pitches Street adjacent to the North Bridge. The cost of adopting a bench is \$1,200 to include the bench, plaque and installation.

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

On 4-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept the donation of a bench from the Keene High School Class of 1956 and that the bench be placed along the Cheshire Rail Trail.



City of Keene, N.H.
Transmittal Form

January 24, 2019

TO: Mayor and Keene City Council

FROM: Finance, Organization and Personnel Committee

ITEM: D.6.

SUBJECT: Acceptance of Donation -St. James Thrift Shop - Parks, Recreation and Facilities Director

COUNCIL ACTION:

In City Council February 7, 2019.

Voted unanimously to carry out the intent of the report.

RECOMMENDATION:

On 4-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept a donation of \$750.00 from the St. James Thrift Shop and that the money be used by the Martin Luther King Jr. / Jonathan Daniels Committee for its annual programming.

BACKGROUND:

Mr. Bohannon stated this item is regarding a \$750.00 donation from the St. James Thrift Shop to be used by the City's Martin Luther King Jr. / Jonathan Daniels Committee for its annual programming.

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

On 4-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept a donation of \$750.00 from the St. James Thrift Shop and that the money be used by the Martin Luther King Jr. / Jonathan Daniels Committee for its annual programming.



City of Keene, N.H.
Transmittal Form

January 24, 2019

TO: Mayor and Keene City Council

FROM: Finance, Organization and Personnel Committee

ITEM: D.7.

SUBJECT: Sponsorship Update - Parks, Recreation and Facilities Director

COUNCIL ACTION:

In City Council February 7, 2019.
Report filed as informational.

RECOMMENDATION:

On 4-0 vote, the Finance, Organization and Personnel Committee recommends the acceptance of the sponsorship update for Wheelock Park and the summer concert series as informational.

BACKGROUND:

Mr. Bohannon referred to the sponsorship program the department adopted in 2016. He updated the Committee on the sponsorships that have come in since the last time this matter came before the Committee.

American House acquired Bentley Commons and they are sponsoring the summer concert series. Summer concerts run from June 12 through August 28. The value of this sponsorship is \$5,000. The Director continued that Septic Pro has purchased three banners at Wheelock Park for a period of one year beginning on February 1, 2019 with an option to renew on an annual basis. They have also sponsored one summer concert as part of the downtown concert series at a value of \$1,250.

Mr. Bohannon thanked these two sponsors and noted sponsorship information is available on the department's website. Chair Greenwald thanked the two sponsors. The Chair noted his appreciation for these two community sponsors.

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

On 4-0 vote, the Finance, Organization and Personnel Committee recommends the acceptance of the sponsorship update for Wheelock Park and the summer concert series as informational.



City of Keene, N.H.
Transmittal Form

January 24, 2019

TO: Mayor and Keene City Council
FROM: Finance, Organization and Personnel Committee
ITEM: D.8.
SUBJECT: Taxiway 'A' Engineering Contract - Airport Manager

COUNCIL ACTION:

In City Council February 7, 2019.

Voted unanimously to amend the recommendation to add "for a cost of up to \$373,740". Voted unanimously to carry out the intent of the report as amended.

RECOMMENDATION:

On 4-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to all things necessary to execute a Professional Engineering Services contract with Dubois & King for the design and construction administration of the Taxiway 'A' extension and reconstruction.

BACKGROUND:

Airport Manager Jack Wozmak stated he was before the committee regarding hiring the services of Dubois & King for the design and construction administration of the Taxiway 'A' extension and reconstruction. This would involve a 1,800 foot extension of taxiway A, and a 4,000 feet reconstruction of the taxiway and the construction of a couple of feeder taxiways. This has been part of the CIP for a few years and this project is now eligible for Federal funding. They did some design work on the weather station last year in anticipation of this project. It is eligible for NHDOT and Federal Funding. Mr. Wozmak stated they are also hoping for beyond the standard 95/5 funding from state/federal/local match, some supplemental FAA funds which would be 100% funded with no City match. He added the design work has to be completed for funding request to be submitted.

The Chairman asked for the total value of the project. Mr. Wozmak stated the Dubois & King project is \$599,688 (design and construction administration). The City is responsible for 5% (\$130,000) of these funds which relates to the taxiway A extension, which has a total project is 2.6 million dollars. The reconstruction (if we get the additional Federal dollars) would be about \$6,000,000.

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

On 4-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to all things necessary to execute a Professional Engineering Services contract for up to \$373,740 with Dubois & King for the design and construction administration of the Taxiway 'A' extension and reconstruction.



City of Keene, N.H.
Transmittal Form

January 24, 2019

TO: Mayor and Keene City Council

FROM: Finance, Organization and Personnel Committee

ITEM: D.9.

SUBJECT: Solar Exemption Discussion - Assessing Department

COUNCIL ACTION:

In City Council February 7, 2019.
Voted unanimously to carry out the intent of the report.

RECOMMENDATION:

On 5-0 vote, the Finance, Organization and Personnel Committee recommends staff draft an appropriate Resolution to remove the cap on the exemption for solar arrays.

BACKGROUND:

City Assessor Dan Langille addressed regarding the solar exemption that the City offers and whether a change should be consideration. He noted that solar can be used to heat or cool the interior of a building, heat water for use in the building, as well as provide electricity for a building by use of solar panels you might see on roof tops. An exemption is a reduction in assessed value.

