

12/19/2019

A regular meeting of the Keene City Council was held Thursday, December 19, 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, Kate M. Bosley, Robert J. O'Connor, Robert B. Sutherland, Gary P. Lamoureux, Bettina A. Chadbourne, Stephen L. Hooper, Philip M. Jones, David C. Richards and Mitchell H. Greenwald were present. Councilor George S. Hansel was absent. Councilor Filiault led the Pledge of Allegiance. A motion by Councilor Greenwald to accept the minutes from the December 5, 2019 regular meeting was duly seconded by Councilor Jones. The motion passed with a unanimous vote in favor.

#### ANNOUNCEMENTS – MAYOR

The Mayor announced the Standing Committees scheduled for December 25, 2019 and December 26, 2019 have been canceled. The inauguration for the 2020 Keene City Council is scheduled to take place at noon on Wednesday, January 1, 2020.

#### PROCLAMATION – NATIONAL AWARDS FOR CHEERLEADERS

The Mayor presented a proclamation to the Division 8, 12, and 18 Cheerleaders recognizing their national cheerleading championship winnings.

#### PROCLAMATION – MOMENT OF SILENCE

The Mayor read a proclamation to proclaim December 21, 2019 at 4PM, for one minute of silence calling global cooperation for peace and freedom.

#### PRESENTATION OF RETIREMENT RESOLUTION – RON CLACE

The Mayor presented a Retirement Resolution to Ron Clace in honor of his recent retirement. The Resolution noted his many accomplishments during his tenure with the City and expressed gratitude for his years of service.

#### PRESENTATION OF RETIREMENT RESOLUTION – STEVEN BOUTWELL

The Mayor presented a Retirement Resolution to Steven Boutwell in honor of his recent retirement. The Resolution noted his many accomplishments during his tenure with the City and expressed gratitude for his years of service.

#### PUBLIC HEARING – COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION – SOUTHWESTERN COMMUNITY SERVICES – KEENE COMMUNITY KITCHEN

The Mayor opened the first public hearing to address a proposed Community Development Block Grant application at 7:22 PM. Mayor Lane stated he would like to go over the process to be followed. The Community Development Financing Authority has very specific protocols on how these public hearings are handled. Accordingly, this hearing will be handled differently than what the Council is accustomed to. The hearing notice identifies three separate

components. The actual CDBG application, the Housing and Community Development Plan and the Residential Anti-displacement and Relocation Assistance Plan. Each hearing will be opened and closed separately. He noted that upon the close of the final hearing, he will call forward the Finance, Organization and Personnel Committee's recommendation and Resolution R-2019-41. Finally, as the filing deadline for this application is approaching, he will be looking for a suspension of the Rules of Order to allow action upon the Resolution.

The Notice of Hearing and Certificate of Publication were read. The Mayor went on to recognize James Weatherly from Southwest Region Planning Commission to address the grant request.

Mr. Weatherly identified himself as a Planning Technician with Southwest Region Planning Commission. He began with a brief overview of the CDBG program. He noted that CDBG funds are available to municipalities for economic development, public facility and housing rehabilitation projects that primarily benefit low and moderate income persons. The City of Keene is eligible to receive up to \$500,000 per year for public facility or housing rehabilitation projects; up to \$500,000 per year for economic development projects; as well as up to \$500,000 per year in emergency funds. Feasibility studies are available for up to \$12,000. Mr. Weatherly continued he has provided a handout describing the CDBG eligibility criteria, which includes the area HUD income limits.

Mr. Weatherly continued that the proposed application to Community Development Finance Authority is for up to \$500,000 in CDBG funds for the Community Kitchen to make renovations to its facility located at 37 Mechanic Street in Keene. The Community Kitchen has owned this building since 1994. The property was the subject of CDBG applications in 1996, 1998 and again in 2018. The renovations completed in 2018 addressed critical capital needs in the building, but there is still a list of work that needs to be done to make the building withstand 20 years or more of service to low and moderate income residents. The building at 37 Mechanic Street is old. The southern room on the second floor needs to be air-sealed and insulated, as does the roof. In addition, the organization wishes to install a solar array on the roof to offset utility costs. The office suite needs to be updated, reconfigured and made more relevant to the needs of a 21<sup>st</sup> century organization. The project would involve the City of Keene as a grantee, sub-granting CDBG funds, less any administrative costs to the Community Kitchen to make these improvements to 37 Mechanic Street. The project would reduce operating costs by lowering utility expenses and by addressing capital improvements not addressed in 2018.

