



KEENE CITY COUNCIL
Council Chambers, Keene City Hall
May 19, 2022
7:00 PM

ROLL CALL

PLEDGE OF ALLEGIANCE

MINUTES FROM PRECEDING MEETING

- May 5, 2022

A. HEARINGS / PRESENTATIONS / PROCLAMATIONS

1. Presentation - Liberty Utilities - Overview of July 21, 2021 Outage in Keene and Steps Taken to Improve the System

B. ELECTIONS / NOMINATIONS / APPOINTMENTS / CONFIRMATIONS

1. Confirmation
Planning Board

C. COMMUNICATIONS

1. Charles Redfern - Request for Signage Identifying Trails
2. Keene Elm City Rotary Club - Use of City Property - Clarence DeMar Marathon
3. Resignation of Delene White from the Partner City Committee

D. REPORTS - COUNCIL COMMITTEES

1. Adam Toepfer – Keene Pride – Request that the City Absorb the Cost for Police, Public Works and Fire Personnel for Block Party – September 18, 2022
2. Public TV Programming Services Agreement – ACM/IT Director

3. Patricia T. Russell Park/Carpenter St. Flood Management Project – Request to Reallocate Funds - City Engineer
4. Patricia T. Russell Park/Carpenter St. Flood Management Project – Consultant Selection for Construction Engineering Services – City Engineer
5. George Street Bridge Replacement Design Consultant Selection – City Engineer
6. Fire Staffing Committee Report and Recommendation - City Manager

E. CITY MANAGER COMMENTS

F. REPORTS - CITY OFFICERS AND DEPARTMENTS

G. REPORTS - BOARDS AND COMMISSIONS

1. Relating to Amendments to the City of Keene Land Development Code Ordinance O-2022-04

H. REPORTS - MORE TIME

1. Relating to the FY 2022-2023 Fiscal Year Budget Resolution R-2022-09

I. ORDINANCES FOR FIRST READING

1. Relating to Class Allocations & Salary Schedules Ordinance O-2022-05
2. Relating to Licenses and Permits - Parklets Ordinance O-2022-07

J. ORDINANCES FOR SECOND READING

K. RESOLUTIONS

1. Relating to the Appropriation of Funds for Municipal Building Roofs; Relating to the Appropriation of Funds for Road Rehabilitation; Relating to the Appropriation of Funds for the Salt Shed Replacement; Relating to the Appropriation of Funds for the Wells Street Parking Structure Maintenance; and Relating to the Appropriation of Funds for the 3MG Water Tank Repair Resolution R-2022-10

Resolution R-2022-11
Resolution R-2022-12
Resolution R-2022-14
Resolution R-2022-15

2. Relating to the Appropriation of Funds for the Patricia T. Russell Park Project and the Carpenter Street Flood Management Project
Resolution R-2022-16
Resolution R-2022-19
3. Relating to the Appropriation of Funds for George Street Bridge Replacement Project
Resolution R-2022-17
4. Relating to the Establishment of a Parks and Facilities Infrastructure Capital Reserve
Resolution R-2022-18
5. Relating to an Appropriation of Funds and Use of Unassigned Fund Balance for the FY 2022 Fire Department Personnel Budget
Resolution R-2022-21

NON PUBLIC SESSION

ADJOURNMENT

A regular meeting of the Keene City Council was held on Thursday, May 5, 2022. The Honorable Mayor George S. Hansel called the meeting to order at 7:00 PM. Roll called: Bryan J. Lake, Michael J. Remy, Gladys Johnsen, Michael Giacomo, Randy L. Filiault, Robert C. Williams, Philip M. Jones, Andrew M. Madison, Kris E. Roberts, Bettina A. Chadbourne, Mitchell H. Greenwald, and Thomas F. Powers were present. Kate M. Bosley, Catherine I. Workman, and Raleigh C. Ormerod were absent. Councilor Williams led the Pledge of Allegiance.

ANNOUNCEMENTS

Mayor Hansel announced that this meeting was the start of the annual operating budget review. Councilors received the proposed operating budget on their desks this evening. Special meetings of the Finance, Organization, and Personnel Committee would occur over the next two weeks. The FOP Committee would be meeting on Tuesday, May 10 starting at 5:30 PM. The Committee's regular meeting that Thursday will also start at 5:30 PM. The following week, the Committee starts again with a meeting on Monday, May 16. If necessary, Wednesday, May 18 is also identified as a tentative FOP budget review date. All of these budget meetings will start at 5:30 PM. All Councilors are encouraged to attend the meetings.

Next, the Mayor announced that the Keene Veterans Council extended its annual welcome to participate in the Memorial Day ceremony and parade on Monday, May 30. The parade will start at 10:00 AM and will form on Gilbo Avenue and proceed up to the Veterans Monument at the Keene Parks & Recreation Center.

Finally, the Mayor provided advance notice for each Councilor's personal vacation schedules. The Council's summer vacation schedule will start with the cancelation of the July 27 and 28 MSFI and FOP meetings, followed by the August 4 Council meeting, as well as the August 10 and August 11 PLD and FOP Committee meetings. The Council will return to its normal meeting schedule for the August 18 meeting.

MINUTES OF THE PRECEDING MEETING

A motion by Councilor Powers to adopt the minutes of the April 21, 2022 regular meeting was duly seconded by Councilor Greenwald. The motion carried unanimously with 12 Councilors present and voting in favor.

PROCLAMATION

Mayor Hansel welcomed the Director of Public Works/Emergency Management, Kürt Blomquist, for a proclamation declaring May 15–May 21, 2022 as National Public Works Week in Keene. Director Blomquist appreciated the recognition of the Public Works professionals who are responsible for all the infrastructure and operation maintenance, which are the bedrock of the community. Right now, with the American Recovery Act and Infrastructure Investment Jobs Act, it is a unique time for Public Works, with an opportunity to be executing significant funding levels that have not be available since the interstate was developed. He said there would be challenges with upcoming construction, like that to Winchester Street. He encouraged the public to visit Public Works for tours to understand what they do.

PROCLAMATION

Mayor Hansel welcomed the City Clerk, Patty Little, to receive a proclamation declaring May 1–May 7 as Municipal Clerk’s Week. The Mayor extended his appreciation to the City Clerk and all municipal clerks for the vital services they perform and their exemplary dedication to their communities.

PRESENTATION OF RETIREMENT RESOLUTION – FORMER FIRE CHIEF, MARK HOWARD

Mayor Hansel welcomed the former Fire Chief, Mark Howard, to be presented with a Resolution commemorating his retirement. Mr. Howard said how humbling it was to work for the City these last 29 years. It was not until he retired that he realized how much stress he was under and what a heavy burden his retirement lifted from his shoulders. He said that these first responder jobs come with burnout and the City and community need to support those Staff, including resolving the workforce issue. Mr. Howard was grateful for his time with the City.

PUBLIC HEARING – ZONING MAP CHANGE – WHITCOMB’S MILL ROAD – ORDINANCE O-2022-02

Mayor Hansel called the public hearing to order at 7:18 PM and the City Clerk read the hearing notice. Mayor Hansel welcomed Senior Planner, Mari Brunner, to introduce the Ordinance and the Joint PB/PLD Committee’s review. Ms. Brunner said this Ordinance proposes to amend the Zoning map of the City of Keene by changing the zoning of one particular parcel at 19 Whitcomb’s Mill Road from the Rural and Agricultural Districts to the Low Density District. The total land area that would be impacted is 12.29 acres and the parcel is owned by the Sandra R. Henry Trust. The applicant is James Phippard on behalf of that Trust.

This parcel of land is located on the west side of Whitcomb’s Mill Road between Arch Street and NH RT-9 and is currently undeveloped. It is a mix of forested land with some gravel areas. The vast majority of the parcel—11.84 acres—is in the Rural District and the remaining 0.45 acre at the southwest corner of the property is in the Agricultural District. Uses adjacent to the property include Langdon Place to the east, single family homes to the north, the Cheshire Rail Trail to the south, and agricultural land to the west. This property does have access to City sewer on Arch Street and if this Zoning Map amendment were approved, the applicant would be required to connect any development to City sewer at their own expense.

Ms. Brunner said that this application for a Zoning Map amendment was submitted on January 11 and was presented to the City Council for their first reading on January 20, when it was referred to the Joint Planning Board/Planning, Licenses, and Development Committee, which held a public workshop on this Ordinance on March 14. The Joint Committee noted that the parcel would need to connect to City sewer in addition to the water if it is deemed available by the Director of Public Works. In addition, the Joint Committee discussed potential traffic impacts, including the likelihood of increase left turned from RT-9 onto Whitcomb’s Mill Road, in addition to the condition of the bridge that goes over White Brook. There was also discussion of whether this change would be considered “spot zoning.” The Joint Committee concluded that

the intent of the proposed Zoning change does meet the intent of the Low Density District. There were no public comments during the workshop phase. The Planning Board voted unanimously that the proposed Zoning change is consistent with the Comprehensive Master Plan because it is creating the opportunity for more housing development. The Planning, Licenses, and Development Committee voted to ask the Mayor to set this public hearing. Following the public workshop, the Director of Public Works did determine that the applicant would not be required to connect to City water.