As way of background, in 2007, the Council approved this exemption at a value of \$10,000 as a way to encourage use and development of alternative energy systems. At that time (the City wasn't actually assessing the systems) it was acting as more of a credit than an exemption. In 2017, when the panels were going to be assessed the exemption was adjusted for up to \$30,000 of the assessed value of the solar panels.

Mr. Langille stated the City is seeing an increase in solar installations. There have been about 79 installations. 2/3 of those installations have been installed in the past three years. The City has recently heard about some larger scale systems which are looking to far exceed the \$30,000 value of the exemption.

The systems they are looking at far exceed the \$30,000 value. Comments they are receiving is that these large scale systems would be cost prohibitive because the taxes would be too high and most communities in New Hampshire fully exempt solar energy systems. Mr. Langille stated if the City wants to remain competitive to retain or attract new businesses and encourage the use of solar, that they may want to consider fully exempting these solar systems. They would still fully assessed and tax the real estate that the panels go with and any improvements that are made. Just the solar panel systems themselves would be exempt.

The Chairman asked for the amount of loss revenue if this increase in exemption was to be considered. Mr. Langille stated right now there are 30 exemptions (\$400,000 in assessed value) and there could be another \$400,000 in assessed value if the others were to file for an exemption as well. The other argument to consider is that these businesses are making other improvements along with these solar systems and they are retaining

employees and this should be considered as well.

The Chairman stated the issue before the Committee is should the City encourage solar installations or and should the City focus on the last tax dollar. The Chair noted that probably the City should encourage solar projects – knowing that without the exemption these larger scale projects would probably not be built.

Councilor Jacobs felt the City should look at the other benefits these installations could bring to the City as well. Councilor Chadbourne stated the Master Plan talks about a greener community, but unless something like this is put in place, such words are empty. This would be a step towards our goals.

Councilor Powers felt this request is consistent with the Sustainable Energy Goals Resolution which was passed last week as well as the Master Plan. He felt this matter should be moved forward.

Councilor Clark joined the session at 6:15 pm.

Councilor Hansel asked if this was limited to roof top installations or whether ground installations were included as well. The Councilor also asked if ground installations are included if a parcel could be retained in current use and therefore taking advantage of both tax benefits. Mr. Langille stated it could be installed on roof tops or on the ground as long as it is being used for a particular building. Mr. Langille referred to large fields with solar panels feeding directly into the grid as being a different subject in terms of exemptions. As far as current use and solar, if the land is not being used for its original intent the property would then be taken off current use.

The Manager stated there is more staff conversation needed in reference to using solar in a building versus using it as a utility. The Councilor stated he does support the use of solar, but Keene has limited agricultural land and large scale solar use could take that land off agricultural use but overall he does support solar.

Councilor Clark asked whether this would replace what exists today. Mr. Langille answered in the affirmative. Mr. Clark asked for the timeframe for the exemption application. Mr. Langille stated any system installed prior to April 1 needs an application in to the City by April 15. The Councilor asked how long this exemption can stay in place. Mr. Langille responded the exemption is valid as long as system is in good use.

Councilor Clark stated he knows of a homeowner who had complained his exemption was decreasing in value and asked for clarification. Mr. Langille stated the exemption only captures the assessed value and this could increase or decrease based upon the value of the system.

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

On 5-0 vote, the Finance, Organization and Personnel Committee recommends staff draft an appropriate Resolution to remove the cap on the exemption for solar arrays.



City of Keene, N.H.
Transmittal Form

January 23, 2019

TO: Mayor and Keene City Council

FROM: Planning, Licenses and Development Committee

ITEM: H.1.

SUBJECT: Pathways for Keene - Request to Use City Property - 4 on the 4th Road Race

COUNCIL ACTION:

In City Council February 7, 2019.

More time granted.

RECOMMENDATION:

On a vote of 5-0, the Planning, Licenses and Development Committee recommends the request for use of city property to be placed on more time so protocol meetings may be held.

BACKGROUND:

Jan Manwaring, of 50 Belmont Avenue addressed the request noting this is the 17th annual race. She continued this year the race is on a Thursday and we are hoping for 1,000 participants this year.

Kurt Blomquist, Public Works Director/Emergency Management Director reported this is one of the larger events in the community. Mr. Blomquist said we are looking to hold one protocol meeting as they are expecting to increase their numbers and we want to ensure we have the correct staff. This is a Community Event and we are looking to bring it back to the Committee in two cycles.

There being no questions from the Committee or public Chair Richards asked for a motion.

Councilor Hansel made the following motion which was seconded by Councilor Jones.

On a vote of 5-0, the Planning, Licenses and Development Committee recommends the request for use of city property to be placed on more time so protocol meetings may be held.



City of Keene, N.H.
Transmittal Form

January 23, 2019

TO: Mayor and Keene City Council

FROM: Planning, Licenses and Development Committee

ITEM: H.2.

SUBJECT: Councilor Filiault - Hours of Operation - Hawkers or Peddler's

COUNCIL ACTION:

In City Council February 7, 2019.
More time granted.

RECOMMENDATION:

On a vote of 5-0, the Planning, Licenses and Development Committee recommends that this item be placed on more time.

