

A regular meeting of the Keene City Council was held on Thursday, July 1, 2021. The Honorable Mayor George S. Hansel called the meeting to order at 7:00 PM. Roll called: Steven L. Hooper, Michael J. Remy, Janis O. Manwaring, Michael Giacomo, Randy L. Filiault, Robert C. Williams, Philip M. Jones, Gladys Johnsen, Andrew M. Madison, Raleigh C. Ormerod, Bettina A. Chadbourne, Mitchell H. Greenwald, Kate M. Bosley, and Thomas F. Powers were present. Catherine I. Workman was absent. Councilor Bosley led the Pledge of Allegiance.

ANOUNCEMENTS

The Mayor mentioned three workshops over the next several months, all of which will begin at 6:00 PM in the Council Chambers:

- Fiscal Policies – Rescheduled from Monday, July 19 to Tuesday, August 17
- Council Meeting Process – Tuesday, August 24
- Strategic Budgeting – Tuesday, September 14

The Mayor also reported that City Council summer vacation schedule will start with the cancelation of the August 5 Council meeting as well as the August 11 and August 12 Standing Committee meetings. The Council will return to its normal meeting schedule for the August 19 meeting.

MINUTES

A motion by Councilor Powers to accept the minutes from the June 17, 2021 regular meeting was duly seconded by Councilor Bosley.

A motion by Councilor Ormerod to amend the minutes to include his comments on the budget amendment to increase the funding level for sidewalks was duly seconded by Councilor Bosley. The Councilor read into the record the following:

“Mayor Hansel, Fellow City Councilors,

I want to commend the City staff, and all the people who worked on the project, for presenting a budget this year that reflected by and large the Council goals that we put together. It wasn't easy, but it was done nearly perfectly. The one area that we would like to move forward more quickly on is on the sidewalks. That's based on community input. It's based on something that anyone who is "new to Keene" for the first time notices as well. We know there's been a lot of effort to build a program, to do asset management, find ways to move money around to make this happen over the long term. I believe you have the commitment of the City staff and the community to move this forward. We just want to jump start it right now. That's why we're proposing this amendment, so we can move forward a bit faster. Thank you.”

The motion to amend passed on a show of hands with 14 Councilors present and voting in favor.

The City Clerk noted a Scribner's error with the omission of the call to order for the meeting and the roll call of attendance. On a show of hands, the motion to accept the June 17, 2021 minutes as amended passed with 14 Councilors present and voting in favor.

PROCLAMATION – PARKS AND RECREATION – ANDY BOHANNON

Mayor Hansel welcomed Director of Parks, Recreation, and Facilities, Andy Bohannon, for a proclamation on the value of parks and recreation in our community. As such, the Mayor read into the record a Proclamation declaring July 2021 as Parks and Recreation month in Keene and urging all citizens to relish the nature around them and take advantage of recreation opportunities.

Mr. Bohannon thanked the Mayor and said that every year there is a theme for Parks and Recreation month and this year it is Our Parks and Recreation Story. Mr. Bohannon hoped everyone would follow the Parks and Recreation Department social media throughout July to learn of the different events, from employee engagement, to camps, and a movie and concert series. The music series on the Common begins Wednesday July 7. This year, Mr. Bohannon worked with the Monadnock International Film Festival for movies in the park that will begin on July 15 and continue every Thursday for four weeks at Fuller Park. He encouraged everyone to get out to enjoy their trails and parks, stating that there are many new programs on the horizon.

PROCLAMATION – CAROL JEFFERY

Mayor Hansel welcomed Carol Jeffery, print and radio journalist, who was present to cover her last City Council meeting professionally after doing so for 21 years, beginning with the last meeting of former Mayor, Patricia T. Russell. Therefore, Mayor Hansel saw this as a historic event. The Mayor stated that Carol was always part of the behind the scenes staff for Council meetings and recalled fond memories when he was a City Councilor of sitting in the AV room with Ms. Jeffery. He reflected on Ms. Jeffery being a constant presence for the entirety of his tenure in City government. Therefore, the Mayor read into the record a Proclamation congratulating Ms. Jeffery officially and thanking her for long-term dedication and service to Keene and the Monadnock Region. Ms. Jeffery stated that though she would be no longer reporting officially as a journalist, she would now be free to share her opinions again.