Mr. Phippard of Brickstone Land Consultants was present to request the rezoning on behalf of the landowner. He said this property is on the outskirts of the City's utility systems as they expand westward and ended essentially with the senior housing and nursing home, which is directly across the street from the parcel and which was constructed in 1980 when the City sewer line was extended from Arch Street under White Brook. As a part of that project, the City was granted a 50' easement on the nursing home site to allow for a public utility extension to continue sewer services to Whitcomb's Mill Road. At the time, the property owners did not know there would be a desire or need to extend that sewer line.

Mr. Phippard shared that the parcel in question for the Zoning change was an old gravel pit that was operated by the Arthur Whitcomb Company in the 1950s–1960s and was abandoned in the early 1970s. There are no buildings on the property today, but there is still a gravel road that comes from Whitcomb's Mill Road onto the site, which is gated. The former gravel pit is forested today as is the rest of the parcel around the Cheshire Rail Trail that is adjacent to the site. White Brook is on the north side of the parcel. The petitioner proposes to utilize the existing easement to construct a sewer line extension to avoid the need for septic systems in this area and to allow higher density. He noted the need for new homes in Keene and he regularly receives interest in this parcel and thus the petitioner is anxious to proceed with this request.

Mr. Phippard continued that the parcel also has City water available from Arch Street, but extending the water is different than extending the sewer; they cannot build that long of a water line and to control the pressure and capacity of that water system, all of which is cost prohibitive to install and maintain; building the water line's 2,000 linear feet would cost \$600,000 and would involve building under the stream. Mr. Phippard continued that this parcel is Zoned Rural today except for the small Agricultural portion. As Zoned today, they petitioner could build two homes on the 12 acres and with conservation residential development, they could do three homes. Mr. Phippard said that summarized the realities and difficulties of developing the site today and the infeasibility of extending the water system. He addressed concerns of the Joint Committee on rezoning, such as that some developers might want to build the maximum 26 units, but he said that 26 units would not fit on the property because of an existing wetland area. Mr. Phippard's company plans to primarily build on the parcel perimeter, consistent with conservation residential development, conserving more than 50% of the parcel. Homes would be grouped along a new road built onto the site. The petitioner would also be preparing a subdivision application and going to the Planning Board for that approval. They would propose to construct a sewer line at their own cost up to Whitcomb's Mill Road and into the site, which could eventually become a City street. There would be an easement for the City to extend the

public sewer line onto the private land. Due to rules on where they could develop on this site, Mr. Phippard reiterated that they would restore the site and only develop where allowed. The petitioner is working with City Staff on extending the sewer line and the City's consultant who manages the computer model for the City's existing sewer system. The planned development is all single-family homes and duplexes, which would be using only 10% capacity in the sewage system, as confirmed by a study that showed more than 90% capacity available in the sewage system there. Thus, adding homes would not add a burden to the City's system.

Regarding traffic, Mr. Phippard said that the rule of thumb for single-family homes is 10 vehicle trips per day per home, so there would be roughly 120 trips for this development per 24 hours. There is no anticipated dramatic change in impact to RT-9; the Planning Board said that if more than 100 vehicles per day, they might require a traffic report. The NH Department of Transportation is comfortable with anything less than 100 vehicles per hour at the Whitcomb's Mill/RT-9 intersection, so no significant impact. A one-lane bridge does cross White Brook along Whitcomb's Mill Road; the City has worked on the bridge over the years, but he thought it was on the red list for future upgrades. He believed that slowing for the bridge would help regulate traffic on Whitcomb's Mill Road. He has talked with companies interested in coming here and this increased housing would help contribute to economic development.

Councilor Filiault wondered whether the wetlands would be impacted. Mr. Phippard said that those wetlands would be left intact and they propose to build a fire pond on the property with Fire Department access.

Mayor Hansel opened the floor to public comments. Hearing none, he closed the public hearing at 7:41 PM. Written public comments would be accepted until 1:00 PM on Tuesday, May 10. Written comments must be signed and submitted to the City Clerk by that date and time to be included in the record. The Planning, Licenses, and Development Committee will be making a recommendation to the full Council at their next regular meeting.

A true record, attest:



City Clerk

NOMINATION

Mayor Hansel nominated Kenneth Kost to serve as an alternate to the Planning Board, with a term to expire December 31, 2024. The Mayor tabled the nomination until the next regular meeting.

COMMUNICATION – PABLO FLEISCHMANN – KEENE MUSIC FESTIVAL – REQUEST FOR USE OF CITY PROPERTY – SEPTEMBER 3, 2022

A communication was received from Pablo Fleischmann of the Keene Music Festival, requesting use of City property for the annual music festival on Saturday, September 3, 2022. Mayor Hansel referred the communication to the Planning, Licenses, and Development Committee.

COMMUNICATION – ADAM TOEPFER – KEENE PRIDE – REQUEST THAT THE CITY ABSORB THE COST FOR POLICE, PUBLIC WORKS AND FIRE PERSONNEL FOR A BLOCK PARK – SEPTEMBER 18, 2022

A communication was received from Adam Toepfer of Keene Pride, requesting that the City absorb the cost for City services associated with the Keene Pride block party on September 18. They have submitted the application for Community Event Funding and are requesting an exception to the Council Policy by waiving the requirement that the event shall have been previously produced at least twice prior to the request for community event status. Mayor Hansel referred the communication to the Finance, Organization, and Personnel Committee.

MSFI REPORT – CONSERVATION COMMISSION – RECOMMENDATION ON EVERSOURCE ENERGY – TREE TRIMMING ON SCENIC ROADS

A Municipal Services, Facilities, and Infrastructure Committee report read accepting the report from the Conservation Commission as informational. Mayor Hansel filed the report as informational.

MSFI REPORT – TREE TRIMMING ON SCENIC ROADS

A Municipal Services, Facilities, and Infrastructure Committee report read recommending that the City Council authorize Eversource Energy to perform all tree trimming services on requested scenic roads: Concord Road, Concord Hill Drive, Moore Farm Road, and Nims Road, in accordance with the recommendations of the Conservation Commission to leave the snags (dead vertical trees) in place, if possible. A motion by Councilor Greenwald to carry out the intent of the Committee report was duly seconded by Councilor Filiault. The motion carried unanimously with 12 Councilors present and voting in favor.

MSFI REPORT – REQUEST THAT RAILROAD SQUARE BE DESIGNATED A SMOKE FREE ZONE

A Municipal Services, Facilities, and Infrastructure Committee report read recommending that the portion of the request for park attributes be referred to staff, and recommends that the smoke free zone portion of the request be placed on more time. A motion by Councilor Greenwald to carry out the intent of the Committee report was duly seconded by Councilor Filiault. The motion carried unanimously with 12 Councilors present and voting in favor.

MSFI REPORT – PRESENTATION – DOWNTOWN TO TRAILS, PARKS, RECREATION & FACILITIES DIRECTOR

A Municipal Services, Facilities, and Infrastructure Committee report read, recommending the acceptance of the presentation on downtown trails as informational. A motion by Councilor Greenwald to carry out the intent of the Committee report was duly seconded by Councilor Filiault. The motion carried unanimously with 12 Councilors present and voting in favor.

FOP REPORT – WWTP AERATION PIPE REPLACEMENT CHANGE ORDER 1 – WWTP OPERATIONS MANAGER

A Finance, Organization, and Personnel Committee report read, recommending that the City Manager be authorized to do all things necessary to execute Change Order 1 with Kingsbury Construction for the WWTP Aeration Pipe Replacement Project for an amount not to exceed \$11,168 for Contract #01-22-07. A motion by Councilor Remy to carry out the intent of the Committee report was duly seconded by Councilor Chadbourne. The motion carried unanimously with 12 Councilors present and voting in favor.

CITY MANAGER COMMENTS

The City Manager reported that the City has been recognized as a Tree City by the Arbor Day Foundation. This is the City's 43rd year as a Tree City. This year marks the 150th anniversary of Arbor Day. On a side note, she said the City's Arbor Day Ceremony was held on April 29 near the closed Harrison Street Bridge and involved participants from Cedarcrest.

Next, the City Manager thanked everyone for a very successful Green up Keene event. We estimate more than 250 people volunteered and cleaned up approximately 3,300 lbs of trash as part of this effort. She called this an amazing level of volunteerism in our community.

The City Manager reported the Revenue Office will be closing on July 1 for our financial software conversion. Our fiscal year ends June 30 and the new fiscal year begins July 1. We will be doing the transfer on July 1 so that we can begin operations in the new fiscal year in our new software. We will put a notice in the Sentinel and on social media, etc. Anyone with a June birthday may come in before the end of June to get your car registered or take advantage of our on-line renewal option.

Lastly on the Airport, the City Manager said there was a fun opportunity coming. Have you ever been interested to learn how to fly? On Saturday May 14 at the Airport, the Experimental Aircraft Association is hosting a "Flying Start" informational program that would introduce you to the steps and requirements involved in learning to fly, tips on how to make it economical, and the opportunities that result in earning a pilot's certificate. The event will also introduce you to the local flight schools. The program will be held from 1:00–3:00 PM on Saturday, May 14, in the Terminal building at the Airport. Anyone with an interest in learning to fly is invited to attend. Space is limited so if you are interested, register for the event at FlyingStart.Org and check it out on the Airport's Facebook.