BACKGROUND:

Councilor Randy Filiault, reported he had been approached by food truck owners regarding the City's regulations for operating hours. He noted the food truck owners he spoke to felt the regulations were a bit archaic and after looking at the regulations he agreed. Councilor Filiault noted the current hours of operation permitted by City Code and added if they want to deviate from those hours they can come back and ask for an extension from the City Council. Commenting we always say we want to be business friendly, Councilor Filiault continued this is a perfect example of how we are not business friendly. Councilor Filiault said in his opinion we do not need to limit their hours. He noted resistance from City staff because of potential noise complaints. Councilor Filiault stated he looks at this as being similar to outdoor café licensing- we tell them you have the license but if you screw up we are pulling it back. He noted we have 24-hour convenience stores and restaurants (large corporations) with no restrictions so why not let the small business person have the same opportunity.

Chair Richards asked staff why we do things the way we do now. Rhett Lamb, ACM/Community Dev. Director said Council members might remember we have had these discussions in the past that established the ordinance the way it is today. At the moment we are talking about mobile vendors on private property so going through the steps to confirm whether it is in the right zoning district, has safe access, and adequate lighting are some of the things we look at. Because of the lighting some of these are approved site specific. Mr. Lamb thinks this is the reason why we saw the difference between Daylight Savings Time and Eastern Standard Time. There were discussions on whether or not this should change. One of the other areas of consideration was whether or not this was adjacent to residential units. Mr. Lamb continued there have been extensions to the operating hours for vendors at certain locations in the past. Chair Richards commented he did remember this occurring.

Councilor Hansel said he agrees with Councilor Filiault and is in favor of taking this restriction away. He is much more in favor of parties that may have some sort of conflict come together and work through it. Councilor Hansel noted there are certain expectations when living close to downtown as he and Councilor

Filiault do. He shared getting woken up on Friday mornings by the trash pickup as an example. Councilor Filiault asked staff if we still have the right to set operating hours, even if we took this away, when the application comes into the City Clerk's office. Mr. Lamb replied in the negative adding if you open it up to an ordinance with a fixed hour that would be managed by the ordinance alone. Councilor Hansel then said so we have no leeway to add special conditions. The City Attorney said the licensing process does not incorporate special conditions now and the City Clerk's office is responsible for the issuance of licenses. This is all within an ordinance that is within the City Code. City Council would not see this unless the vendor came to request an extension under the existing ordinance. This was adopted in 2008 as a result of the vendor over by the Pub Restaurant. Councilor Hansel said he is in favor of taking away the hour requirement.

Councilor Rice asked to be walked through the process for extending hours for a food vendor. Mr. Lamb replied following the ordinance today you would apply for a City Council license to vary the hours. As the City Attorney referred to, this is only a limitation on the hours and does not give you authority to manage other aspects of the license. After the application there would be an evaluation done through the Community Development Department; where they would look at the zoning and specific site conditions. Those are done through John Rogers' office and also through the granting of a food license. Then there would be an evaluation to see if Planning Board site plan authority would need to be invoked or not. In no circumstances has this been true but, we do look at it from a staff administrative standpoint to make sure those standards are met (lighting, safety, vehicle access). Noting the Councilor's comments the City Attorney commented the current ordinance does allow for the City Council to impose some reasonable conditions with respect to the extended hours. Those conditions would almost certainly be based upon the recommendations coming from City staff. Following up Councilor Rice agreed it is important to evaluate the site for safety especially at night.

Councilor Jones said we have had two variances; Ralston Street (late at night) and Railroad Square (early morning). He pointed out there are specified spaces downtown where we can make all the necessary checks. Councilor Jones commented the vendor on Ralston Street was an asset to the neighborhood. Continuing he said food trucks are the new starting place for small businesses, and is becoming a part of economic development in some cities. Councilor Jones said it is a revocable license so under the guise of the nuisance ordinance we can revoke it if there are nuisance issues. The City Attorney noted there is a hearing process that would apply in that context which is spelled out in the City Code. Councilor Jones clarified that is the point he was trying to make- there is a process to revoke a license.

Chair Richards commented he likes it the way it is; we have had two requests for variances and we granted them both. Councilor Hansel agreed with Councilor Jones' comments regarding food trucks being the start for small businesses. He also agrees all the safety checks and lighting requirements would still be in place. Mr. Lamb noted we do not have a specific lighting standard that we use. Those mentioned by Councilor Jones were granted where they were specifically because of the lighting. Mr. Lamb also noted noise is another issue and we are finding many of these folks now use generators. He said this does change the formula a bit- those plugged into a power source do not have an issue of noise from the truck operation. We do pay attention to generator sourced power for the truck; some generators are quiet and some are not. Mr. Lamb added you would not want that running next to your bedroom window.

Councilor Sapeta thanked Councilor Filiault for bringing this forward and added it is important to support small businesses. Councilor Sapeta said he does not see this as a big problem at this point. He suggested having the Economic Development Committee look at this in more depth, and come back with something for us to think about. Councilor Sapeta is not in favor of changing the ordinance at this time. He likes the comments made by Councilors Jones and Hansel with regards to helping launch small business venues.

John Rogers, Building Official clarified City Council has issued four extensions over the years. He agreed a lot of the concerns, already mentioned by the Councilors, were noise, trash, and crowd behavior. Mr. Rogers noted mobile vending is allowed under the Zoning Code in a few different zones (Central Business, Central Business Limited, Commercial) and private properties. As of late we have had more food trucks coming on line

offering different varieties of foods. Addressing the generators used he agreed some are quiet and some not; he verified these are things we do look at. He continued when the application comes in we do a site visit. One of the major concerns is the lighting- the area may be lit when we visit but that does not mean it will be the same at 2:00 AM. Mr. Rogers commented the food truck vendor here tonight is concerned with the 7:00 PM shut down time which is a prime sales time. Councilor Jones asked Mr. Rogers if he asks the vendor if they are using a generator. Mr. Rogers replied in the affirmative. Councilor Jones then asked if it were possible to use a decibel rating for those using generators. Mr. Rogers commented he is unsure how the ordinance would handle that, and it could be difficult to enforce.