In honor and appreciation of Ms. Jeffery, Mayor Hansel expressed his honor to present his first Key to the City of Keene to Ms. Jeffery.

PUBLIC HEARING – APPROVING A CDBG APPLICATION – MONADNOCK FAMILY SERVICES

Prior to formally opening the public hearings, Mayor Hansel noted that the process would be conducted in four parts, including three public hearings. Due to the timeline to request these Community Development Block Grant (CDBG) funds and specific State requirements, the Mayor would request a suspension of the Rules of Order to allow the Council to vote on the proposed Resolution after the Public Hearing. Upon the Mayor's request, the City Clerk read the public hearing notice for the record. Mayor Hansel opened the public hearing at 7:14 PM and recognized James Weatherly, Planning Technician for Southwest Regional Planning Commission and Grant Writer and Administrator for CDBG program.

Mr. Weatherly provided an overview of the CDBG program. The CDBG is a Federal program that distributes funds from the US Department of Housing and Urban Development to the State

of New Hampshire annually. At a State level, those funds are distributed by the New Hampshire Community Development Finance Authority (CDFA) and distributed through a competitive application process to New Hampshire municipalities and counties. All eligible projects need to have a primary or at least 51% benefit to low-and-moderate income persons. Keene is eligible to apply for up to \$500,000 per program year per eligible category, including housing, public facilities, economic development, microenterprise technical assistance, emergency funds, and up to \$25,000 for feasibility studies annually. This year, the City is also eligible for up to \$500,000 for applicable project categories in response to the Covid-19 pandemic. Regarding this application on behalf of Monadnock Family Services (MFS), Mr. Weatherly said the funds would flow through Monadnock Community Services, Inc., which is the legal entity that owns and manages MFS's properties. MFS provides mental and behavioral health services to over 2,500 clients annually and the majority of those clients are low income. The organization currently has three buildings across the City, all of which have deferred maintenance, extremely strong small office spaces, Federal Disability Association compliance issues, and limited to no room for future growth. The deferred maintenance issues alone for two of the properties would cost approximately \$1.4 million, which was estimated several years ago and had likely risen. Therefore, Mr. Weatherly said there was great need for this project and a centralized facility. The proposed grant request was for \$500,000 to assist MFS in acquiring and rehabilitating a property in Keene to act as a central home for MFS.

Mayor Hansel recognized Brian Donovan, Chair of the Board of Directors of MFS. Mr. Donovan called this an exciting opportunity for the MFS clients and staff. He recalled that MFS has existed in some form since the beginning of the 20th century and it is one of the 10 community mental health centers in NH. MFS currently employs a staff of approximately 180 dedicated people who serve individuals with severe and persistent mental illness in the Monadnock Region, of which 800 are children and teens under 18 years of age. MFS serves a population of mostly Medicaid recipients, many of whom are disadvantaged financially. Mr. Donovan cited the mental health crisis in America, which he said had been exacerbated by Covid-19 because isolation is a terrible burden on people with mental illness. He said that many of the populations MFS serves do not have access to the technology needed for virtual medical visits, and for those who do have access, Mr. Donovan emphasized that face-to-face is much more therapeutic. He said there are currently two MFS locations that are not fit for their intended purpose; they are not handicapped accessible and there is no room for growth. He said the offices are not conducive to the vital services MFS provides and clients deserve the same welcoming, professional environment one would find at Cheshire Medical Center, for example. He said that staff also deserve the same experience in a workplace that is modern, welcoming, and inviting. Mr. Donovan said that one location would save costs and allow MFS to be good stewards of the resources to help people. He said they are currently in negotiations with the central facility seller and were very close to closing the deal. However, MFS entered a nondisclosure agreement with the seller and there would be a public announcement once the agreement is reached. Mr. Donovan said the facility would be large enough to accommodate MFS needs, provide plenty of parking, and would allow some synergies with other non-profits. They would also be making significant improvements to the facility; the property would be owned by MFS's holding affiliate. They have hired a professional fundraiser to conduct a capital campaign for the improvements. MFS was also in the

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process of seeking to finance part of the building using bonds issued by the New Hampshire Health and Education Facilities Authority. The total project cost is approximately \$6.5 million, of which \$2.3 million would be for renovations and improvements. Mr. Donovan said the City Council could help with financing, as this grant would be vital to help MFS achieve this goal. Mr. Donovan requested humbly that the City Council approve the MFS CDBG application.