MEMORANDUM – 2019 STATE HOMELAND SECURITY PROGRAM CRITICAL INFRASTRUCTURE – WATER RELATED CATASTROPHE GRANT – DEPUTY FIRE CHIEF

A memorandum was received from the Deputy Fire Chief, recommending that the City Council suspend its Rules of Order to allow action on the request to authorize the City Manager to do all things necessary to accept and expend \$9,937.00 awarded under the State Homeland Security

Program (SHSP) portion of the 2019 Homeland Security Grant Program (HSGP) to purchase critical infrastructure/water-related catastrophe equipment.

A motion by Councilor Powers to suspend Section 26 of the Rules of Order to act on this time sensitive grant was duly seconded by Councilor Greenwald. The motion carried unanimously on a roll call vote with 12 Councilors present and voting in favor. Kate M. Bosley, Catherine I. Workman, and Raleigh C. Ormerod were absent.

A motion by Councilor Powers to accept the 2019 State Homeland Security Program Critical Infrastructure–Water Related Catastrophe Grant was duly seconded by Councilor Greenwald. The motion carried unanimously with 12 Councilors present and voting in favor. Kate M. Bosley, Catherine I. Workman, and Raleigh C. Ormerod were absent.

MORE TIME – RENAMING THE KEENE RECREATION CENTER TO THE BRIAN A. MATTSO KEENE RECREATION CENTER

A Municipal Services, Facilities, and Infrastructure Committee report read recommending that the request to rename the Keene Recreation Center to the Brian A. Mattson Keene Recreation Center be placed on more time. Mayor Hansel granted more time.

RESOLUTION – RELATING TO THE FY 2022–2023 FISCAL YEAR BUDGET – RESOLUTION R-2022-09

A memorandum was received from the Finance Director, Merri Howe, recommending that Resolution R-2022-09 relating to the FY 2022–2023 budget be referred to the Finance, Organization & Personnel Committee for their review and recommendation, and that a public hearing be scheduled for Thursday, June 2, 2022.

Mayor Hansel welcomed introductory comments on the budget from the City Manager, Elizabeth Dragon. The City Manager said the Council received their budget books. On May 6, the budget would be available electronically on our website for the public. She wanted to reference a few items in her budget letter for the benefit of the Council and the public as we kick off the budget review process.

The City Manager said the municipal team has worked diligently to structure a proposed City budget with little increase on the City portion of the tax rate, raising it slightly by 0.49% or to \$12.37. The City property tax revenue is within the increase limit set by your fiscal policy. It is within these parameters that City staff had developed operating and capital budget proposals supported by the vision of the City’s Comprehensive Master Plan, City Council Goals, and Fiscal Policy to continue to move the City to a sustainable future.

The City Manager continued that the recommended budget considers the first year of the Capital Improvement Program: 2023–2029. It has been updated and modified in the proposed budget to reflect the changes that have occurred since the adoption of the Plan in March 2022. In order for the proposed FY 2023 operating budget to comply with the fiscal policy, changes were made to the Capital Improvement Program (CIP), which net out to \$0 in FY 2023 and FY 2024, though funding sources were changed. The total seven-year proposed CIP increases by \$100,000

reflected in FY 2025 and FY 2026 are due to additional IT infrastructure capital reserve funding of \$50,000/year. Councilors would see this update in next year's budget proposal. In addition, anticipated project start dates have been shifted for several projects in later years.

Next, the City Manager said that debt schedules have been updated to reflect the recent changes for the Winchester Street construction project. The City Council authorized increased bonding for the Winchester Street by-pass project in the amount of \$584,000, which increases interest expense by \$9,490 in FY 2023. The City Council also approved use of unallocated fund balance for the Thompson Road design in the amount of \$210,000. Once the road design is complete, construction numbers will need to be added to FY 2024 and/or FY2025 capital budgets.

The City Manager stated that the market for goods and services is changing, while City departments have been extremely successful accessing the various grant funding sources. The widespread access to Federal funding sources has created an increasing demand for both contractors and supplies. This demand has begun driving the cost of projects up. Recent projects are being bid substantially above estimates and some projects are generating little interest from bidders. In addition, supply chain issues are impacting access to operating supplies and supplies needed for various projects. As funds from the Federal infrastructure bill become more available this trend is likely to continue and will need to be monitored. It may become necessary to make further adjustments to our capital plan, the scope of projects, and/or to adjust funding sources.

The City Manager noted that the COVID-19 pandemic would have a long-lasting impact on our community, the State, and the world. However, our community and our businesses have proven themselves to be resilient. Activity in the community continues to grow and City divisions like Parking and Recreation, which saw downturns during the height of Covid, are back to pre-pandemic conditions.

The City Manager said this budget includes City revenues associated with State municipal aid as we know them right now. In addition, the tax rate estimates are based on a projection of no increase to the tax base. This is a good conservative estimate. At this point, in the City's overall tax rate process, both the School & County have approved budgets, setting the education and county portions of the overall rate. Considering tax rate projections provided during adoption, and the recommended City budget, the total property tax rate is estimated to increase by 3.25% combined. The largest increase is estimated in the school's portion of the budget. The local and State education portion of the tax rate combined is increasing by \$0.91.

The City Manager added that this year the City successfully sought congressionally dedicated funds for projects like the body worn camera program, Heritage Rail Trail project phase one, and a sewer main project. We were not successful in our efforts to get an ARPA tourism grant through EDA for the remainder of the Heritage Trail project; however, we anticipate that additional transportation funding will become available.

Next, the City Manager said we have once again submitted projects in our capital plan for consideration for the next round of congressionally directed funded projects (continued work on the Heritage Trail, our downtown project, Fire Station 2, Recreation Center rehabilitation, and a

parking garage project). She said we will continue to seek ways to leverage outside funding opportunities. If successful, it will allow us to reduce project cost impacts in future budget years.

The City Manager said she needed to recognize the work of our departments to put forward a budget that balances need with affordability. In addition, she recognized the efforts of our Finance Department, specifically our Finance Director, Merri Howe, and Senior Accountant, Karen Grey, who have spent many late nights and weekend hours putting together this budget in the midst of the monumental effort it takes to convert our financial software system.

The City Manager concluded noting that the new tax program goes live next week and on July 1 we will go live with the general ledger, accounts payable, and accounts receivable programs. We anticipate converting the payroll system by January and our utility billing systems by July 2023. There is substantial work going on behind the scenes to make this all happen.

The budget review begins Tuesday May 10 at 5:30 PM at a special FOP meeting.

Mayor Hansel said that while he had only glanced at the budget, he was already impressed and thought the Council could see their goals reflected as important in this budget—specifically the reduction in bonding and many other things. He said the fact that the City Manager could present a budget with less than 1% increase during a time with 6% inflation, and with significantly less federal funding than the county and schools had was impressive. Still, the City was performing better and putting forward a conservative, fiscally responsible budget. He said it was essential to celebrate in the community what the City is doing well.

Mayor Hansel filed the memorandum and referred the Resolution to the Finance, Organization, and Personnel Committee and set a public hearing for June 2, 2022 at 7:00 PM.

RESOLUTION – RELATING TO THE ABSOLUTE DISCONTINUANCE OF A PORTION OF THE COMMERCIAL STREET PARKING AREA – RESOLUTION R-2022-13

A Municipal Services, Facilities, and Infrastructure Committee report read recommending the adoption of Resolution R-2022-13. Mayor Hansel filed the report.

Councilors Giacomo, Johnsen, Roberts, and Chadbourne did not attend the site visit and would abstain in the vote.

A motion by Councilor Greenwald to adopt Resolution R-2022-13 was duly seconded by Councilor Filiault. The motion carried unanimously with 9 Councilors present and voting in favor. Councilors Chadbourne, Giacomo, and Roberts abstained.

RESOLUTIONS – RELATING TO THE APPROPRIATION OF FUNDS FOR THE PATRICIA T. RUSSELL PARK PROJECT AND THE CARPENTER STREET FLOOD MANAGEMENT PROJECT – RESOLUTION R-2022-16 & RESOLUTION R-2022-19

A memorandum read from the City Engineer, recommending that Resolutions R-2022-16 and R-2022-19 be referred to the Finance, Organization, and Personnel Committee for their consideration and recommendation. Mayor Hansel referred Resolutions R-2022-16 and R-2022-19 to the Finance, Organization, and Personnel Committee.

05/05/2022

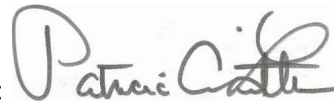
RESOLUTION – RELATING TO THE APPROPRIATION OF FUNDS FOR GEORGE STREET BRIDGE REPLACEMENT PROJECT – RESOLUTION R-2022-17

A memorandum read from the City Engineer, recommending that Resolution R-2022-17 be referred to the Finance, Organization, and Personnel Committee for their consideration and recommendation. Mayor Hansel referred Resolution R-2022-17 to the Finance, Organization, and Personnel Committee.

ADJOURNMENT

There being no further business, Mayor Hansel adjourned the meeting at 8:10 PM.

A true record, attest:

A handwritten signature in dark ink, appearing to read "Patricia Cuthbert". The signature is written in a cursive, flowing style. The first name "Patricia" is written in a larger, more prominent script, and "Cuthbert" follows in a similar but slightly smaller script. The signature is positioned to the right of the text "A true record, attest:".

City Clerk



CITY OF KEENE NEW HAMPSHIRE

ITEM #B.1.

Meeting Date: May 19, 2022
To: Mayor and Keene City Council
From: Mayor George S. Hansel
Through: Patricia Little, City Clerk
Subject: **Confirmation
Planning Board**

Council Action:
In City Council May 5, 2022.
Tabled until the next regular meeting.