Chair Richards asked for questions or comments from the public.

Austin Reida, of 538 Alstead Center Road, Alstead introduced his partner Kayla noting they represent the Street and Savory food truck. Mr. Reida noted the uphill battle getting started. He said he wanted to clarify a couple of points; one being each site they go to is still looked at by John Rogers and John Bates. So there are considerations compared to granting the license and saying go where ever you want and do whatever you want. In order to setup and sell we still have to get specific permission for the site. In essence you are not granting a freedom that you cannot take back. Both Mr. Rogers and Mr. Bates are interested in the well-being of the community and will look upon the specifics incumbent to our operations in any specific place. Mr. Reida noted his generator (enclosed with separate piping) puts out 68 decibels and would not be heard over normal conversation. Mr. Reida understands the Council has the ability to extend the hours past 7:00 PM. He said the problem they have is being site specific you will not grant us that permission based on the conditions we are operating under now. Based on questions he might be asked Mr. Reida said he could not tell you if it would be a nuisance or that we are operating from one site. Keene historically has had food trucks at fixed locations with regular business hours. If you go to cities where food trucks are proliferating- food trucks are highly mobile. They make their living by cooperating with other businesses and participating in events; bouncing around quite a bit in fact. Mr. Reida noted in major cities food trucks are also followed on social media to see what they are serving and where they will be. This is the business model he uses and he thinks they are the first ones in Keene to use this model. Mr. Reida encouraged the Committee to think about how this model works in other cities. Mr. Reida shared a recent experience where he was asked to provide food for two events at the same location 17 Roxbury Street (early) and Hanna Grimes (late). Keene did not have a mechanism to support this type of event license. He noted people were helpful and they ended up getting an Outdoor Event Permit (free of cost) that did not exactly apply to what they were doing. He stated he would have made no profits if he had to pay the \$150 permit fee. Mr. Reida is in favor of hours being eliminated from the requirements and that staff be trusted to do the job they are already doing. Mr. Reida commended staff for the job they are doing. He also noted not being able to sell dinner is a hardship. Mr. Reida addressed the concerns of being in a residential area at night stating he does not want to be somewhere that is not already lit or busy.

Chair Richards clarified the gentleman got a license that did not match the event and asked for staff input. Terri Hood, Assistant City Clerk reported this came to the Clerk's office fairly close to the event date. The mechanism to support a waiver for the hours of this event was not possible due to the Council cycle. Ms. Hood said the compromise we put in place was to have the entity inviting Mr. Reida apply for an Outdoor Event Permit to allow Mr. Reida to do business in their parking lot, as that type of license does not have a time limitation. This was the only way we could see a way to grant a license for them to move forward with that event that had already been well advertised. Chair Richards said he understood and added he thinks that 9:00 PM is better than 7:00 PM. He noted this is interesting because it does not really have anything to do with changing the time on the license; it has to do with a completely different business model. Mr. Lamb clarified he sees two questions here maybe more in addition to the time and location pattern not fitting the business model suggested by Mr. Reida. Mr. Lamb suggested there is research to be done if the Committee wants staff to pursue this. Chair Richards agreed research is needed because this portrays a different business model happening that we are in no way prepared for.

Councilor Rice commented she is curious as to what other cities are doing. She pulled up (online) the Food

Truck Vendors Guide for New York City and commented on how in-depth it is. Councilor Rice would like to see what other places are doing that might be useful to our business owners so they can be more flexible, safe, and meet noise requirements. Mr. Lamb commented it is the business model Mr. Reida presented that is unique; the rest of the ordinance and delivery for food trucks so far has been based on fixed locations in Keene. Chair Richards agreed and recommended the City Clerk's office continue to grant waivers without expense until this is solved.

Chair Richards said if we are going to look at this how do we parse it – we have downtown that is established, you have private property that sits in a different kind of realm, and now we have a mobile entity that fits none of our models. Elizabeth Dragon, City Manager said we will definitely look elsewhere to see what other cities are doing for a model to apply here. We were also talking about making it administrative for when we cannot make Council cycles. The plan is to bring something back to you that can make the process more efficient and look at what other cities are doing.

Councilor Filiault said he appreciates what the City Manager just said as we do need to look at this. He addressed Chair Richard's comments noting we think we are doing this well but we are not, and we do not own a food truck. Councilor Filiault said he was glad Mr. Reida showed up to tell us we are not doing things well. As a City we need to start thinking differently. Chair Richards disagreed with Councilor Filiault noting staff stepped in to help Mr. Reida solve his problem immediately. Continuing this Chair Richards said we did not anticipate this so we are asking staff to figure out how to make this work. We are clearly saying we need something that is more business friendly and more in-line with what may be coming up. The City Manager reiterated staff would look at this and come back in a couple of cycles with a proposal; in the meantime if anything comes up we will address it as we recently did.