The Mayor recognized Ms. Phoebe Bray of the Keene Community Kitchen to address the specifics of this proposal. Ms. Bray explained that the project they are requesting funding for would put our building at 37 Mechanic Street in a good place to allow the organization to continue its mission for decades to come. She continued that it is imperative the Community Kitchen cuts operating costs wherever they can. The current methods for both heating and cooling are barely adequate. The plan is to create autonomous smaller zones to save costs and make the areas more comfortable and controllable for both staff and clients. The plans also include insulating and air-sealing the second floor. There are productivity challenges currently from excess heat in the summer and cold in the winter. Ms. Bray continued they are working with HVAC engineers who are trying to bring the building into the 21<sup>st</sup> century. This will be

done with options like reclaiming the heat given off the compressors on the second floor and using that as a primary heat source for the water going into their water heater, and extending a new hood over the range and convection ovens in the kitchen that will bring air back into the building. The solar array on the roof has the potential to save the organization 40% on electricity costs. This grant will secure the integrity of the building and it is the only practical way the work can be done. The organization works efficiently and diligently, but does not have the capacity to fund capital projects such as this. Ms. Bray noted she is confident the City Council will recognize the importance of the Community Kitchen – the work they do and the service they provide to residents of Keene who need them.

The Mayor opened the floor to public comments and questions about the proposed CDBG project. There being none, closed the public hearing for the proposed Community Development Block Grant application at 7:31 PM.

The Mayor opened the second public hearing for discussion of the Housing and Community Development Plan at 7:31 PM. Mayor Lane went on to recognize James Weatherly for comment.

Mr. Weatherly explained the second public hearing has to do with the Housing and Community Development Plan. He explained that the Housing and Community Development was last adopted by the City of Keene on April 18, 2019 and is required to be reviewed and readopted every three years to qualify for CDBG funds. The plan has been updated to improve consistency, reflect completed and upcoming projects, and to provide more versatile language in the CDBG impact area of the plan. He continued the proposed CDBG project conforms with the City of Keene's Housing and Community Development Plan's priorities to make available supportive services and opportunities designed to nurture and meet the needs of the citizenry.

The Mayor opened the floor to public comments and questions about the proposed Housing and Community Development Plan. There being none, the Mayor closed the public hearing for the Housing and Community Development Plan at 7:33 PM.

The Mayor opened the third public hearing for discussion of the Residential Anti-Displacement Plan at 7:33 PM. Mayor Lane went on to recognize James Weatherly for comment.

Mr. Weatherly explained that if any displacement takes place as a result of the proposed CDBG project the Uniform Relocation Act must be followed, which requires that any displaced household or business in a project using Federal funds must be found comparable housing or commercial space in a comparable neighborhood at a comparable price. Under the certification section of the application for CDBG funds, the City will certify that the Residential Anti-displacement and Relocation Assistance Plan is in place and in the event it is discovered this specific project does displace persons or households, the Residential Anti-displacement and Relocation Assistance Plan must be submitted to CDFR prior to obligating or expending funds. Mr. Weatherly continued that because of the nature of the proposed project, displacement is not anticipated as a result of the project. Should some unforeseen need arise, the City of Keene certifies that it will require the Community Kitchen as the recipient, to comply with Uniform Relocation Act and section 104-D of the Housing and Community Development Plan of 1974, as amended.

The Mayor opened the floor to public comments and questions about Residential Anti-displacement and Relocation Assistance Plan. There being none, the Mayor closed the public hearing for the Anti-displacement and Relocation Assistance Plan at 7:35 PM.