Recommendation:

Attachments:
1. Kost, Kenneth_Redacted

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

Planning Board
Kenneth Kost, alternate slot 13
79 Ridgewood Avenue

Term to expire Dec. 31, 2024

From: neipoesk@ci.keene.nh.us <neipoesk@ci.keene.nh.us>
Sent: Thursday, April 28, 2022 2:33 PM
To: Helen Mattson <hmattson@keenenh.gov>
Cc: Patty Little <plittle@keenenh.gov>; Terri Hood <thood@keenenh.gov>
Subject: Interested in serving on a City Board or Commission

<p>Submitted on Thu, 04/28/2022 - 14:33</p>

<p>Submitted values are:</p>

First Name:

kenneth

Last Name:

Kost

Address

79 Ridgewood Avenue

How long have you resided in Keene?

18 months

Email:

Cell Phone:

Employer:

WSP USA

Occupation:

Business Development

Retired

No

Please list any organizations, groups, or other committees you are involved in

None since we moved to Keene. Still learning what is here

Have you ever served on a public body before?

Yes

Please select the Boards or Commissions you would be interested in serving on:

Planning Board

Please share what your interests are and your background or any skill sets that may apply.

I am interested in downtown redevelopment, creating more market rate housing in town, preserving the historic character while building on infill sites.

I am a registered landscape architect, but have not been a design practitioner for years. I am interested in resiliency, sustainability, alternative energy and urban development.

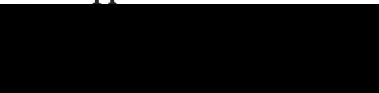
I am working for a major global engineering firm, now focused on business development. In past years I led the buildings and infrastructure practice.

Why are you interested in serving on this committee

for the reasons above. Mostly, I want to be part of the future of Keene and help support good sustainable planning practices

Please provide 2 personal references:

Ed Coppola



References #2:

Vincent Plocido





CITY OF KEENE NEW HAMPSHIRE

ITEM #C.1.

Meeting Date: May 19, 2022
To: Mayor and Keene City Council
From: Charles Redfern
Through: Patricia Little, City Clerk
Subject: Charles Redfern - Request for Signage Identifying Trails

Recommendation:

Attachments:

1. Communication_Redfern
2. Redfern Exhibit

Background:

Charles Redfern is requesting signage identifying the trails.

May 6, 2022

To the Honorable Mayor & City Council
Keene City Hall
3 Washington Street
Keene, NH 03431

Re: Request for Signage Identifying Trails

After 2 years seeking to have signs placed on each side of the North & South Bridges, I believe I found a way to achieve placement of such signs to identify the Rail Trails, which cross the bypass highways. These trails are known as the Cheshire Rail Trail-North and Ashuelot Rail Trail.

My inquiry started in the year 2020 with the NH Department of Transportation, which indicated an interest in assisting me with navigating the proper channels for the fabrication and installation of the signs. However, before I reached my second milestone within NHDOT, Covid 19 hit and the state's highway sign shop was closed until further notice.

Accordingly, I turned to the City of Keene Public Works Department for advice and consent. After providing Kurt Blomquist with the details provided as exhibits to this letter, I was told the city could do the work, but only after the end of winter. He stated this matter could be re-addressed in the coming spring.

After the ground thawed, I reapproached the director to request that the city begin the sign process, anew either through the NHDOT (as Windham had for the Granite State Trail) or Keene Public Works. However, he replied the operating budget took a hit and turned flat. I noted that all 4 signs could be fabricated and installed by the state for less than \$900 (in 2021 dollars). Also, he asked who would be responsible for maintaining and repairs of these signs.

Please note that a citizen of the Town of Windham, who advocated for such signs did not appear to encounter the same pushback from town officials. The signs were installed by NHDOT in less than six months.

It should be noted the volume of traffic that pass under these two bridges every day. It is reasonable to assume that many folks could revisit our city as tourists, who maybe interested in our growing trail system.

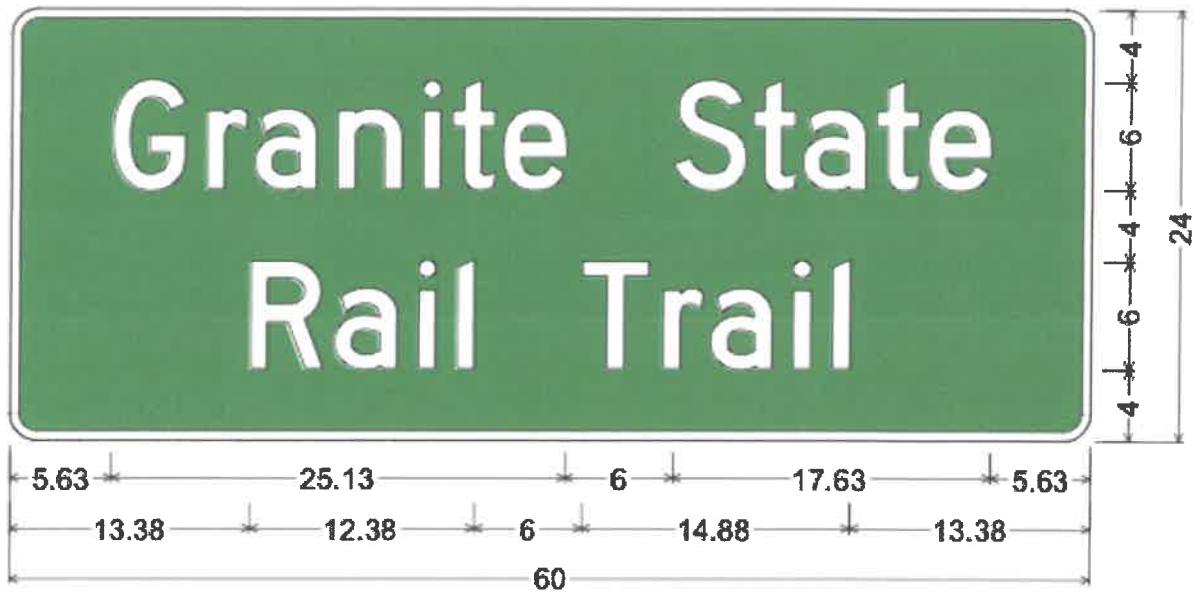
For this reason, I am turning to a collectively wise and honorable group of citizens who practically volunteer their time to the advancement of our community. As you ponder this simple request, I hope to be able to answer any questions you may have at the appropriate committee level.

Best regards to all,

A handwritten signature in black ink, appearing to read "Charles Redfern", with a stylized flourish at the end.

Charles Redfern,
9 Colby Street
Keene, N.H.

Exhibits:



I-2_VARx18;

1.50" Radius, 0.50" Border, White on Green;

"Granite State", D 2K; "Rail Trail", D 2K;





CITY OF KEENE NEW HAMPSHIRE

ITEM #C.2.

Meeting Date: May 19, 2022

To: Mayor and Keene City Council

From: Alan Stroshine
Elm City Rotary Club

Through: Patricia Little, City Clerk

Subject: **Keene Elm City Rotary Club - Use of City Property - Clarence DeMar Marathon**

Recommendation:

Attachments:

1. Stroshine_Communication

Background:

The Keene Elm City Rotary Club is requesting an event license for the annual Clarence DeMar Marathon and DeMar Half Marathon to be held on Sunday, September 25th 2022.



May 6, 2022

Mayor George Hansel
Keene City Council
3 Washington St
Keene, NH 03431

Re: 44th Annual Clarence DeMar Marathon and 8th Annual DeMar Half Marathon
Request for City Event license

Dear Mr. Mayor and City Councilors,

The Keene Elm City Rotary Club respectfully requests an event license for our official City of Keene Community Event; the annual Clarence DeMar Marathon and DeMar Half Marathon to be held on Sunday, September 25th 2022. A part of our event includes the Kids DeMar Marathon and Super Senior DeMar Marathon programs.

I invite all members of city government and staff to join us on the quad at Keene State College to experience the energy and personal accomplishment of so many people on race day.

I am available for any questions you might have.

Yours in service,

A handwritten signature in black ink, appearing to read "Alan Stroshine".

Alan Stroshine, Race Director
Member, Keene Elm City Rotary Club

Keene Elm City Rotary
PO Box 1786
Keene, NH 03431

Clarence DeMar Marathon Corp is a 501c3 organization – Tax ID: 02-0454040



CITY OF KEENE NEW HAMPSHIRE

ITEM #C.3.

Meeting Date: May 19, 2022
To: Mayor and Keene City Council
From: Delene White
Through: Patricia Little, City Clerk
Subject: **Resignation of Delene White from the Partner City Committee**

Recommendation:

Attachments:

1. Communication_DeleneWhite_Redacted

Background:

Delene White has served as a regular member of the Partner City Committee since December of 2019. She respectfully submits her resignation, effective immediately.

Delene White
4808 Private Rd. 3057
Oxford, Mississippi 38655

May 17, 2022

Dear Partner City Committee,

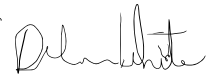
I am writing to inform you that I will no longer be able to participate in the Partner City Committee as a resident of Keene. I have moved out of state to be near family. Please accept this as my resignation from the committee.

I wish you all the best in the future plans with Einbeck and connections with Keene and area residents. I hope you who travel to Einbeck also have a wonderful trip! I know I will be staying in touch with friends from Einbeck who stayed with my family.

re, please do not hesitate to be in touch.



