

A regular meeting of the Keene City Council was held Thursday, July 2, 2020. The Honorable Mayor George S. Hansel called the meeting to order at 7:00 PM. Mayor Hansel read into the record the Emergency Order #12, issued by the Governor of the State of New Hampshire pursuant to Executive Order #2020-04. He continued the members of the City Council would be participating remotely. The Mayor asked that during the roll call for attendance, each Councilor identify their on-line presence and if there are others with them in the room. Roll called: Stephen L. Hooper, Michael J. Remy, Janis O. Manwaring, Michael Giacomo, Randy L. Filiault, Robert C. Williams, Gladys Johnsen, Terry M. Clark, Raleigh C. Ormerod, Bettina A. Chadbourne, Catherine I. Workman, Mitchell H. Greenwald, Kate M. Bosley and Thomas F. Powers were present. Councilor Philip M. Jones arrived at 7:35 PM. A motion by Councilor Powers to accept the minutes from the June 18, 2020 regular meeting was duly seconded by Councilor Bosley. The motion passed on a roll call vote with 14 Councilors present and voting in favor. The Mayor led the Pledge of Allegiance.

#### ANNOUNCEMENTS

Mayor Hansel announced that unfortunately the 4<sup>th</sup> of July fireworks were canceled this year. He went on to announce that a Keene Police Department informational workshop will be held before the City Council on Tuesday, July 14, 2020 at 6:00 PM. This workshop will be held remotely on Zoom. The Mayor announced that the City Council's summer vacation schedule will start with the cancelation of the Standing Committees for Wednesday, August 12, 2020 and Thursday, August 13, 2020 and the cancelation of City Council meeting on August 20, 2020. The Standing Committees for Wednesday, August 26, 2020 and Thursday, August 27, 2020 will remain as scheduled. Mayor Hansel thanked Councilor Remy for the gracious gifts to the Councilors of the facemasks with the City Seal, which have arrived and been placed in your Council mailboxes.

#### PROCLAMATION – PARKS AND RECREATION MONTH

Mayor Hansel read a proclamation designating the month of July as Parks and Recreation Month in the City of Keene.

#### PRESENTATION – KSC PRESIDENT MELINDA TREADWELL – THE RETURN OF KSC STUDENTS AND THE PROPOSED SOCIAL HOST ORDINANCE

Mayor Hansel welcomed Keene State College President Melinda Treadwell to present their plans for reopening in the fall of 2020 in light of the current situation with COVID-19. President Treadwell began that everything KSC is doing is in alignment with the University System of New Hampshire and the return to campus life plans for the Granite State community. Her role is to serve the students, faculty and staff of the campus, and to recognize the role of this college is to serve the City and the broader Cheshire County region with a prepared workforce, students who add to the vibrancy of our economy and faculty and staff that contribute to the community. In this moment the safety of those residing in Cheshire County and the City of Keene specifically is paramount. Returning the students naturally brings with it some increased risk to the City of Keene and they are aware and working hard to ensure they do not bring adverse impacts to the

City and the region. This has been foremost in her effort and will be foremost in the ultimate decision to return students to campus or not.

President Treadwell continued that at this point each campus has committed to a coordinating set of responsibilities. They understand there is no way to eliminate the risk of COVID-19, but they intend to mitigate or limit as much as possible the risks presented by this virus and that their campus does not add to the baseline risk that all of us are facing as a result of living with a global pandemic. This is something we will all be dealing with for the foreseeable future until a vaccine is made available.

President Treadwell explained that in the University System's planning, they are looking at a five key risk areas that each campus must develop a specific plan to address. She went on to review these risk areas and provided the plan for the KSC campus relative to their students. She noted they have worked with Cheshire Medical Center (CMC), the City of Keene, the emergency response team, the State Epidemiologist, the infectious disease lead at CMC and scientists from around the country to ensure the plans they are putting in place are meet or exceed the current best advisories for COVID-19. The five key risk areas mentioned were:

1. **Behavior Education and Enforcement** – this addresses the behavior of students and expectations with regard to their engagement in our City and on the campus.
2. **Testing** – each campus must address testing for COVID-19 status with recognition that a baseline condition will be collected by testing upon entry and will occur routinely for all members of the campus community including faculty, staff and students. There will be an aggressive testing process.
3. **Spacing and Protections** – this is the on-campus planning to provide safe physical distancing and identifying the requirements related to protections. This will address the ability for groups to come together on the campus, also including what the behavior requirements will be for gathering off-campus.
4. **Isolation and Quarantine** – this will address how to deal with any positive case that might be identified during routine testing to allow rapid removal of the person from the population and isolate them safely and/or quarantine them while they recover. They are working very closely with CMC to ensure their isolation and quarantine protocols, the medical and community supports and the connection between medical records will be seamless between KSC and CMC.
5. **Contact Tracing** – this is the process initiated once a positive case is identified. It allows for the immediate identification of individuals that may have been in contact with the positive individual for more than 15 minutes at a distance closer than six feet without any protection between the individual testing positive and a second, third or fourth party. They are working with the Department of Health and Human Services and CMC to develop a process of rapid contact tracing and the ability to rapidly communicate and isolate individuals once they are identified as positive and ensure that they communicate to any potential contacts those

individuals have been in close proximity with to prevent further spread. This is an essential part of their plans as they move forward.

President Treadwell went on to explain in detail the testing protocols that KSC would employ. They intend to test all members of the campus community as they return. UNH is ramping up its testing capacity in coordination with the State Department of Health and Human Services, and will be opening their own testing lab. They have 80,000 test kits currently on-hand and their lab equipment will be delivered in the coming weeks. Eventually the entire University System will be using this testing facility because of the preferential cost profile. Until that time, KSC, Plymouth State and UNH are finalizing contracts with Quest and Convenient MD and in that contract it specifies that during the first few weeks of students, school faculty and staff will be tested for COVID status. Any individuals identified as positive will be isolated from the school community until a 14 day period has passed at which time there would be a retest. As a university system, they are planning for 30,000 tests during the third week of August. They also plan to test their entire community a second time about 10 to 14 days after the initial test. Beyond that, each week there will be focused testing for students who present higher risk to the community at-large if they become COVID positive. This would include athletes, club members and those living off-campus. There will also be random testing of 10 percent of their population. It is not a requirement of the CDC that they test a-symptomatic individuals, but they plan to go ahead with an aggressive testing program to ensure they identify as early as possible anyone who might have COVID so rapid interventions can occur to mitigate the spread of the virus.

President Treadwell continued there will be a universal mask requirement on campus in recognition of the spread of COVID and the protection of others. Students have helped inform this decision and the use of a face covering can help mitigate the spread in both symptomatic and a-symptomatic individuals. The message from the City to local businesses relative to face coverings and social distancing will be consistent with the message from KSC to their students so they are receiving the same guidance when they engage in the larger community. President Treadwell stated they are also in the process of reducing occupancy in their classrooms and ensuring six-foot distancing by mandating that separation between individuals in all interior spaces. Masks will be required both inside and outside buildings. There will be both remote learning and in-person learning to accommodate this smaller class size of 65% of their normal capacity. They are also working on a positive promotional campaign around self-care and care for others as they return to the campus. The focus will be on physical distancing, use of masks, good hygiene, and urging people to get checked out if they have any symptoms of COVID.

President Treadwell continued they will be requiring students to do a daily attestation related to any symptoms as part of their behavioral requirements. She went on to discuss the escalation should students refuse to follow the behavioral requirements, as well as how they are disseminating these expectations to students before they return to campus. President Treadwell went on to speak about off-campus housing, and the need for support from the State and local emergency response to manage and mitigate any risks associated with off-campus gatherings. One of the commitments that KSC has made in this regard is more frequent testing of students living off-campus. Conduct standards will move off-campus as well. The neighborhood initiatives that are currently underway related to a local host ordinance is supported by KSC and will be an important tool for the college. They will be working closely with landlords to ensure

their enforcement as a college can be effectively upheld. She added that KSC is comfortable looking at a joint funding mechanism for some of the position requirements that may be embedded in a social host ordinance. If this ordinance is approved it will be an important partnership between the City and KSC much like the College Liaison Officer from the Police Department, which is funded by the college.

President Treadwell went on to discuss the parameters under which the University System will determine if they are able to safely open in the fall and allow students to return to campus life, which includes a 12 point attestation. Once each campus completes this 12 point attestation, it will be presented to the Board and they will cast a vote on whether to allow the presidents to open their campuses. The final go/no-go decision will be made on July 31, 2020. Between now and then weekly meetings will be conducted, and by mid-July the presidents will need to be in a position to present their attestation plans. She added if she is not comfortable that they can carry out their plans, she will not attest to reopening in the fall. At this moment she feels they can open. Their staff is working on a plan to provide online learning if that needs to happen. They will continue to work with the City and CMC to be a good partner. There will be cases because this virus will continue to cycle through the population. They are absolutely planning for how to handle that eventuality.