A true record, attest:

  
City Clerk

**ITEM BROUGHT FORWARD FOR ACTION – FOP REPORT AND RESOLUTION R-2019-41: APPROVING AN APPLICATION FOR CDBG FUNDS – COMMUNITY KITCHEN PROJECT**

The Mayor brought forward item K.1., a Finance, Organization and Personnel Committee report and Resolution R-2019-41 Approving an Application for CDG Funds. He recognized Councilor Greenwald for a motion, noting acting on the item would require a suspension of the Council Rules of Order to allow action the same evening as the public hearing. A motion by Councilor Greenwald to suspend Section 27 of the Rules of Order, which restricts the City Council from considering a matter the same day as the hearing was duly seconded by Councilor Filiault. On a roll call vote, with 14 Councilors present and voting in favor, the Rules of Order were declared suspended. Councilor Hansel was absent.

Finance Organization and Personnel Committee report read accepting the presentation on the CDBG grant application for the Community Kitchen and recommending the report be accepted as informational. The report was filed as informational. Resolution R-2019-41 read for the first time. A motion by Councilor Greenwald for adoption of the Resolution was duly seconded by Councilor Filiault. The motion passed with a unanimous vote in favor. Resolution R-2019-41 declared adopted.

**CONFIRMATION**

A motion was made by Councilor Greenwald and duly seconded by Councilor Jones to confirm the following nomination: Cory Watkins to serve as a regular member of the Airport Development and Marketing Committee with a term to expire December 31, 2021. On a roll call vote, with 14 Councilors present and voting in favor, the nomination was confirmed. Councilor Hansel was absent.

**PLD REPORT – PAUL KRAUTMANN – REQUEST FOR RESERVED PARKING SPACES – EAST SIDE OF CENTRAL SQUARE**

Planning, Licenses and Development Committee report read recommending the letter from Paul Krautmann be accepted as informational. The report was filed into the record as informational.

**PLD REPORT – YEAR ROUND LIGHTING DECORATIONS – KEENE KIWANIS CLUB**

Planning, Licenses and Development Committee report read recommending that the Keene Kiwanis Club be authorized to maintain decorative lighting on the City-owned light poles on

Main Street for a year and that the City Manager be authorized to negotiate and execute an agreement with the Keene Kiwanis for the maintenance and operations of the lights. 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 SOLARIZE CAMPAIGN – ENERGY AND CLIMATE COMMITTEE

Planning, Licenses and Development Committee report read recommending that the City Council endorse the Keene Solarize Campaign. 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 – CONTINUED DISCUSSION – CAMPAING FINANCE ORDINANCE

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

FOP REPORT – 2020 LAW ENFORCEMENT OPIOID ABUSE REDUCTION GRANT – POLICE DEPARTMENT

Finance, Organization and Personnel Committee report read recommending that the City Manager be authorized to do all things necessary to accept the NH Department of Safety 2020 Law Enforcement Opioid Abuse Reduction Grant in the amount of \$30,000. 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 – PARKS, RECREATION AND FACILITIES DEPARTMENT

Finance, Organization and Personnel Committee report read recommending that the City Manager be authorized to do all things necessary to accept a donation of \$85.00 and that the money is used for the Recreation Department scholarship fund. 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 – COUNCILOR GREENWALD – CONFLICT OF INTERST – REAL ESTATE RFQ

Finance, Organization and Personnel Committee report read indicating the Committee had granted the Chair's request for recusal. The report was filed into the record. A motion by Councilor Jacobs to grant Councilor Greenwald's request to abstain from the discussion and vote on the Real Estate RFQ was duly seconded by Councilor Powers. The motion passed with a unanimous vote in favor with Councilor Greenwald abstaining.

**FOP REPORT – REAL ESTATE RFQ – ECONOMIC DEVELOPMENT DIRECTOR**

Finance, Organization and Personnel Committee report read recommending the City Manager be authorized to all things necessary to negotiate and execute a contract for professional services with Government Services at KW Commercial – Keller Williams Coastal Realty whose proposal is determined to be in the “best interest” of the City. A motion by Councilor Jacobs to carry out the intent of the report was duly seconded by Councilor Powers. The motion passed with a unanimous vote in favor with Councilor Greenwald abstaining.