All best wishes,



Delene White



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.1.

Meeting Date: May 19, 2022

To: Mayor and Keene City Council

From: Finance, Organization and Personnel Committee, Standing Committee

Through:

Subject: Adam Toepfer – Keene Pride – Request that the City Absorb the Cost for Police, Public Works and Fire Personnel for Block Party – September 18, 2022

Recommendation:

On a roll call vote of 4-0, the Finance, Organization, and Personnel Committee accepted the communication from Keene Pride as informational.

Attachments:

None

Background:

City Attorney Thomas Mullins stated that a communication from Adam Toepfer was submitted to the City Clerk's Office asking that their request regarding financial assistance for the Keene Pride event be withdrawn.

Councilor Lake made the following motion, which was seconded by Councilor Chadbourne.

On a roll call vote of 4-0, the Finance, Organization, and Personnel Committee accepted the communication from Keene Pride as informational.



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.2.

Meeting Date: May 19, 2022

To: Mayor and Keene City Council

From: Finance, Organization and Personnel Committee, Standing Committee

Through:

Subject: Public TV Programming Services Agreement – ACM/IT Director

Recommendation:

On a roll call vote of 4-0, the Finance, Organization, and Personnel Committee recommends that the City Council authorize the City Manager to negotiate and execute an agreement with Falls Area Community Television for the operation of public programming services on the local public community access television channels provided by Spectrum.

Attachments:

None

Background:

Chair Powers asked to hear from staff.

City Manager Elizabeth Dragon stated that IT Director Rebecca Landry is running late, so she will address this. She continued that the City issued a Request for Qualifications (RFQ) for a provider to provide public programming. Currently, the City provides the government piece of PEG, and has hired an AV Technician to assist in the broadcasting of public meetings; but there has been a desire in the community to do public access. The RFQ did not receive any submittals; however, the Falls Area Community Television (FACT) organization, a non-profit based in Bellows Falls, VT, heard about the RFQ and came to meet with staff. They are interested in contracting with the City to provide this service. FACT has the experience and the structure to manage the public access for the Keene community as they are currently doing in the Bellows Falls area. She is asking the Council permission to start negotiations with FACT to come to an agreement to begin the public broadcasting at the Library again.

Councilor Lake asked if this would allow the City's content to be broadcast in FACT's other locations like Bellows Falls and vice versa. The City Manager replied yes, for the public piece, but not the governmental programming. She continued that the plan would be for FACT to broadcast their programming in Keene and Keene's programming in VT. Thus, there would be additional exposure for the people who are producing programs.

Chair Powers asked if there were any further questions from the Committee or other City Councilors. Hearing none, he asked if members of the public had any questions. Hearing none, he

asked for a motion.

Councilor Chadbourne made the following motion, which was seconded by Councilor Lake.

On a roll call vote of 4-0, the Finance, Organization, and Personnel Committee recommends that the City Council authorize the City Manager to negotiate and execute an agreement with Falls Area Community Television for the operation of public programming services on the local public community access television channels provided by Spectrum.



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.3.

Meeting Date: May 19, 2022

To: Mayor and Keene City Council

From: Finance, Organization and Personnel Committee, Standing Committee

Through:

Subject: **Patricia T. Russell Park/Carpenter St. Flood Management Project – Request to Reallocate Funds - City Engineer**

Recommendation:

On a roll call vote of 4-0, the Finance, Organization, and Personnel Committee recommends that the City Council reallocate \$310,000 from the Police Department Equipment project (90324) and move the funds to the Patricia Russell Park Improvements Project (90316).

On a roll call vote of 4-0, the Finance, Organization, and Personnel Committee recommends that the City Council reallocate \$100,000 from the Roxbury Street Flood Management project (90298-21) and move the funds to the Carpenter Street Flood Management Project (90298-22).

Attachments:

None

Background:

Mr. Lussier stated that this is the other piece of the funding, repurposing other money, as he mentioned previously. He continued that the first motion would be the \$310,000 from the Police Equipment Fund into the Patricia T. Russell Park Project Fund, and the second motion is the \$100,000 from the Roxbury Street Flood Management Project Fund into the Carpenter Street Flood Management Project Fund.

Chair Powers asked for discussion from the Committee. Hearing none, he asked if there was discussion from other City Councilors or the public. Hearing none, he asked for two motions.

Councilor Chadbourne made the following motion, which was seconded by Councilor Lake.

On a roll call vote of 4-0, the Finance, Organization, and Personnel Committee recommends that the City Council reallocate \$310,000 from the Police Department Equipment project (90324) and move the funds to the Patricia Russell Park Improvements Project (90316).

Councilor Chadbourne made the following motion, which was seconded by Councilor Lake.

On a roll call vote of 4-0, the Finance, Organization, and Personnel Committee recommends that the

City Council reallocate \$100,000 from the Roxbury Street Flood Management project (90298-21) and move the funds to the Carpenter Street Flood Management Project (90298-22).



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.4.

Meeting Date: May 19, 2022

To: Mayor and Keene City Council

From: Finance, Organization and Personnel Committee, Standing Committee

Through:

Subject: **Patricia T. Russell Park/Carpenter St. Flood Management Project – Consultant Selection for Construction Engineering Services – City Engineer**

Recommendation:

On a roll call vote of 4-0, the Finance, Organization, and Personnel Committee recommends that the City Manager be authorized to do all things necessary to negotiate and execute a professional service contract with SLR International Corporation for an amount not to exceed \$200,000 for Construction Engineering Services required for the Patricia T. Russell Park / Carpenter St. Flood Management Project.

Attachments:

None

Background:

Mr. Lussier stated that now that they have the funds to move the project forward, they will be looking to hire a consultant to help with the construction oversight and administration. He continued that he has spoken with the Committee a few times about his preference which is, whenever possible, to have the consultant that designed the project and is most intimately familiar with the plans also oversee the work because they have a vested interest in making sure that project goes smoothly. Under the NH Department of Transportation (NHDOT)'s rules, they are not allowed to do that, but with this, there is no such prohibition. SLR has done a great job on this project and staff would like to retain them for the construction administration phase.

Chair Powers stated that there are notes that the firm City staff has selected has done work prior and has reconstituted under a different name. He asked if that is correct. Mr. Lussier replied that he thinks Chair Powers is thinking about the next item on the agenda. Councilor Powers asked if Mr. Lussier is satisfied with this (SLR) contractor. Mr. Lussier replied yes, SLR did all of the design work and staff would like to have that same team overseeing construction.

Chair Powers asked if there were any further questions from the Committee or other City Councilors. Hearing none, he asked if members of the public had any questions. Hearing none, he asked for a motion.

Councilor Lake made the following motion, which was seconded by Councilor Chadbourne.

On a roll call vote of 4-0, the Finance, Organization, and Personnel Committee recommends that the City Manager be authorized to do all things necessary to negotiate and execute a professional service contract with SLR International Corporation for an amount not to exceed \$200,000 for Construction Engineering Services required for the Patricia T. Russell Park / Carpenter St. Flood Management Project.



CITY OF KEENE NEW HAMPSHIRE

Meeting Date: May 19, 2022

To: Mayor and Keene City Council

From: Finance, Organization and Personnel Committee, Standing Committee

Through:

Subject: **George Street Bridge Replacement Design Consultant Selection – City Engineer**

Recommendation:

On a roll call vote of 4-0, the Finance, Organization, and Personnel Committee recommends that the City Manager be authorized to do all things necessary to negotiate and execute a professional and technical services contract with McFarland-Johnson for engineering services required for the replacement of the George Street Bridge over Beaver Brook for an amount not to exceed \$245,000 (subject to NHDOT approval) with funding from Project Cost Center 90328-22.

Attachments:

None

Background:

Mr. Lussier stated that now that the funding is ready to go, staff is looking to award a contract to get the design started. He continued that this is not really a sole source contract. They selected McFarland-Johnson through a RFQ process. When you are using State money, the State requires you to select consultants based on their qualifications, and once you have selected the most qualified firm, you negotiate a scope and fee. The City went through that process in 2017-2018 with McFarland-Johnson. At the time, the City advertised that for the design of both the Roxbury Street and the George Street Bridge, knowing that the George Street Bridge was already in the State's Ten Year Plan and would be coming up quickly. They did that process once and McFarland-Johnson did a great job with the design on Roxbury St. That project was closed out and very successful. They would like to continue using McFarland-Johnson for the design of the George Street Bridge. The proposed motion on tonight's agenda is to allow the City Manager to negotiate and execute a professional services contract with McFarland-Johnson for an amount not to exceed \$245,000.

Chair Powers asked if there were any questions from the Committee. Hearing none, he asked if other City Councilors or members of the public had any questions. Hearing none, he asked for a motion.

Councilor Lake made the following motion, which was seconded by Councilor Chadbourne.

On a roll call vote of 4-0, the Finance, Organization, and Personnel Committee recommends that the

City Manager be authorized to do all things necessary to negotiate and execute a professional and technical services contract with McFarland-Johnson for engineering services required for the replacement of the George Street Bridge over Beaver Brook for an amount not to exceed \$245,000 (subject to NHDOT approval) with funding from Project Cost Center 90328-22.