Councilor Greenwald asked in reference to off-campus students, how students that test positive should be handled. They cannot be evicted, nor can they return to campus. He suggested good communication is key between KSC and the landlords. President Treadwell stated that the opening meeting they had with local landlords discussed communication and aligning conduct requirements to translate to off campus students. They will continue to work with landlords and provide them with tools to deal with students. The social host ordinance will be a part of that plan. There will be continued partnerships with the City in this effort. If a student tests positive that lives off-campus, the college is working on a plan where they will be required to be isolated on-campus or sent home. Ideally they would like to move the student's home. They will have up to 113 isolation beds and 30 quarantine beds for those that cannot return home.

Councilor Clark commended President Treadwell on requiring masks and six-foot social distancing on campus. He went on to say he has concerns about outdoor dining in Keene where six-foot clearance isn't maintained and asked how KSC intends to enforce the social distancing rules since the City of Keene is not actively enforcing this. President Treadwell commented that she has authority to restrict and establish requirements for the physical infrastructure of the campus. The challenge will be that it is up to local businesses to make clear what their expectations will be. The uncertainty around viral transmission is strong enough that cloth face coverings should be strongly recommended. That is what she is hearing in the Keene Safe message recognizing that it is a means to protect others. Other states are now moving toward mask requirements, and she will expect students to adhere when on campus and strongly encourage it when they are off-campus. Some people are affronted by the prospect of mask wearing. Her other counterparts at UNH and Plymouth State may allow three foot distancing, but KSC is staying with the CDC recommendation and be on the more restrictive side.

Councilor Filiault thanked President Treadwell for her thoughtful update. He went on to ask about the schedule for student athletes to come back to campus. President Treadwell commented

that the plan for return-to-play to recall their fall athletes would be August 18, 2020, so they will begin to test faculty and staff in the first week of August. If they pass through the go/no-go and are returning to campus, then they will begin the testing and they have the capacity to do so. The student athletes will be tested. There are some needs in terms of replacing turf at the school and this may impact athletes returning to fall play. If they do return to play in the fall, there would be game day testing with rapid verification. Other teams, with the exception of one, are able to adhere to this requirement. In follow up, Councilor Filiault noted the close physical contact in some sports could facilitate transmission. He asked if there would be post game testing as well. Ms. Tread stated there would be no spectators allowed at games, because the college community has been undergoing testing. At other sites, the host campus would be responsible to limit spectator access and to ensure proper social distancing. For high contact sports the teams would need game day clearance. Athletes will be tested weekly in addition to game day testing. They will be the most aggressively tested students.

As there were no further questions from the Council, the Mayor thanked President Treadwell for her presentation.

## CONFIRMATIONS

A motion was made by Councilor Powers and duly seconded by Councilor Bosley to confirm the following nominations: John Therriault to serve as an alternate member on the Conservation Commission with a term to expire December 31, 2023; and Hope Benik to serve as a regular member on the Historic District Committee with a term to expire on December 31, 2023. On a roll call vote, with 15 Councilors present and voting in favor, the nominations were confirmed.

## NOMINATION

The following nomination was received from the Mayor: Ritu Budakoti to serve as an alternate member on the Human Rights Committee with a term to expire on December 31, 2023. The nomination was tabled until the next regular meeting.

## COMMUNICATION – DAVID CRAWFORD – POLICE OFFICERS AND FIREARMS

A communication was received from David Crawford, recommending that firearms be optional equipment for Police Officers. The communication was filed into the record.

## COMMUNICATION – LET IT SHINE – REQUEST FOR USE OF CITY PROPERTY – PUMPKIN FESTIVAL

A communication was received from, Ruth Sterling, Let It Shine recommending that the Pumpkin Festival go forward with a program that requires no street closures and jack-o-lanterns lined up snug to the buildings in front of the downtown stores and restaurants. The program would take place on Saturday, October 24, 2020 with a preview on Friday, October 23, 2020. The communication was referred to the Planning, Licenses and Development Committee.

**COMMUNICATION –KRISTIN FINNERTY – REQUESTING TO DISCHARGE  
FIREWORKS ON PRIVATE PROPERTY**

A communication was received from Kristin Finnerty, requesting a permit to set off fireworks on her property at 163 Liberty Lane on July 4, 2020 and July 18, 2020 between 8:00 PM and 10:00 PM. She indicates that the fireworks will include some of the permissible fireworks in NH, such as aerial, shells and ground spinners. The communication was referred to the Planning, Licenses and Development Committee.