There were no questions from the Council or the public and so the Mayor closed the public hearing at 7:24 PM.

A true record, attest:



City Clerk

PUBLIC HEARING – RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN

Mayor Hansel opened the public hearing at 7:24 PM and welcomed James Weatherly again to speak on this CDBG application. Mr. Weatherly said that if any displacement takes place as a result of the proposed CDBG project, the federal Uniform Relocation Act (URA) must be followed. The URA 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 CDBG application, the City would certify that the Residential Anti-Displacement and Relocation Assistance Plan is in place, and in the event that it is discovered that this specific project does displace persons or households, a displacement implementation plan must be submitted to CDFA prior to obligating or expending funds. At this time, displacement was not anticipated for the proposed project.

There were no questions from the City Council or the public. Therefore, Mayor Hansel closed the public hearing at 7:25 PM.

A true record, attest:



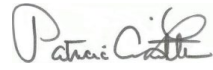
City Clerk

PUBLIC HEARING – HOUSING AND COMMUNITY DEVELOPMENT PLAN

Mayor Hansel opened the public hearing at 7:25 PM for discussion of the City's Housing and Community Development Plan and recognized James Weatherly again, Planning Technician with Southwest Region Planning Commission, to address the plan. Mr. Weatherly stated that the City of Keene's Housing and Community Development Plan was last adopted in 2019. The plan outlines short-and long-term goals for the City in relation to Community Development Block Grants. The plan needs to be re-adopted every three years, for which it was time again. No substantial changes to the plan had been made at this time. Mr. Weatherly said the proposed Monadnock Family Services relocation project meets the Plan's goal of "*making available to all the people in the region the best possible health care and comprehensive, efficiently delivered*

and coordinated preventive and supportive services and opportunities, all designed to nurture and meet the needs of our citizenry and to encourage and allow all people to live with dignity and self-sufficiency.”

There were no questions from the Council or the public on this State-required document. As such, Mayor Hansel closed the public hearing at 7:27 PM.

A true record, attest: 

City Clerk

Having concluded the three public hearings, Mayor Hansel called forward the report (Agenda Item D.9.) from the Finance, Organization, and Personnel Committee that requested the public hearings, and he filed that report into the record. A motion by Councilor Powers to suspend the Rules of Order to allow action on Resolution R-2021-31 and the associated plans regarding CDBG funds was duly seconded by Councilor Bosley. On a roll call vote, the motion passed with 14 Councilors present and voting in favor. Councilor Workman was absent.

A motion by Councilor Powers to adopt Resolution R-2021-31, as well as the Residential Anti-Displacement Plan, and the Housing and Community Development Plan was duly seconded by Councilor Bosley. On a show of hands, the motion passed with 14 Councilors present and voting in favor.

CONFIRMATIONS

A motion was made by Councilor Powers and duly seconded by Councilor Bosley to confirm the following nominations: Yves Gakunde and Ritu Budokoti to the Library Board of Trustees and Marilyn Huston with terms to expire June 30, 2023; and Marilyn Huston and Brian Lee to the Heritage Commission with terms to expire December 31, 2021. On a roll call vote, 14 Councilors were present and voting in favor.

COMMUNICATION – JOHN HAYES, PARTIAL OPENING ROBIN HOOD PARK POOL – SWIMMING LESSONS FOR YOUTH

A communication was received from John Hayes, requesting that the City Council partially staff Robin Hood Park pool for conducting swimming lessons for children during the second, third, and fourth sessions. Mayor Hansel referred the communication to City Staff with the understanding that the Parks, Recreation, and Facilities Director would be having a presentation on the municipal pools at the Municipal Services, Facilities, and Infrastructure Committee on July 7 and Mr. Hayes would be invited to attend that meeting.

COMMUNICATION – KEENE ELM CITY ROTARY CLUB – USE OF CITY PROPERTY – CLARENCE DEMAR MARATHON

A communication was received from Alan Stroshire, on behalf of the Elm City Rotary Club, requesting an event permit for the annual Clarence DeMar Marathon and DeMar Half Marathon

to be held on Sunday, September 26, 2021. Mayor Hansel referred the communication to the Planning, Licenses, and Development Committee.