CITY OF KEENE NEW HAMPSHIRE

Meeting Date: May 19, 2022

To: Mayor and Keene City Council

From: Finance, Organization and Personnel Committee, Standing Committee

Through:

Subject: **Fire Staffing Committee Report and Recommendation - City Manager**

Recommendation:

On a roll call vote of 4-0, the Finance, Organization, and Personnel Committee recommends to accept the report, which includes a recommendation to hire four firefighters, one per shift, and this will be revisited once the department is notified of the outcome of the AFG grant submission. If awarded, the SAFER grant would temporarily assist with the funding of these positions. Other recommendations of the committee should be pursued immediately.

Attachments:

None

Background:

Chair Powers asked to hear from the City Manager.

The City Manager stated that that the Fire Staffing Committee was created in February, and members included Councilor Powers, Councilor Remy, retired Chief Mark Howard, Chief Don Farquhar, Deputy Chief Chickering, Finance Director Merri Howe, ACM/HR Director Beth Fox, and union members Christopher Staples, Dan Newall, Jason Martin, and Bradley Reilly. She continued that Kelly Derosier and Helen Mattson helped with pulling reports, putting things together, and taking notes at the meetings. They had a good-sized committee with good representation. They had help from the Finance Office to run numbers, and the union members were there to answer questions and give them a good understanding when a number did not make sense, so they could dive deeper into a conversation. She has been in Keene almost five years, and almost the entire time, she has been hearing that the Fire Department needs more staffing. There have been multiple requests from Chief Howard, in the past, for more staffing. It has never really made it, until now, to a deeper conversation.

The City Manager stated that they looked at a variety of different things, like firefighter only, firefighter and paramedic, where staffing is needed, and so on and so forth. They took a deep dive into the numbers, the number of calls, the trends, to understand the time of day, day of week, when the calls were happening, whether the calls were in the community or outside of it, whether the City is making its money back from the contracts with outside communities for ambulance service, and so on and so forth, to get a good understanding. The Fire Staffing Report included in the agenda packet hopefully

will tell that story, as they pulled together a great deal of data to do that.

The City Manager continued that in the packet is a history of the Fire Department, so the Committee can understand when there were changes in the department in staffing, and whether it was an administrative change, an operational change, and when. The most compelling chart, in her opinion, is the one that overlays the staffing with the number of calls and provides trend information. If you look at the data the committee collected, the first block is about the number of calls. The majority of the calls are EMS-related, which is not surprising. The majority of calls in 2021, 65%, were EMS, in town. Then they broke that down to see how long it took to respond to the calls. They did work to determine when the call started, when the call ended, and how long it took to answer that call. They broke it down by hours. Then they looked at staffing. It became very clear that, they have had 40 firefighters since 2009. The activity in the call department, which had been heavily involved, has significantly declined. There used to be 30 active members of the Call Fire Department assisting the full-time firefighters, but last year in 2021 there were only two active members in the call department. One of the recommendations of the Fire Staffing Committee is to work to strengthen the call department. However, they cannot rely on that. Volunteer firefighters not participating at the same level that they used to is a nationwide trend. She is not sure if it is because work culture has changed. She remembers the times when someone would be working for a private company, the tone would go off, and the person (who was a call firefighter) would be allowed to leave their job to respond to their local fire department, and still be paid. That does not happen as much anymore, so she is sure that has impacted the availability of call firefighters. This has been on the decline for some time.

She continued that there were 3,638 calls in 2009 and 5,005 in 2021. That is an increase of 1,367 calls, with the same number of firefighters. She tried to overlay. During that time, did they change the number of firefighters? No, they had not, since 2009. Thus, the number of calls has been increasing, and fewer call firefighters have been coming in, but the City has maintained the same number of firefighters responding to those calls.

The City Manager continued that they also looked at overlapping calls. Since 2010, they have seen a gradual increase of overlapping calls, from 28% of the calls in 2010, to 32% of the calls in 2021. They looked at day of week and at time of day. They wanted to understand this, because if it is only a certain day of the week or a certain time of day that the department is busy, maybe they could staff it differently, in terms of the hours that firefighters are working. However, it is rather consistent. A chart in the agenda packet shows that the department is slightly less busy on Sunday, but only slightly, and 7:00 AM through 10:00 or 11:00 AM seems to be the busiest time. The committee also looked at callbacks, to understand when firefighters were being called back to assist. They know, because they have been looking at their overtime for the past few years and overtime amounts are going up, that the firefighters are tired, and thus do not go back unless it is a second alarm. If it goes to that point, they know it is a real call, and then more firefighters come in to respond. The first alarm could be smoke that is nothing, or does not turn into a big call, so typically they do not respond until they know for sure it is something real.

The City Manager continued that Mutual Aid is an interesting conversation, because the City needs Mutual Aid; there is no way the City of Keene or community can staff for a fire like the one they recently had on Main St. However, Mutual Aid has to be mutual. Keene does get some assistance with its fires, but when you look at the ambulance service, and at what is happening in the region, many communities are not getting out in time to be able to answer their ambulance calls. That is a concerning trend. The committee's recommendations include monitoring what is happening in the region with ambulance service, which includes monitoring what is happening with the County and whether they are successful in getting their ambulance service up and running, and what happens with DiLuzio. There are a lot of changing things in the ambulance world right now, and they need to

monitor it.

She continued that the committee also looked at sick time usage and other overtime drivers. What is driving the overtime? They included some recommendations as strategies to help reduce overtime. If successful, it will help bring down the overall cost. It would involve some contract changes. Fortunately, union members participated in the staffing report and they know where some of these concerns are, and it will certainly be part of the union negotiations. They are right now in the process of negotiating a new contract with the fire union.

She continued that the committee also looked at the ambulance contract revenue. The City has contracts for ambulance service with five communities. She wanted to know if the City of Keene is subsidizing that. The City does not want to subsidize ambulance service for another community. They looked at those numbers in a couple different ways. The City receives a "standby fee" from a community, and then they receive the ambulance billing revenue. One challenge that is clear to see is that the City will bill out a much higher number than they are actually able to collect. That is a matter of what is allowable under insurance, or the rules of Medicare or Medicaid, and what is happening with their billing. The committee talked about how they are coding the calls, and whether they need to make changes there, to make sure they are getting all that they can in compliance with those rules, and whether there needs to be some changes in the language in the ambulance contracts with those five communities. Right now, the City is breaking even. It still makes sense for the City to do this, but they need to do more than that. Thus, they need to look at how they bill out, and whether changes are needed. She already mentioned the County's and DiLuzio's ambulance services, but there is also Brattleboro, VT. What happens in VT impacts the City as well, because they are part of the Mutual Aid system, and there are some changes in how Brattleboro is handling their ambulance services. The City will need to monitor that as well.

The City Manager stated that the other thing that happened during this committee process is that there was an opportunity to submit for the AFG grant that the Chief mentioned. She continued that they did submit that. It would allow the City to bring in four additional firefighters. Those four would be paid fully, including training and equipment, for the first year. After the first year, it steps down; she does not know the exact percentages, but something like 75%, then 50%, then in the fourth year, it is 100% the community's expense. It is a way to make changes to your staffing levels over a period of time, so they do not have to come up with all the funds at once. The staffing report includes a recommendation that the City hire four firefighters and align that with the AFG grant notification. That notification could come anytime between now and September. Those grants keep being awarded until the money is gone, so unless Keene hears they are not getting the grant, they need to wait for it, because if they were to make any sort of change before accepting the grant, they would jeopardize their ability to recoup those funds.

She continued that the City needs to look at its ambulance billing and coding; make some adjustments in the fire union contract and some of the department policies, to address overtime and how it is calculated; and shorten the timeframe for the hiring process. The longer it takes to bring someone in, the more overtime they are paying to bring someone else in to fill that spot. They need to look at the language of their ambulance agreements; increase call department involvement; look for ways to reduce expenses or to increase revenue, including investigating contract and Mutual Aid expenses; and continue to monitor EMS changes in the region. That, in essence, is the staffing report in the agenda packet, and she is happy to answer questions.

Chair Powers thanked the City Manager. He thanked everyone for being here tonight, and stated that this is a lot of information that needs to get out, and he hopes people will share it, because it is important for people to understand. At some point in time, the Council has to vote on this budget, this particular item, and future budgets. A lot of what future budgets are going to look like hinge on

what is in this budget this year, because many decisions have been made to get this to a budget that is reasonable, but they still have services they need to provide. This all has a major impact.

Councilor Chadbourne stated that this is a thorough report that really addresses the issues, with solutions. It is impressive and she thanks the committee.

Councilor Remy stated that it was an interesting process to be part of the Fire Staffing Committee. He continued that there was an unbelievable amount of data, and they tried to go through and find the right way to present it. He thinks the charts and the report that the City Manager pulled together is a great way to summarize what the committee was trying to do.

Chair Powers stated that he agrees. He continued that it was a lot of work, for many people, and an opportunity for members of the department to look at things a little differently than they had in the past. It gave them an opportunity to have conversation with other members of the staff who do not get to see what happens on the street, and City Councilors who have not had the opportunity to discuss things in prior times because there had not been that kind of a need. It certainly has come up with a solution, which hopefully is affordable and can be implemented. At the same time, as the City Manager has listed, there are a number of things that need to be reviewed. His feeling is that the Fire Department will handle most of that internally as they go through everything, realign, and do what they need to do to keep up with the workload. Then when a matter requires Council assistance, it will come forward to the Council. Many people did a lot of great work. The City Manager pulled off quite a task, and he thanks her for her great work.