Councilor Hansel asked if a recommendation for more time was needed. Councilor Sapeta suggested placing this on information only with staff and maybe even the Economic Development Committee looking at this further. Councilor Hansel disagreed with Councilor Sapeta noting what we heard tonight is not the only testimony that he has heard on the street. He continued keeping it on the agenda is going to make sure we pay attention. Chair Richards did not disagree with either Councilor. He noted we need to look at hours, business models, mobility, and site review for longer hours especially if in someplace residential.

For the television viewers and anyone reading about this the City Manager said if there are any other mobile vendors having problems they should reach out to us. She heard a different scenario tonight that gave her a better understanding of what the issue was. Chair Richards agreed with the City Manager's comments and added this is brand new information about the rolling platform that the Committee was not quite ready for.

Councilor Jones asked Mr. Lamb as we move forward getting away from Euclidean zoning that is delineated by areas, and into Unified Development Ordinance (UDO) can this be addressed better. Mr. Lamb suggested it would not come up as part of the UDO; we are currently using the zoning boundary district for some of the analysis for where these things are allowed on private property. Mr. Lamb commented we may have to change the way we look at this because this is not a fixed building or fixed use of a site. We are talking about a truck, that from a land use standpoint probably has no relevance at all, except to say we are going to allow it in a place where there is already a lot of commercial activity. Mr. Lamb concluded he does not feel this comes up as part of our Land Use Code at all.

There being no further questions from the Committee or public Chair Richards asked for a motion.

Councilor Rice made the following motion which was seconded by Councilor Hansel.

On a vote of 5-0, the Planning, Licenses and Development Committee recommends that this item be placed on more time.



City of Keene, N.H.
Transmittal Form

February 5, 2019

TO: Mayor and Keene City Council

FROM: The Conservation Commission

THROUGH: Rhett Lamb, Planning Director

ITEM: I.1.

SUBJECT: Relating to the Conservation Commission

COUNCIL ACTION:

In City Council February 7, 2019.

Referred to the Finance, Organization and Personnel Committee.

RECOMMENDATION:

At its meeting of January 15, 2018, Councilor Hansel moved for the Conservation Commission to recommend that City Council accept updates to Sec. 2-774 of the City Code of Ordinances related to Conservation Commission powers, duties, and guidelines. Mr. Haynes seconded the motion, which the Conservation Commission carried unanimously.

ATTACHMENTS:

Description

Ordinance O-2019-01

BACKGROUND:

Mr. Lamb noted there were a few remaining scrivener's errors such as improperly labeled titles, which are not substantive. Mr. Lamb continued explaining the remaining substantive changes for Commission approval:

Mr. Lamb stated in Sec. 2-774 (4) – to change “Prevent a drastic alteration of natural topography, drainage, and scenery without review and public approval,” to “Develop Land Management Plans for City conservation lands to prevent a drastic alteration of natural topography, drainage, and scenery.”

Mr. Lamb noted the original intent of the language was to ensure that development of conservation lands went through some kind of review process, whether by the Commission or Planning Board, etc. However, it might have been misleading and made it seem like the Commission is responsible for holding public hearings about changes to any land of conservation interest. The new language makes clear that it is the Commission's responsibility to develop Land Management Plans, but only for City owned conservation lands as opposed to all private properties subject to permitting at the state level. This is not limited to conservation easements. This does not apply, for example, to the airport or surface water reservoirs in Roxbury.

The Commission discussed if the language should be edited to state more explicitly that this only applies to City-owned lands zoned for conservation. Mr. Lamb recalled it is the Committee's purview to make any changes;

this is just draft language staff suggests. He thinks the Commission evaluates large conservation lands where drastic alterations are considered. The Commission discussed whether “*drastic*” is the appropriate word choice because it often has a negative connotation; they discussed alternatives such as *significant* and *substantial*. The Commission agreed initially to change the word *drastic* to *significant*. Following further discussion, however, the Commission concluded that the real intent of this duty is to prevent negative changes to these properties; some significant changes are positive ones. The Commission agreed to maintain the language as written, with the word *drastic*. The Commission discussed redundancies between this paragraph (4), which is about Land Management Plans, and paragraph (7), which is more about maintaining an index of lands. The Commission considered combining the two paragraphs, or moving (7) to precede (4). Ultimately, the Commission agreed to delete paragraph (7) and revise paragraph (4) to read: “Develop Land Management Plans and maintain an index for City conservation lands to prevent a drastic alteration of natural topography, drainage, and scenery.”

Regarding Sec. 2-774 (12) – Mr. Lamb stated change “Act as a publicizing agent bringing Commission programs and problems of Commission management and control to the notice of the public,” to “Inform the public about Commission programs and areas of concern.”

Mr. Lamb stated the intent is to make this duty more about public involvement and education than reporting problems and concerns. The new language is a more general statement to ensure the Commission informs the public about their programs and actions.

The Commission agreed the new language as written is an appropriate, more concise change.

Mr. Lamb continued with Sec. 2-774 (20) – he stated change “Appear before state and federal agencies to request financial assistance, or to advocate changes in state laws and federal regulations as they affect the ability of the Commission to carry out its functions,” to “Advise City Council on matters pertaining to the City’s interest at the state and federal level in conservation/wetlands law and policy.”

Mr. Lamb said the new language clarifies the Commission’s responsibilities to evaluate and comment on conservation matters to state government. Other City committees have altered this language, so Mr. Lamb used the language from the Energy and Climate Committee’s new guidelines, which the City Attorney suggested. The City should speak with one voice and this new language ensures that any Commission recommendations go before Council before rising to the state level.