**MSFI REPORT – DEREK AND LINDA STONE – REQUESTING PERMISSION TO  
REMOVE TREES ON CITY PROPERTY**

Municipal Services, Facilities and Infrastructure Committee report read recommending that Derek and Linda Stone be authorized to remove several trees in front of their property at 31 Andover Street at their expense. A motion by Councilor Manwaring to carry out the intent of the report was duly seconded by Councilor Giacomo. A brief discussion took place. The motion passed on a roll call vote with 12 Councilors present and voting in favor. Councilors Williams, Clark and Ormerod were opposed.

**MSFI REPORT – DOG WARRANT FOR UNLICENSED DOGS – CITY CLERK**

Municipal Services, Facilities and Infrastructure Committee report read recommending that City Council issue a warrant for unlicensed dogs pursuant to NHRSA 466:14, and the Animal Control Officer be directed to issue a civil forfeiture to those dog owners who have failed to license their dog by April 30, 2020. A motion by Councilor Manwaring to carry out the intent of the report was duly seconded by Councilor Giacomo. The motion passed on a roll call vote with 15 Councilors present and voting in favor.

**FOP REPORT – MELANSON HEATH FY 19 AUDIT PRESENTATION – FINANCE  
DIRECTOR**

Finance, Organization and Personnel Committee report read recommending the acceptance of the Melanson Heath FY19 Audit Presentation as informational. The report was filed as informational.

**FOP REPORTS – ACCEPTANCE OF DONATION – PARKS, RECREATION AND  
FACILITIES DIRECTOR AND ACCEPTANCE OF NH JUVENILE COURT DIVERSION  
NETWORK FUNDING FOR YOUTH SERVICES – YOUTH SERVICES MANAGER**

Finance, Organization and Personnel Committee report read recommending that the City Manager be authorized to do all things necessary to accept a donation of \$2,500.00 from Community Gardens Connections and that the money is allocated for the installation of a water line to the community gardens in Monadnock View Cemetery; and a second report read recommending that the City Manager be authorized to do all things necessary to accept and administer funds provided by New Hampshire Juvenile Court Diversion Network for Youth Services programs. A motion by Councilor Powers to carry out the intent of the reports was duly

seconded by Councilor Hooper. The motion passed on a roll call vote with 15 Councilors present and voting in favor.

#### FOP REPORT – TRACY KEATING GUNN/FLIGHT DECK RESTAURANT – REQUEST FOR A WAIVER OF RENT PAYMENTS AND PROPERTY TAXES FOR THE MONTHS OF MARCH THROUGH JUNE

Finance, Organization and Personnel Committee report read recommending that the request be denied. A motion by Councilor Powers to carry out the intent of the report was duly seconded by Councilor Hooper. Councilor Greenwald addressed his concerns regarding a conflict of interest due to being a landlord of the petitioner on another property. A motion by Councilor Bosley to recuse Councilor Greenwald from this item was duly seconded by Councilor Jones. The motion passed on a roll call vote with 14 Councilors voting in favor and Councilor Greenwald abstaining. A brief discussion took place. The motion to carry out the intent of the report passed on a roll call vote with 11 Councilors voting in favor. Councilors Filiault, Clark and Bosley were opposed. Councilor Greenwald abstained.

#### CITY MANAGER COMMENTS

The City Manager began her comments regarding Council meetings and Council Standing Committees. On June 15, 2020 the Governor announced the “Stay at Home Order” would become the “Safer at Home Order” and with that eliminated the ten person maximum related to groups/gatherings however, there are guidelines we need to follow in order to bring meetings back to a face-to-face format. With these guidelines come space, technology, staffing, cleaning, and protocol challenges to overcome. The Health Officer sent a memo to the City Manager, of which she forwarded to the Councilors, regarding our current recommendation to remain meeting in a virtual format until we can come up with a safe plan to overcome some of these challenges. The meetings for the month of July are planned for Zoom. The Council goes on break in August. Additional spaces and options to bring Council Committees back to a modified face-to-face format is our first step. While the Council numbers are small for those meetings we are unable to predict the public participation numbers on any given subject and need to be able to tie in remote participation, which also means Cheshire TV broadcasting for those members of Council, Staff, and public who still feel safer at home and wish to participate remotely. This has proven to be more difficult than anticipated.