**FOP REPORT - RECYCLING CENTER EQUIPMENT REBUILD – BALER INFEED CONVEYOR – PUBLIC WORKS DEPARTMENT**

Finance, Organization and Personnel Committee report read recommending that a sole source contract be awarded for the rebuilding of the in-feed conveyor at the Recycling Center/Transfer Station and that the City Manager be authorized to do all things necessary to use Solid Waste Fund Equipment Replacement Capital Reserve Funds and FY20 Solid Waste Operating Budget Funds to rebuild the baler in-feed conveyor in conjunction with the Primary Baler Replacement Project. 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 - RADIO COMMUNICATION EQUIPMENT UPGRADE – PUBLIC WORKS DEPARTMENT**

Finance, Organization and Personnel Committee report read recommending the City Council as per City Code Section 2-1336 authorize the City Manager to do all things necessary to sole source the purchase of radio equipment and services from TCS Communications Corporation. 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 – ROXBURY STREET BRIDGE OVER BEAVER BROOK PROJECT – PUBLIC WORKS DEPARTMENT**

Finance, Organization and Personnel Committee report read recommending that the City Manager be authorized to do all things necessary to negotiate and execute a sole-source professional services contract with McFarland Johnson, Inc. of Concord, NH, for the construction phase of the Roxbury Street Bridge over Beaver Brook Project (90186-A) for an amount not to exceed \$167,650.00. 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 – DESIGN CONTRACT FOR MARTELL COURT HEADWORKS TREATMENT PROJECT – PUBLIC WORKS DEPARTMENT**

Finance, Organization and Personnel Committee report read recommending the City Council authorize the City Manager to do all things necessary to negotiate and execute a professional services contract with Aldrich & Elliott Water Resources Engineers (AE) to perform Final

Design on the Martell Court Headworks Treatment project for an amount not to exceed \$80,000. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded by Councilor Filiault. The motion passed with a unanimous vote in favor.

#### CITY MANAGER COMMENTS

The City Manager began her comments by speaking about the efforts of the Fire Station 2 Study Committee, which has been meeting and working closely with the Community Development Department. Specifically they are utilizing the GSI technology with the assistance of our IT Department to locate four years' worth of EMS calls. The data will represent the response time associated with each call on a map. This allows the committee to analyze the location of Station 2 as it relates to our EMS demands in the City. In addition to staff, committee membership also included the Mayor, Councilor Manwaring, and Councilor Lamoureux. This committee concluded its work this week and the presentation of their findings will be made to the full City Council in January.

The City Manager also pointed out to the Council that in their Council boxes they had an invitation from Hundred Nights. They are holding an open house on Saturday, January 11, 2020 from 10:00 AM to 12:00 PM.

The City Manager reminded everyone about the complementary holiday parking in downtown. This will continue until December 25, 2019. Time limits at each parking space will still be enforced. She encouraged everyone to come downtown and support the local economy.

The City Manager took a moment to thank the Mayor and Council for putting their faith in her for a little over two years and the support every day since then. She recognized that the current Council was the one that hired her in September of 2017. She appreciates their vote of confidence in her and their continued support. She hopes that she can continue to make them all proud. She thanked the Mayor for how much he has dedicated himself to the office of Mayor for the betterment of the community, the countless days, nights and weekends. The City has been really fortunate to have had the Mayor in this leadership role for so long.

#### MORE TIME

More time was granted by the Chair for the following items in Committee: Discussion – Establishment of Free Downtown Parking – Economic Development Director; and Relating to Small Wireless Facility Deployments in the Public Right-of-Way.

#### CITY OFFICERS AND DEPARTMENTS

The Mayor read his farewell speech.

*Tonight is my final City Council meeting as your Mayor. It has been 41 years since Mayor George Rossiter appointed me to serve as a Commissioner of the Keene Housing Authority. It has been 34 years since I first took the oath of office as a Keene City Councilor. It*

*has been 8 years since I became Mayor. When I started, my hair was brown, I did not need glasses to see and I could hear everything that was said to me. I have grown old in your service.*

*There have been many changes and advances in the City since I became Mayor. We have worked hard to improve our relationship with Keene State College. We have established the College/City Commission, which has worked on neighborhood issues, diversity and inclusion issues, and ways to better incorporate the college into the downtown. We have created a foundation to build upon as the City and Keene State College go forward.*

*We have worked on issues of inclusion and diversity. We have created the Human Rights Committee and we have spoken out as a community on issues of racial and gender equality. Keene along with communities' across the county is rated annually on our efforts to this area. When I became Mayor, our rating was 27 out of 100. It is now 69 and we are 2<sup>nd</sup> only to Durham in New Hampshire. There is more work to be done but we are moving forward.*