Mr. Lamb stated this will require the Commission to be proactive, though the Council review process is more efficient than it used to be. The Commission should plan for a three week cycle for Council and Standing Committees to review a recommendation; if a matter is time sensitive, the Council can vote to act at the next meeting. The Commission agreed with the new language as written.

To follow through on these duties, the Commission requested a full list of City-owned conservation lands so they know what parcels they are responsible for developing Land Management Plans. Mr. Lamb recalled that as a part of their charge the Commission can choose what parcels to be involved with. Some parcels like Wheelock Park are already actively managed by the Parks & Rec Department, while parcels north of the park in the floodplain may need management. There is a map of City conservation lands (which is always changing with new parcel acquisitions) that Mr. Lamb will share with the Commission. Councilor Hansel suggested adding it to the Commission webpage as it may be of interest to the public. The map includes the tax map parcel numbers for each property.

Mr. Reilly asked for an example of Sec. 2-774 (8). Mr. Lamb said this regards the Commission receiving gifts of money or property in the City’s name. State statute allows commissions to accept gifts of cash and land. As written, this paragraph ensures any gifts are subject to the Council acceptance process. Mr. Reilly said this seems like an extra step and asked about instances when someone wants to donate land to the Commission but

not the City. Mr. Lamb said the solution in such cases is a restriction on the use of the donation stipulating the City will own the land only for the purpose of conservation; this has happened in the City historically. Councilor Hansel added that having a donation go through the Council process allows the public to see what donations are being accepted and why. Mr. Lamb agreed and noted that the Commission must follow the Council approval process to use the Land Use Change Tax Fund to purchase land or assist with easement acquisition. Money the Commission uses from the annual operating budget does not require Council approval.

Councilor Hansel moved for the Conservation Commission to recommend that City Council accept updates to Sec. 2-774 of the City Code of Ordinances related to Conservation Commission powers, duties, and guidelines. Mr. Haynes seconded the motion, which the Conservation Commission carried unanimously.

Mr. Lamb will process this recommendation, which will progress through the Council approval process before the February Commission meeting.



CITY OF KEENE

O-2019-01

Nineteen

In the Year of Our Lord Two Thousand and

Relating to – Conservation Commission

AN ORDINANCE

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

That the City Code of the City of Keene, New Hampshire, as amended is hereby further amended by deleting Division 7 “Conservation Commission” of Article V “Boards and Commissions” of Chapter 2 entitled “Administration” in its entirety and inserting a new Division 7, as follows:

DIVISION 7. CONSERVATION COMMISSION

Sec. 2-771. - Membership.

The conservation commission shall consist of seven regular voting members, one of whom shall be a member of the city council.

Sec. 2-772. - Terms.

Each member of the conservation commission shall have a three-year term. Terms of the members shall be staggered so that two members shall be appointed in January of each year.

Sec. 2-773: - Relation to department head.

The Community Development Department will provide staff support to the conservation commission. Other departments may be called upon as necessary.

Sec. 2-774. - Powers, duties and guidelines.

In accordance with the provisions of applicable law, the powers, duties and guidelines in this section are hereby established for the conduct of the conservation commission. The commission shall:

- (1) Promote the stewardship of natural resources in the city and the protection of watershed resources of the city.

Sec. 2-774. - Powers, duties and guidelines. (continued)

(2) Preserve the best of the city's physical and natural resources, while welcoming well-planned expansion or redevelopment.

(3) Regard land as an extremely important asset, whose use should be consistent with the long-range community values.

(4) Maintain an index and Develop Land Management Plans for City conservation lands and open areas to prevent a drastic alteration of natural topography, drainage, and scenery.

(5) Ensure sound commission practices by providing adequate open space, accesses, wooded areas, meadows, swamps, ponds, trails, paths and brooks in keeping with constructive property management.

(6) Conduct research into the city's local land areas and seek to coordinate the activities of unofficial bodies organized for similar purposes, and may advertise, prepare, print and distribute books, maps, charts, plans and pamphlets which in its judgment it deems necessary for its work.

(7) Receive gifts of money or property, both real and personal, in the name of the city with the prior approval of the city council. Such gifts are to be managed and controlled by the commission for the purposes of this subsection. The commission may acquire, with the approval of the city council, by gift, purchase, grant, bequest, devise, lease, or otherwise, the fee in such land or water rights, or any lesser interest, development right, easement, covenant, or other contractual right, including conveyances with conditions, limitations or reversions, as may be necessary to acquire, improve, protect, limit the future use of, or otherwise conserve and properly utilize open spaces and other land and water areas within the city, and it shall manage and control such. The city shall not have the right to condemn property for these purposes, except insofar as permitted by other statutes.

(8) Receive appropriations from the city council for establishing and maintaining the conservation commission to promote the development and better utilization of our natural resources. The whole or any part of money appropriated by the city council in any year may be placed in a commission fund and allowed to accumulate with interest, from year to year. All funds of the commission shall be accounted for by the city through the finance director and the trustees of trust funds. Money may be expended from such fund for the purpose of this division by the commission, with the approval of the city council.

(9) Hear citizen comments about the operation of the commission and the matters in the office of the Community Development Director concerned with commission practices.