COMMUNICATION – COUNCILOR ANDREW MADISON – MANDATORY TRAINING FOR CITY COUNCILORS

A communication was received from Councilor Madison, recommending that training for City Councilors be required in the following areas: sexual harassment and gender sensitivity; implicit biases; diversity and inclusion; and professional ethics. Mayor Hansel referred the communication to the Finance, Organization, and Personnel Committee.

COMMUNICATION – COUNCILOR GLADYS JOHNSEN – LEGISLATIVE AUTHORITY TO INSTALL PARKLETS IN PARKING SPACES

A communication was received from Councilor Johnsen, requesting that the Legislative Delegation be approached as to whether they can assist with legislation that would provide for the legislative authority to locate a parklet in a public parking space. The communication was referred to the Planning, Licenses, and Development Committee.

PLD REPORT – 2021 FIRE PREVENTION PARADE – FIRE DEPARTMENT

A Planning, Licenses, and Development Committee report read recommending that the Fire Department be granted permission to use City property for the 2021 Annual Fire Prevention Parade to be held on Sunday, October 3, 2021. A motion by Councilor Bosley to carry out the intent of the Committee report was duly seconded by Councilor Greenwald. On a show of hands, the motion passed with 14 Councilors present and voting in favor.

PLD REPORT – ALBERT GRAUER – APPLICATION FOR A LODGING HOUSE LICENSE – 85 WINCHESTER STREET

A Planning, Licenses, and Development Committee report read recommending that a lodging license be issued to Mr. Albert Grauer for property located at 85 Winchester Street. Pursuant to Ordinance O-2019-14, the term of the license would extend to November 30, 2022. Said license is conditional upon the following: No more than 8 persons may reside on the premises and no less than 4 vehicular parking spaces must be provided on the premises. Access to the common areas of the licensed premises shall be granted to the Police, Community Development, and Fire Departments at all reasonable times. The continuation of the license is further subject to and conditioned upon the successful passage of two inspections to be conducted by the City; and compliance with all applicable laws, ordinances, codes and rules and regulations. The owner shall notify City staff of any change in the building operator and failure to do so may be grounds for suspension or revocation of this license. This license may be revoked in accordance with the City licensing process. A motion by Councilor Bosley to carry out the intent of the Committee report was duly seconded by Councilor Greenwald. On a show of hands, the motion passed with 14 Councilors present and voting in favor.

PLD REPORT – CHESHIRE HOUSING TRUST – APPLICATION FOR HOUSING LICENSE – 86 WINTER STREET

A Planning, Licenses, and Development Committee report read recommending that that a lodging license be issued to Cheshire Housing Trust for property located at 86 Winter Street. Pursuant to Ordinance O-2019-14, the term of the license would extend to November 30, 2022. Said license is conditional upon the following: No more than 20 persons may reside on the premises. Access to the common areas of the licensed premises shall be granted to the Police, Community Development, and Fire Departments at all reasonable times. The continuation of license is further subject to and conditioned upon the successful passage of two inspections to be conducted by the City; and compliance with all applicable laws, ordinances, codes and rules and regulations. The owner shall notify City staff of any change in the building operator and failure to do so may be grounds for suspension or revocation of this license. This license may be revoked in accordance with the City licensing process. A motion by Councilor Bosley to carry out the intent of the Committee report was duly seconded by Councilor Greenwald. On a show of hands, the motion passed with 14 Councilors present and voting in favor.

PLD REPORT – HUNDRED NIGHTS, INC. – APPLICATION FOR A LODGING LICENSE – 15 LAMSON STREET

A Planning, Licenses, and Development Committee report read recommending that a lodging house license be issued to Patti Moreno for property located at 15 Lamson Street. Pursuant to Ordinance O-2019-14, the term of the license would extend to November 30, 2022. Said license is conditional upon the following: no more than 26 persons may reside on the premises at any one time. Access to the common areas of the licensed premises shall be granted to the Police, Community Development, and Fire Departments at all reasonable times. The continuation of license is further subject to and conditioned upon the successful passage of two inspections to be conducted by the City; and compliance with all applicable laws, ordinances, codes and rules and regulations. The owner shall notify City staff of any change in the building operator and failure to do so may be grounds for suspension or revocation of this license. This license may be revoked in accordance with the City licensing process, and it is conditional upon successful inspection by Fire and Code Enforcement. A motion by Councilor Bosley to carry out the intent of the Committee report was duly seconded by Councilor Greenwald. On show of hands, the motion passed with 14 Councilors present and voting in favor.