The City Manager announced the Keene Public Library will reopen its doors to the public for limited hours starting Monday, July 6, 2020. Based on Health and Safety guidelines, up to 60 people at a time will be welcomed to research, browse collections and make one-hour appointments for computers. Hours will be limited to two-hour increments so that staff can sanitize public areas regularly. All programs, including the summer reading program, will continue online and through kits available for pickup. Patrons may continue to download books, stream videos and participate in programs online. Curbside pickup of materials will be available by appointment. Meeting rooms are not available.

The City Manager went on with an update regarding the trees on Main Street. Due to the infestation of the Emerald Ash Borer on Main Street, unfortunately several trees had to be

removed. This past week, a combination of maple and locust trees were planted, which tend to be good street trees. One more tree is to be installed on Main Street, then the planted areas will be mulched. There will be “gator bags” installed, this is a 15 gallon unit that provides drip irrigation for the trees, in addition to our manual watering. In the near future the existing stumps will be ground down and loam and seed will be applied. The Public Works Department did a great job addressing the issues in a timely fashion and putting in new healthy trees for us all to enjoy.

The City Manager went on to announce that the 12 Gilbo Avenue/Modestman lease dispute is tentatively resolved. On June 19, 2020, the City and Modestman executed a settlement agreement which has been sent to the court as an attempt to resolve the pending small claims action. The settlement calls for \$6,834.80 to be paid over 12 months in equal installments.

The City Manager made a water conservation announcement. She stated that the Councilors should have received a memo from the Assistant Public Works Director, Tom Moran, regarding our water supply and recommended water conservation methods. The State of New Hampshire issued a statement and map on June 25, 2020 showing the Keene area as being in a moderate drought. The Babbidge Reservoir is currently at 96.5 million gallons available versus the 145 million gallons that are typically available. In addition, we are preparing the Woodward Reservoir and so we don't have full access the 490 million gallon capacity at that location. Our water demand is also up and we are expecting dryer conditions through August. To assist in conserving the City's drinking water the Public Works Department is requesting the community begin voluntary water conservation measures.

The City Manager announced that our first Governor's Office for Emergency Relief and Recovery (GOFERR) payment was received this week. We applied for reimbursement and received funding for the following: PPE (Personal Protective Equipment) and will submit to FEMA for another 75% of costs during this first period of reimbursement; emergency management operations; information dissemination/signage, etc; facility disinfection with 75% to be submitted to FEMA; homeless shelter and other quarantine related costs; telework public meeting expenses; and wages and expenses for employees response to COVID-19 (above and beyond their normal hours). Total received was \$47,249.31 from this funding source.

The City Manager ended her comments by noting that she had the honor of swearing in Fire Lt. Staples as the new Operations Captain at the Fire Department. She congratulated him as our newest captain.

#### CONSERVATION COMMISSION – BEE CITY USA

Conservation Commission report read recommending that the City Council direct staff to draft a Resolution to allow the City of Keene to be recognized as a “Bee City USA”. A motion by Councilor Manwaring to carry out the intent of the report was duly seconded by Councilor Giacomo. The motion passed on a roll call vote with 15 Councilors present and voting in favor.

MORE TIME

07/02/2020

More time was granted by the Mayor for the following item in Committee: Petition – Calling for the KPD to be Outfitted with Body Cameras.

**PLD REPORT AND ORDINANCE O-2020-04: AMENDMENT TO THE ZONING MAP – PROPERTIES ON KRIF ROAD AND WINCHESTER STREET**

Planning, Licenses and Development Committee report read recommending the adoption of Ordinance O-2020-04: Amendment to the Zoning Map – Properties on 0 Krif Road and 472 Winchester Street. The report was filed as informational. A motion by Councilor Bosley for the adoption of Ordinance O-2020-04 was duly seconded by Councilor Greenwald. On roll call vote, with 12 Councilors voting in favor the motion passed. Councilor Giacomo, Jones and Clark were opposed. The Ordinance O-2020-04 declared adopted.

**FOP REPORT AND ORDINANCE: O-2020-07: RELATING TO PERSONNEL SYSTEMS AND PROCEDURES**

Finance, Organization and Personnel Committee report read recommending the adoption of Ordinance O-2020-07. The report was filed as informational. Ordinance O-2020-07 was read for the second time. A motion by Councilor Powers for adoption of the Ordinance was duly seconded by Councilor Hooper. On roll call vote, with 15 Councilors present and voting in favor the motion passed. Ordinance O-2020-07 declared adopted.

As there was no further business, the meeting adjourned at 8:50 PM.

A true record, attest:

  
City Clerk