Sec. 2-774. - Powers, duties and guidelines. (continued)

- (10) Advise the city manager, planning director and city council in all matters in accordance with this chapter.
- (11) Inform the public about commission programs and areas of concern .
- (12) Have charge and general management over the commission functions in the city as far as is consistent with the Charter, this Code, and state statutes.
- (13) Assist in developing and stating objectives and goals for community improvement.
- (14) Pursue the means for achieving the determined goals for improvement.
- (15) Designate a member of the commission to appear before other boards or city council committees to testify on matters of concern to the commission.
- (16) Develop active regional cooperation on commission programs.
- (17) Support and promote the goals outlined in the city's climate action planning documents and the comprehensive master plan as they relate to land use.
- (18) Study and recommend methods of financing proposed improvements in the commission functions of the city.
- (19) Advise City Council on matters pertaining to the City's interest at the State and Federal level in conservation/wetlands law and policy.
- (20) Maintain and oversee the monitoring of any city-held conservation easements within the city.
- (21) Perform such other related functions as required by the city council or requested by the city manager.

Kendall W. Lane, Mayor

In City Council February 7, 2019.
Referred to the Finance, Organization
and Personnel Committee.



City Clerk



City of Keene, N.H.
Transmittal Form

January 24, 2019

TO: Mayor and Keene City Council
FROM: Finance, Organization and Personnel Committee
ITEM: J.1.
SUBJECT: Relating to Water and Sewer Rates

COUNCIL ACTION:

In City Council February 7, 2019.

Voted unanimously for the adoption of Ordinance O-2019-02 with an effective date of January 1, 2019.

RECOMMENDATION:

On 5-0 vote, the Finance, Organization and Personnel Committee recommends the adoption of Ordinance O-2019-02.

ATTACHMENTS:

Description

Ordinance O-2019-02

BACKGROUND:

Finance Director, Merri Howe addressed the Committee and began by noting a scrivener's error in the Ordinance as it relates to the volume rate for sewer. \$5.41 should read as \$5.31. Ms. Howe went on to say staff conducted its annual review of water and sewer fees which provides the primary funding sources for the water and sewer enterprise fund. She continued there are two components to the rates. The fixed component is the meters and meter rates and that is tied into funding for capital improvement and debt service. The volume rate is set for operations to cover maintenance and every day expenses of the system. These rates are in line with the 2019-2024 CIP and operating budgets.

She indicated the water volume rate is increasing from \$4.51 actual to \$4.78 (budget was estimated \$4.64). The sewer rate is increasing from \$5.20 to \$5.31 (budget estimate was \$5.46). The combined two rates was budgeted at \$10.10 and came in and \$10.09.

A typical homeowner would see an annual increase from \$39.50 to \$59.32 depending upon their usage. A commercial customer (high-volume users) would see a quarterly increase from between \$61.57 to \$2,245.85, depending upon their volume.

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

On 5-0 vote, the Finance, Organization and Personnel Committee recommends the adoption of Ordinance O-2019-02.



CITY OF KEENE

O-2019-02

In the Year of Our Lord Two Thousand and Nineteen

AN ORDINANCE Relating to Water and Sewer Utility Charges

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

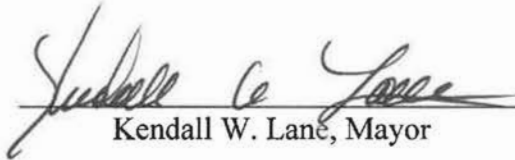
That Appendix B Fee Schedule of the Ordinances of the City of Keene, as amended, are hereby further amended by deleting the stricken text and inserting the bolded text in the accompanying rate schedule in Section 98-511 (a) and in Section 98-512 (a) of Appendix B so that Section 98-511 (a) and Section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

Appendix B


	effective	effective
<u>Section 98-511 (a). Water</u>		
<u>Meter Rates</u>	<u>2018</u>	<u>2019</u>
Volume Rate (\$ per hcf)	4.51	4.78
Fixed Quarterly Charge (meter size in inches)		
5/8 inches	7.08	7.29
3/4 inches	10.19	10.50
1 inch	18.12	18.66
1 1/2 inches	40.77	41.99
2 inches	72.48	74.65
3 inches	163.07	167.96
4 inches	289.91	297.97
6 inches	652.29	671.86

Section 98-512 (a). Sewer

<u>Rates</u>	<u>2018</u>	<u>2019</u>
Volume Rate (\$ per hcf)	5.20	5.31
Fixed Quarterly Charge (meter size in inches)		
5/8 inches	51.88	53.96
3/4 inches	74.71	77.70
1 inch	132.81	138.13
1 1/2 inches	298.83	310.78
2 inches	531.25	552.50
3 inches	1195.32	1243.13
4 inches	2125.00	2210.00
6 inches	4781.26	4972.51


Kendall W. Lane, Mayor

In City Council January 17, 2019.
Referred to the Finance, Organization
and Personnel Committee.


City Clerk

PASSED: February 7, 2019
Effective January 1, 2019

A true copy;
Attest:


City Clerk



City of Keene, N.H.
Transmittal Form

February 7, 2019

TO: Mayor and Keene City Council

FROM: Elizabeth Fox, ACM/Human Resources Director

THROUGH: Elizabeth A. Dragon, City Manager

ITEM: K.1.

SUBJECT: In Appreciation of Donna L. Hanscom Upon Her Retirement

COUNCIL ACTION:

In City Council February 7, 2019.

Voted unanimously for the adoption of Resolution R-2019-03.

RECOMMENDATION:

That Resolution R-2019-03 be adopted by the City Council.