PLD REPORT – DONNA FORTE – APPLICATION FOR LODGING HOUSE – 57 WINCHESTER STREET

A Planning, Licenses, and Development Committee report read recommending that a lodging house license be issued to Donna Forte, Keene Student Rentals, for property located at 57 Winchester Street. Pursuant to Ordinance O-2019-14, the term of the license would extend to November 30, 2022. Said license is conditional upon the following: no more than 14 persons may reside on the premises at any one time. Access to the common areas of the licensed premises shall be granted to the Police, Community Development, and Fire Departments at all reasonable times. The continuation of license is further subject to and conditioned upon the successful passage of two inspections to be conducted by the City; and compliance with all applicable laws, ordinances, codes and rules and regulations. The owner shall notify City staff of any change in the building operator; failure to do so may be grounds for suspension or revocation

of this license. This license may be revoked in accordance with the City licensing process. A motion by Councilor Bosley to carry out the intent of the Committee report was duly seconded by Councilor Greenwald. On show of hands, the motion passed with 14 Councilors present and voting in favor.

PLD REPORT – CONTINUED DISCUSSION – PARKLETS

A Planning, Licenses, and Development Committee report read accepting the presentation as informational. Mayor Hansel filed the report as informational.

FOP REPORT – PRESENTATION – MELANSON FY20 AUDIT

A Finance, Organization, and Personnel Committee report read recommending that the City Manager be authorized to accept the Melanson FY 20 Audit as informational. Mayor Hansel filed the report as informational.

FOP REPORT COUNCILOR JONES – REQUESTING A DECLARATION OF INCLUSION ON BEHALF OF KEENE CITY COUNCILORS

A Finance, Organization, and Personnel Committee report read recommending that this item be referred to the tentatively named group Monadnock DEI Coalition for comment on form and language and participants that should be a part of this process. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Hooper.

Mayor Hansel recognized Councilor Jones, who was pleased with the referral. Mayor Hansel noted that the new group had been formed and would be under the services of the YMCA and the goal is to hire a full-time coordinator for these issues. They would be meeting on July 7 and Councilor Jones' communication would be on their agenda. The FOP Committee was also invited to that meeting but they could not establish a quorum. On a show of hands, the motion passed with 14 Councilors present and voting in favor.

FOP REPORT – PFAS DETECTION AT 173 WYMAN ROAD – ASSISTANT PUBLIC WORKS DIRECTOR/SOLID WASTE MANAGER

A Finance, Organization, and Personnel Committee report read recommending that the City Council authorize the City Manager to do all things necessary to negotiate and execute an agreement with the property owner of 173 Wyman Road to provide access and a carbon-based point of entry water filtration system for an initial term of three (3) years beginning in July 2021 as part of an initial perfluorooctanoic acid (PFOA) and perfluorooctane sulfonate (PFAS) protocol. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Hooper. On a show of hands, the motion passed with 14 Councilors present and voting in favor.

FOP REPORT – MARTELL COURT PUMP STATION – ENGINEERING SERVICES – CHANGES ORDER 2 – WWTP OPERATIONS MANAGER

A Finance, Organization, and Personnel Committee report read recommending that the City Council authorize the City Manager to do all things necessary to execute Change Order 2 with

Aldrich & Elliot Engineers, to perform construction phased engineering and technical services for the Headwork's Screening Project at the Martell Court Pump Station for an amount not to exceed \$163,400 for contract 04-20-23. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Hooper. On a show of hands, the motion passed with 14 Councilors present and voting in favor.

FOP REPORT – LABORATORY RENOVATION – ENGINEERING – CHANGE ORDER 2 – WWTP OPERATIONS MANAGER

A Finance, Organization, and Personnel Committee report read recommending that the City Council authorize the City Manager to do all things necessary to execute Change Order 2 with Underwood Engineers to perform construction phase engineering and technical services for the Laboratory Renovation Project for an amount not to exceed \$12,800 for contract 04- 21-22. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Hooper. Mayor Hansel suggested that now that Covid-19 restrictions were lifting, it would be a good time for the Council to schedule a tour of the Waste Water Treatment Plant. On a show of hands, the motion passed with 14 Councilors present and voting in favor.