Chair Powers made the following motion, which was seconded by Councilor Lake.

On a roll call vote of 4-0, the Finance, Organization, and Personnel Committee recommends to accept the report, which includes a recommendation to hire four firefighters, one per shift, and this will be revisited once the department is notified of the outcome of the AFG grant submission. If awarded, the SAFER grant would temporarily assist with the funding of these positions. Other recommendations of the committee should be pursued immediately.



CITY OF KEENE NEW HAMPSHIRE

ITEM #G.1.

Meeting Date: May 19, 2022

To: Mayor and Keene City Council

From: Mari Brunner, Senior Planner

Through: John Rogers, Interim Community Development Director

Subject: **Relating to Amendments to the City of Keene Land Development Code Ordinance O-2022-04**

Recommendation:

A motion was made by Chair Bosley that the Planning Licenses and Development Committee request the Mayor set a public hearing on Ordinance O-2022-04. The motion was seconded by Councilor Gladys Johnsen and was unanimously approved.

A motion was made by Mayor George Hansel that the Planning Board find Ordinance O-2022-04 consistent with the City's Comprehensive Master Plan. The motion was seconded by Armando Rangel and was unanimously approved by a roll call vote.

Attachments:

None

Background:

Included below is an excerpt from the draft minutes of the May 9, 2022 Joint Planning Board/Planning, Licenses and Development Committee meeting where this item was discussed:

“Senior Planner Mari Brunner addressed the Joint Committee and stated this proposal is coming from the Community Development Department. It is a continuation of the Land Development Code project where mostly the downtown was the focus for change but the rest of the City was not changed as much. There were some changes made to permitted uses. Staff as a result has been looking outside of the downtown to see where housing can be encouraged. The reasoning behind this ordinance is to create housing opportunity in the Commerce District while being sensitive to the context of the area.

Ms. Brunner explained the Commerce District encompasses about 220 parcels along major corridors and are predominantly located in areas to the west and south of the downtown. This area is pretty auto-centric. She read the intent statement for the district: “*The intent of this district is to provide an area for intense commercial development that is accessed predominantly by vehicles. Shopping plazas and multiple businesses in one building would be typical in this district. All uses in this district shall have city water and sewer service.*” Ms. Brunner stated this intent statement is right out of the Land Development Code.

Ms. Brunner stated there are a wide variety of uses permitted in this district but currently residential uses are not permitted in this district. In addition, this district does allow for mixed use as long as those principal uses are allowed in the district. Even though residential use is not allowed, there are number of parcels in the Commerce District where multifamily uses are occurring (stand alone or in a mixed used setting). Ms. Brunner noted these uses are listed on page 11 of the packet and there are about 12 multi-family units that have been identified.

Dimensional Requirements in this District appear to promote a medium to high intensity of development. Building heights are maxed at two stories or 35 feet by right or 3.5 stories or 50 feet with a Special Exception from the Zoning Board of Adjustment. The maximum impervious coverage is 80% and the minimum lot size is 15,000 sf. Setbacks are 20 feet; however, the rear setback is increased to 50 feet if the property abuts a residential district.

Ms. Brunner went on to say staff is proposing to add multi-family dwelling units as a permitted use to this district, with the limitation that all residential units must be located above the ground floor. She indicated this is to address a concern the Zoning Administrator had, in that this is a commercial district and that the City needs to make sure it is promoting commercial development in this district.

In addition, staff feels a requirement to obtain a Special Exception in order to increase the number of stories or height would be an undue burden and hence propose that a developer be allowed to go to three or four stories (maximum of 56 feet) as long as the above two stories are set back an additional ten feet (per additional story) to fit in with the surrounding properties.

Ms. Brunner stated staff is also proposing to modify the use standards for multi-family dwellings in the Downtown Core and Downtown Growth Districts. Multi-family dwellings are permitted in these districts at the present time by right. In Downtown Core, if there are less than four units all units have to be located above the ground floor.

With respect to consistency with the Master Plan – there is an entire chapter in the master plan that talks about the downtown, recognizing that it is the heart of Keene’s overall identity. There is a strategy within this chapter referred to as Downtown Vibrancy, which states *“As downtown businesses come and go, it is important that the community encourage an array of businesses that provide basic needs for the community and facilitate pedestrian activity, along with a variety of residential uses. The placement of those uses on first, second or higher floors within a building are also important to maintaining vibrancy. Retail and services businesses should continue to be placed on the first floor, with office and residential on the upper floors, in order to maintain walkability and support downtown as a destination.”* Ms. Brunner stated that staff were looking at this section when proposing the limitation for multi family dwelling for Downtown Core and extending it to Downtown Growth.

Chair Bosley asked what the original setbacks that were set for Downtown Core and Downtown Growth. Ms. Brunner stated it depends on street type but for Downtown Core it is a built to line of zero if you are on a Type A Street and it is a Built to Zone of zero to five if you are on a Type B Street. Chair Bosley clarified in the downtown district how many stories you are permitted to go up and at what floor you have to step back – it is seven stories and step back is at five stories. The Chair stated she was trying to visualize these buildings – in the Commerce District if you are not mirroring what is set for downtown there could be these short four story buildings that are stepped in 20 feet and questioned whether the area would end up with these odd looking structures. Med Kopczynski, Economic Development Director stated his understanding is that in the Commerce District for instance if you went too high the street scape would be dominated too much. Chair Bosley felt it would not look attractive to have half the building stepped back and half not.

Councilor Giacomo felt in the commerce district four stories would not be considered to be too tall and if you looked closer you might already see this step back that exists.

Ms. Adams referred to the corner of Davis Street where the building was recently removed and asked whether a four to six story building could be constructed here. She stated she likes the idea of step back to avoid the high tunnel feeling.

Ms. Brunner indicated the idea for the building height setback was brought forward because this already exists in other districts. Chair Bosley stated her concern is without a visual presentation these could look like odd shaped buildings. Ms. Brunner clarified that the stepback option is meant to provide flexibility for properties where there is an existing building built at the 20-ft setback, and the developer wants to build an addition. However, the stepback is not required – developers can choose either the stepback option or the building setback option.

With no other comments, the Chair asked for public comment, with no comments from the public the Chair closed the public hearing.

Mayor Hansel felt staff has done a good job in trying to look at ways incentivize multi use housing and encouraged staff to keep going as the City is in a desperate situation. The Chair agreed and felt keeping the ground floors for businesses was a good option.

A motion was made by Chair Bosley that the Planning Licenses and Development Committee request the Mayor set a public hearing on Ordinance O-2022-04. The motion was seconded by Councilor Gladys Johnsen and was unanimously approved.

A motion was made by Mayor George Hansel that the Planning Board find Ordinance O-2022-04 consistent with the City's Comprehensive Master Plan. The motion was seconded by Armando Rangel and was unanimously approved by a roll call vote."



CITY OF KEENE NEW HAMPSHIRE

ITEM #H.1.

Meeting Date: May 19, 2022
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: Relating to the FY 2022-2023 Fiscal Year Budget
Resolution R-2022-09

Recommendation:

On a roll call vote of 4-0, the Finance, Organization, and Personnel Committee placed this agenda item on more time.

Attachments:

None

Background:

Chair Powers asked for a motion to put this on more time.

Councilor Chadbourne made the following motion, which was seconded by Councilor Lake.

On a roll call vote of 4-0, the Finance, Organization, and Personnel Committee placed this agenda item on more time.



CITY OF KEENE NEW HAMPSHIRE

ITEM #1.1.

Meeting Date: May 19, 2022
To: Mayor and Keene City Council
From: Elizabeth Fox, ACM/Human Resources Director
Through: Elizabeth Dragon, City Manager
Subject: **Relating to Class Allocations & Salary Schedules
Ordinance O-2022-05**

Recommendation:

That the City Council refer Ordinance O-2022-05 to the Finance, Organization, and Personnel Committee.

Attachments:

1. O-2022-05 with Schedules

Background:

The ordinance relating to salary and wage schedules for the 2022/2023 fiscal year reflects an across-the-board increase of 2% for non-bargaining unit wage schedules. The effective date of this increase would be July 1, 2022. This adjustment falls within the parameters of cost-of-living adjustments provided by the City's ratified collective bargaining agreements. The ordinance advanced also includes several adjustments to the class allocation schedule related to City Code Section 62-194.



CITY OF KEENE

O-2022-05

Twenty-two

In the Year of Our Lord Two Thousand and

Relating to Class Allocations and Salary Schedules

AN ORDINANCE

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

That the Ordinances of the City of Keene, as amended, hereby are further amended by deleting Section 2-231, "City Council Appointments' Salary Schedules" of Chapter 2, entitled "Administration;" as well as Section 62-141 "Call Firefighter Hourly Wage Schedule;," Section 62-166, "Hourly Wage Schedule for Probationary Public Works;" Section 62-191, "Probationary Firefighter;" Section 62-192, "Probationary Police Officer;" and Section 62-194, "Administrative and Clerical – Annual Salary Schedule", of Chapter 62 entitled, "Personnel," and by substituting in lieu thereof the following attached new sections: Section 2-231, "City Council Appointments' Salary Schedule;" Section 62-141 "Call Firefighter Hourly Wage Schedule;" Section 62-166, "Probationary Public Works Hourly Wage Schedule;" Section 62-191, "Probationary Firefighter;" Section 62-192 "Probationary Police Officer;" and Section 62-194, "Administrative, Office, Technical and Management – Annual Salary Schedule," effective July 1, 2022.