ATTACHMENTS:

Description

Resolution R-2019-03

BACKGROUND:

Ms. Hanscom retired from the Keene Public Works Department effective January 18, 2019, with 33 years of service.



CITY OF KEENE

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

A RESOLUTIONIn Appreciation of Donna L. Hanscom Upon Her Retirement.....

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

WHEREAS: Donna L. Hanscom began her career with the City of Keene July 15, 1985, as Laboratory Supervisor; was promoted to Laboratory Manager July 1, 1993; and added responsibility as Assistant Public Works Director April 21, 2003; and

WHEREAS: Donna set a very high standard for her employees' performance and has implemented cross-divisional teamwork—emphasizing the one department/one city concept and setting a leadership example exemplifying personal commitment, hard work, problem solving, persistence, and embracing change to make us a stronger organization; and

WHEREAS: An excellent project manager, Donna worked successfully with government officials, engineers, steering committees, contractors and operational staff to achieve numerous large and small repair, replacement and upgrade projects to our treatment plants: \$8M+ in upgrades to the wastewater plant, including the replacement of a UV disinfection system, dewatering equipment, blower replacements, electrical improvements and new chemical storage buildings; \$1.2M+ in replacement and upgrade of pumps at the Martell Court Pumping Station; installation of 62 KW hydro generation equipment at the water facility; oversight of major neighborhood distribution and collection upgrade system work; along with numerous energy projects over three decades; and

WHEREAS: Among the other hallmarks of her career has been her commitment to the service of the City's customers; her search for sustainable solutions benefiting our environment; her ability to reduce the cost of major projects while still reaching environmental objectives; her active promotion of public health and of industrial and residential education; her continual mentoring and cross-development of her staff; her organization of early Water Science Fairs for Keene 4th graders, with the City hosting the first State Water Festival held outside Concord; and her leadership in the areas of employee safety, recognition, and mentoring; and

WHEREAS: Donna was selected for the New England Water Environment Association's 1995 Alfred E. Peloquin Award by demonstrating "high performance in wastewater operations" and making "significant contribution to the wastewater field," as well as for its 2004 E. Sherman Chase Award; and she has contributed to the industry by serving on the Board of Directors for the New Hampshire Water Works Association; and

WHEREAS: Donna retired from the City of Keene effective January 18, 2019, with over 33 years of dedicated and honorable service to the City of Keene;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Keene hereby extends its sincere thanks to Donna L. Hanscom for her dedicated service and wishes her the very best through all her retirement years; and

BE IT FURTHER RESOLVED that a copy of her Resolution, properly engrossed, be presented to Donna in appreciation for her many years of service to the residents of Keene and the Monadnock Region.

PASSED February 7, 2019

A true copy;

Attest:

City Clerk

Kendall W. Lane, Mayor



City of Keene, N.H.
Transmittal Form

February 5, 2019

TO: Mayor and Keene City Council

FROM: Mayor Kendall W. Lane

ITEM: K.2.

SUBJECT: Relating to Human Rights and the Martin Luther King, Jr./Jonathan Daniels Committee

COUNCIL ACTION:

In City Council February 7, 2019.

Referred to the Finance, Organization and Personnel Committee.

RECOMMENDATION:

That Resolution R-2019-04 be referred to the Finance, Organization and Personnel Committee for consideration.

ATTACHMENTS:

Description

Resolution R-2019-04

BACKGROUND:

This Resolution is introducing my recommendation that the name and mission of the Martin Luther King, Jr./Jonathan Daniels Committee be expanded to explore issues of diversity and social justice. This expanded mission has been shared with the current membership of the MLK/JD Committee and they are supportive. Upon passage of the Resolution, an Ordinance will be introduced to codify these changes.



CITY OF KEENE

R-2019-04

Nineteen

In the Year of Our Lord Two Thousand and
Relating to Human Rights and the Martin Luther King, Jr. /Jonathan Daniels

A RESOLUTIONCommittee.....

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

WHEREAS: The Martin Luther King, Jr. /Jonathan Daniels Committee’s mission is to promote the principles of social justice, non-violence, equality, and multiculturalism through educational programs, community service and public events; and

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

WHEREAS: The City of Keene has gone on record in support of human rights for all and in opposition to social intolerance and discrimination against any person in regard to any invidious classification, including race, color, creed or sexual orientation; and

WHEREAS: The City of Keene has gone on record in support of gender identity protections, and in support of equal rights for immigrants; and

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

WHEREAS: Immigrants can, in particular, contribute essential skills as employees and entrepreneurs, thereby strengthening our local economy and our cultural diversity; and

WHEREAS: A diverse and sustainable workforce is necessary for the future economic development of our community;

Now, therefore, the Martin Luther King, Jr. /Jonathan Daniels Committee's focus and mission will be updated to reflect "human rights" in its name, together with the following charges:

- To celebrate and honor the significance of the lives of Martin Luther King, Jr. and Jonathan Daniels;
- To promote the principles of social justice, non-violence, equality, and multiculturalism through education programs, community service and public events;
- To encourage the elimination of barriers which may exist within the Keene community that discourage a more diverse and inclusive community.
- To reassure and support minorities who may feel unwelcome in Keene.
- To educate the community on the advantages of a more diverse and inclusive community.

Kendall W. Lane, Mayor

In City Council February 7, 2019.
Referred to the Finance, Organization
and Personnel Committee.

City Clerk