FOP REPORT – AERATION PIPING REPLACEMENT – ENGINEERING SERVICES – CHANGE ORDER 1 – WWTP OPERATIONS MANAGER

A Finance, Organization, and Personnel Committee report read recommending that the City Council authorize the City Manager to do all things necessary to execute Change Order 1 with Aldrich & Elliot Engineers to perform engineering and technical services for the Aeration Piping Replacement project at the Wastewater Treatment Plant for an amount not to exceed \$22,500 for contract 04-19-04. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Hooper. On a show of hands, the motion passed with 14 Councilors present and voting in favor.

FOP REPORT – PROFESSIONAL SERVICES CONTRACT – EMERGENCY RESPONSE PLAN FOR THE CITY'S WASTE WATER PUMP STATIONS – UTILITIES MAINTENANCE MANAGER

A Finance, Organization, and Personnel Committee report read recommending that the City Council authorize the City Manager to do all things necessary to negotiate and execute a professional services contract with Wright-Pierce for planning, engineering and technical services for the completion of an Emergency Response Plan for the City's Wastewater Pump Stations for an amount not to exceed \$44,990. If a contract cannot be negotiated, the City Manager is authorized to negotiate with the next ranked firm. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Hooper. On a show of hands, the motion passed with 14 Councilors present and voting in favor.

FOP REPORT – 2021 SEWER MAIN LINING PROJECT – CONSTRUCTION CHANGE ORDER – CITY ENGINEER

A Finance, Organization, and Personnel Committee report read recommending that the City Council authorize the City Manager to do all things necessary to execute a Construction Change

Order with Insituform Technologies, LLC. in an amount not to exceed \$115,000 for additional sewer main lining work to be completed as part of the 2021 Sewer Main Lining Project (08066). A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Hooper. On a show of hands, the motion passed with 14 Councilors present and voting in favor.

FOP REPORT – MUNICIPAL SERVICES AGREEMENT – KEENE STATE COLLEGE – CITY MANAGER

A Finance, Organization, and Personnel Committee report read recommending that a 4th amendment to Municipal Services Agreement between the City of Keene and Keene State College be forwarded to the City Council with a recommendation to extend the term of the agreement for one additional year. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Hooper.

Mayor Hansel recognized Councilor Jones who asked the difference between inter-municipal agreements and a memoranda of understanding. The City Manager said the City and College do have a memorandum of understanding for other issues, but this contract was a municipal services agreement between the College and City, signed by the Police Department. On a show of hands, the motion passed with 14 Councilors present and voting in favor.

CITY MANAGER COMMENTS

The City Manager reported that the Keene Library would return to continuous hours beginning July 6 and will operate Monday 10:00 AM-6:00 PM, Tuesday/Wednesday/Thursday 10:00 AM-8:00 PM, Friday 10:00 AM-6:00 PM, and Saturday 10:00 AM-3:00 PM. These hours will be year-round. The Library is seeking volunteers to act as greeters at the west entrance and those interested should contact the Library volunteer coordinator. Additionally, as of July 6, the Library will begin offering free notary services by appointment. The Friends of the Library are now accepting books in good condition for their book sale, which is scheduled for October 15 to the 17.

On Parks and Recreation, the City Manager announced that the Keene community garden based at Robin Hood Park still had 19' by 25' plots available for \$25; contact the Parks and Recreation Department if interested.

The Governor's Executive Council meeting would occur August 4 at the Keene Public Library if Councilors are interested in attending.

The City Manager heard from Representative Kuster's office, and the funding Keene requested was approved for the George Street bridge in the amount of \$729,191 and for the Marlboro Street Cheshire Rail Trail in the amount of \$681,123. This legislation still needs to make its way through the Senate, but the City Manager said it is a step in the right direction and very encouraging. Mayor Hansel asked if these were congressional earmarked projects and the City Manager replied that they are member designated transportation projects.

FOP REPORT – MORE TIME – REDISTRICTING OF WARD LINES – CITY CLERK

A Finance, Organization, and Personnel Committee report read recommending that the redistricting of Ward Lines be placed on more time to allow the City Clerk and the City Attorney to prepare the wording of a charter amendment. Mayor Hansel granted more time.