*We have continued to work to adapt to climate change. We invested over \$1 million after the flooding 2012 to clear Beaver Brook and to clean and upgrade the storm drains. We have seen a 25% reduction in carbon emissions by the City and we installed 2,010 solar panels on the Public Works garage, the one of the largest municipal solar array in New Hampshire. The ESCO project has saved the city hundreds of thousands of dollars in energy efficiency. We have recently issued an RFP for a solar field at the airport.*

*We have integrated climate adaptation into municipal decision-making and we have established a sustainable energy goal that by 2030 all electricity used in Keene will come from renewable sources and by 2050, all energy for transportation will come from renewable sources.*

*We have continued our work on the drug addiction crisis by actively participating in the committee on Treating Mental Health and Substance Use Disorders in our region – a discussion among providers, which meets quarterly.*

*We have built a new central fire station, kept the Court House downtown, expanded the library and seen the construction of a new ice arena. We have expanded our world-class trail system and seen the construction of both North Bridge and South Bridge. The next major advance will be installation of a bridge across Route 101 connecting the Stone Arch Bridge to the trail system. This past year, Keene hosted the Wall Dogs and the Radically Rural conference.*

*Housing opportunities have been expanded with the construction of new student housing on Ralston Street, the construction of Washington Square, the repurposing of the Colony Mill and the construction of Hillside Village. Now we must work to improve the housing opportunities at all economic levels.*

*The Ad Hoc Economic Development Committee has created goals and a road map for our future economic growth. This is only the first step. We must work to follow up on the promise that has been made – creating a more business friendly community.*

*We have completed the rezoning of Marlboro Street and are currently upgrading the street and we are nearing completion of the new Form Based Zoning Ordinance that will simplify and clarify the regulatory development codes for the city.*

*This has been a period of accomplishments and economic growth for the City of Keene. However, there are challenges ahead for the new Mayor and the incoming Council. They will have to resolve the Kingsbury property and the extension of Victoria Street. They will have to oversee the creation of the Arts and Culture corridor, a new Transportation Center and the revitalizing of downtown as a pedestrian friendly, cultural and residential center. Much work remains to support our local economy and expand our tax base. The city has a revenue problem and the challenge will be to recognize the cause and correct it. Because the CIP will only be*

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*revised every other year, the new Council will have to face the challenge of planning for a 2-year cycle and in determining how to include a new salt shed, Victoria Street and the new Robin Hood swimming pool in that program.*

*We are fortunate to live in Keene. The people here have many unique strengths. This is a City with a daytime population approaching 50,000 with a strong sense of community, a willingness to collaborate and a desire to be part of the solution for the issues we face together.*

*Keene's governance is strong with a stability that is a major asset for the community and is the envy of many other municipalities.*

*I want to conclude by thanking the voters for giving me the opportunity to serve as Mayor for the past 8 years. It has been a pleasure and I am very grateful for having had this opportunity.*

*I want to thank the City Council. My success is total dependent on your support and I very much appreciate the opportunity I have had to work with each of you.*

*I want to thank the City staff. They have been supportive and responsive to the community and to the Council and they give so much to make Keene a great place to live, work and play.*

*Finally, I want to thank my wife, Molly, who has made it possible for me to serve. Her patience, her tolerance, her willingness to sit home alone night after night while I am at meetings. Her understanding when those meetings go for later than expected. Her advice and support have been invaluable in making my time as Mayor possible.*

*Therefore, I want to say thank you and offer best wishes to everyone going forward.*

FAREWELL TO COUNCILOR ROBERT J. O'CONNOR, ROBERT B. SUTHERLAND,  
GARY P. LAMOUREUX, CARL B. JACOBS, AND DAVID C. RICHARDS

The Mayor invited Councilor O'Connor, Robert B. Sutherland, Gary P. Lamoureux, Carl B. Jacobs, David C. Richards to come forward. The Mayor allowed each of the Councilors to say their own farewells.

ADJOURNMENT

At 8:18 PM, there being no further business, the Mayor adjourned the meeting.

A true record, attest:

  
City Clerk