ORDINANCE FOR FIRST READING – RELATING TO WATER AND SEWER UTILITY CHARGES – ORDINANCE O-2021-10

A memorandum from Finance Director, Merri Howe, recommending that Ordinance O-2021-10 relating to water and sewer utility rates have a first reading at the July 1, 2021 meeting of the City Council and that it be referred to the Finance, Organization and Personnel Committee for a recommendation. Mayor Hansel referred Ordinance O-2021-10 to the Finance, Organization, and Personnel Committee.

RELATING TO PARKING – ORDINANCE O-2021-09

A memorandum read from Parking Operations Manager, Chelsea North, requesting that the Finance, Organization, and Personnel Committee recommend to the City Council adoption of Ordinance number O-2021-09. This Ordinance makes minor wording changes to permit cleaner operations in an older Ordinance, raises some fees, clarifies the conditions and fees for night parking (where designated), public street parking, and the net effect would be the conversion of the Wells Garage to permit- and leased-only parking. Mayor Hansel referred Ordinance O-2021-09 to the Finance, Organization, and Personnel Committee

RESOLUTION – EMINENT DOMAIN FOR HIGHWAY PURPOSES – WINCHESTER STREET RECONSTRUCTION PROJECT – RESOLUTION R-2021-19-A

A Finance, Organization, and Personnel Committee report read referring this issue back to City Council without a recommendation. Councilors Remy, Filiault, Chadbourne, and Powers were not able to attend the site visit and thus they could not participate in this vote.

A motion by Councilor Hooper to adopt Resolution R-2021-19-A was duly seconded by Councilor Ormerod.

Councilor Hooper stated that for the City to exercise this eminent domain authority, the City Council must determine there is necessity for eminent domain, which he said the City Engineer, Don Lussier, had outlined in detail the traffic and pedestrian accessibility problems and aesthetics. The Council must also determine that the property would be put to public use; there is going to be a road built and the Council must find that there would be a net public benefit, meaning that the burden to the individual property owner is less than the community benefit. Finally, the Council must find that the City, in this case through the City Manager, had made reasonable efforts to negotiate a settlement and City Engineer told the FOP Committee that good faith efforts had been made. Therefore, Councilor Hooper said that this was an updated action, which is required by the members of the Council. Most of the Councilors attended the second site visit on June 17. On June 24, the FOP Committee made no recommendation as three of its members, a majority, were not present at the site visit. However, the Council could still vote, though Councilors had to be present at the second site visit to vote on this updated action.

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Having been at the site visit, Councilor Hooper recommended that the City Councilors who could vote on this matter vote in favor of adopting the Resolution.

On a roll call vote, the City Council adopted Resolution R-2021-19-A with 10 Councilors present and voting in favor. Councilors Remy, Filiault, Chadbourne, and Powers, who were unable to attend the required site visit were restricted from voting and abstained. Councilor Workman was absent.

RESOLUTION – OPIOID LITIGATION SETTLEMENT REVOLVING FUND – RESOLUTION R-2021-32

A Finance, Organization, and Personnel Committee report read recommending the adoption of Resolution R-2021-32. Mayor Hansel filed the report. A motion by Councilor Powers to adopt Resolution R-2021-32 was duly seconded by Councilor Hooper. On a show of hands, the motion passed with 14 Councilors present and voting in favor.

NON-PUBLIC SESSION

At 8:15 PM Mayor Hansel requested a motion for the City Council to enter a non-public session to discuss litigation on the RSA-91-A.3,II e. A motion by Councilor Powers to enter a non-public session was duly seconded by Councilor Bosley. On roll call vote 14 Councilors were present and voting in favor. Councilor Workman was absent. Discussion was limited to the subject matter. At 8:27 PM the session concluded and the Council re-entered public session.

A motion by Councilor Powers to keep the minutes of the non-public session, non-public was duly seconded by Councilor Hooper. On roll call vote 14 Councilors were present and voting in favor. Councilor Workman was absent.

BANKRUPTCY SETTLEMENT – PURDUE PHARMA

A motion by Councilor Powers to authorize the City Attorney to do all things necessary on behalf of the City of Keene to cast a vote in favor of the proposed bankruptcy reorganization plan (docket #2982) submitted by Purdue Pharma L.P., et al, in the United States Bankruptcy Court, Southern District of New York, Case #19-23649 was duly seconded by Councilor Filiault. On showing of hands, 14 Councilors were present and voting in favor.

At 8:29 PM the meeting adjourned.

A true record, attest:



City Clerk