George S. Hansel, Mayor

City Code Section 2-231

**COUNCIL APPOINTMENTS
ANNUAL SALARY SCHEDULE**

(effective July 1, 2022)

<u>SALARY</u>	<u>City Clerk</u>	<u>City Attorney</u>	<u>City Manager</u>
<u>L</u>	93,878	116,211	139,504
<u>E</u>	98,103	121,440	145,782
<u>V</u>	102,518	126,905	152,342
<u>E</u>	107,131	132,616	159,197
<u>L</u>	111,952	138,584	166,361
	116,990	144,820	173,847

City Code Section 62-141

**CALL FIREFIGHTER
HOURLY WAGE SCALE**

Non-bargaining unit
(effective July 1, 2022)

<u>Grade</u>		<u>Step 1</u>
CF1	Non-certified Probationary Firefighter	\$ 10.92
CF2	Probationary Firefighter (Level 1)	\$ 14.20
CF3	Probationary Firefighter (Level 2)	\$ 15.81
CF4	Firefighter (Level 1)	\$ 16.39
CF5	Firefighter (Level 2)	\$ 19.67
CF6	Special services (Chaplain, Photographer & Aide)	\$ 15.29

City Code Section 62-166

The hourly wage schedule for probationary public works employees is as follows:

PROBATIONARY PUBLIC WORKS HOURLY WAGE SCHEDULE

Non-bargaining unit
(effective July 1, 2022)

	<u>1</u>	<u>2</u>	<u>3</u>
<u>GRADE</u>			
PPW 2	15.70	16.41	17.15
PPW 4	17.15	17.92	18.73
PPW 5	17.92	18.73	19.57
PPW 7	19.19	20.05	20.95
PPW 8	20.45	21.37	22.33
PPW 9	21.37	22.33	23.33
PPW 10	22.33	23.33	24.38
PPW 11	23.33	24.38	25.48
PPW 12	24.39	25.49	26.64

<u>GRADE</u>	
PPW 2	Maintenance Aide I; Recycler I; Recycler I/Attendant
PPW 4	Water & Sewer Service Aide I
PPW 5	Maintenance Aide II; Motor Equipment Operator I; Recycler II; Water & Sewer Service Aide II
PPW 7	Mechanic I
PPW 8	Motor Equipment Operator II
PPW 9	Mechanic II; Sign Maker; Maintenance Mechanic; Utility Operator
PPW 10	Highway Foreman; Solid Waste Foreman; Maintenance Technician I; Lead Mechanic
PPW 11	Water Meter Technician; Maintenance Electrician
PPW 12	Water & Sewer Foreman; Maintenance Technician II; Shop Manager; Solid Waste Operations Foreman

City Code Section 62-191

PROBATIONARY FIREFIGHTER

HOURLY WAGE SCHEDULE

Non-bargaining unit
(effective July 1, 2022)

<u>GRADE</u>		<u>STEP 1</u>
F 1	Firefighter/EMT B	\$21.05
F 2	Firefighter/A-EMT	\$22.31
F 3	Firefighter/Medic	\$23.74
F 4	Paramedic Only	\$22.31

City Code Section 62-192

PROBATIONARY POLICE OFFICER

HOURLY WAGE SCHEDULE

Non-bargaining unit
(effective July 1, 2022)

<u>GRADE</u>	<u>STEP</u>
PP 1	\$25.43
PP 2	\$26.57

City Code Section 62-194 Administrative, Office, Technical and Management Personnel

The annual salary schedule for administrative, office, technical and management personnel is as follows:

**ADMINISTRATIVE, OFFICE, TECHNICAL AND MANAGEMENT
ANNUAL SALARY SCHEDULE**

Non-bargaining unit
(effective July 1, 2022)

	<u>STEPS</u>					
<u>GRADE</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>
S 4	37,254	38,930	40,682	42,513	44,426	46,425
S 5	38,930	40,682	42,513	44,426	46,425	48,514
S 6	40,682	42,513	44,426	46,425	48,514	50,697
S 7	42,513	44,426	46,425	48,514	50,697	52,978
S 8	44,426	46,425	48,514	50,697	52,978	55,362
S 9	46,425	48,514	50,697	52,978	55,362	57,853
S 10	48,514	50,697	52,978	55,362	57,853	60,456
S 11	50,697	52,978	55,362	57,853	60,456	63,177
S 12	52,978	55,362	57,853	60,456	63,177	66,020
S 13	55,362	57,853	60,456	63,177	66,020	68,991
S 14	57,853	60,456	63,177	66,020	68,991	72,096
S 15	60,456	63,177	66,020	68,991	72,096	75,340
S 16	63,177	66,020	68,991	72,096	75,340	78,730
S 17	66,020	68,991	72,096	75,340	78,730	82,273
S 18	68,991	72,096	75,340	78,730	82,273	85,975
S 19	72,096	75,340	78,730	82,273	85,975	89,844
S 20	75,340	78,730	82,273	85,975	89,844	93,887
S 21	78,730	82,273	85,975	89,844	93,887	98,112
S 22	82,273	85,975	89,844	93,887	98,112	102,527
S 23	85,975	89,844	93,887	98,112	102,527	107,141
S 24	89,844	93,887	98,112	102,527	107,141	111,962
S 25	93,887	98,112	102,527	107,141	111,962	117,000
S 26	98,112	102,527	107,141	111,962	117,000	122,265
S 27	102,527	107,141	111,962	117,000	122,265	127,767
S 28	107,141	111,962	117,000	122,265	127,767	133,517
S 29	111,962	117,000	122,265	127,767	133,517	139,525
S 30	117,000	122,265	127,767	133,517	139,525	145,804

City Code Section 62-194

ADMINISTRATIVE, OFFICE, TECHNICAL AND MANAGEMENT

(effective July 1, 2022)

<u>GRADE</u>	<u>CLASS ALLOCATION</u>
S 4	Library Aide
S 5	Minute Taker
S 6	Administrative Assistant; Records Clerk
S 7	Administrative Assistant I
S 8	NO POSITIONS ASSIGNED
S 9	NO POSITIONS ASSIGNED
S 10	Audio Video Production Specialist
S 11	Office Manager; Parking Services Technician
S 12	Librarian I; Planning Technician; Executive Secretary; Staff Accountant; Police Dispatch Supervisor ; Fire Department Administrator; Purchasing Specialist
S 13	NO POSITIONS ASSIGNED
S 14	NO POSITIONS ASSIGNED
S 15	Executive Assistant; Librarian II; Payroll Administrator; Human Resources Assistant; Youth Services Manager; Mapping Technician; Engineering Technician; Assistant City Clerk; Parking Operations Manager; Senior Paralegal; Police Dispatch Supervisor
S 16	Planner; Laboratory Supervisor
S 17	Appraiser; Recreation Programmer; Librarian III; Parks & Cemetery Maintenance Superintendent; Fleet Services Operations Manager ; Senior Staff Accountant; Airport Maintenance & Operations Manager; IT Systems Specialist
S 18	Water/Sewer Operations Manager; Purchasing Agent; Civil Engineer; Solid Waste Manager; Maintenance Manager; Revenue Collector; Records Manager/Deputy City Clerk; Laboratory Manager; Human Services Manager; Treatment Plant Manager
S 19	Transportation/Stormwater Operations Manager; Utilities Treatment Operations/Plant Manager; Senior Planner; Recreation Manager; Fleet Services Manager
S 20	Systems Administrator; Purchasing & Contract Services Manager; Assistant City Attorney
S 21	NO POSITIONS ASSIGNED
S 22	NO POSITIONS ASSIGNED
S 23	NO POSITIONS ASSIGNED
S 24	City Engineer; Assistant Public Works Director/Division Head; Assistant IT Director ; Database Administrator; Airport Director; Building/Health Official
S 25	Human Resources Director; Library Director; Assistant Finance Director/Assistant Treasurer; Police Captain; Deputy Fire Chief
S 26	Community Development Director; City Assessor; Parks, Recreation & Facilities Director
S 27	Finance Director/Treasurer; IT Director; Communications & Marketing Director
S 28	Police Chief; Fire Chief; Public Works Director
S 29	NO POSITIONS ASSIGNED
S 30	Deputy City Manager



CITY OF KEENE NEW HAMPSHIRE

ITEM #1.2.

Meeting Date: May 19, 2022
To: Mayor and Keene City Council
From: Thomas Mullins, City Attorney
Through:
Subject: Relating to Licenses and Permits - Parklets
Ordinance O-2022-07

Recommendation:

Recommend that Ordinance O-2022-07 that would establish a permitting process for parklets be referred to the Planning, Licenses and Development Committee for their review and recommendation.

Attachments:

1. Ordinance O-2022-07

Background:



CITY OF KEENE

O-2022-07

Twenty-Two

In the Year of Our Lord Two Thousand and
 Relating to Parklets

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 the stricken text and adding the bolded text in the following sections of Article XVII entitled "Sidewalk Obstructions" of Chapter 46 entitled "Licenses and Permits: Section 46-1 "Definitions", Section 46-63 "Designated Licensing Officials", Section 46-956 "Required", Section 46-957 "Parklets", Section 46-958 "Application; Agreement; Issuance", and Section 46-959 in Appendix B "Fee Schedule" as follows:

Section 46-1. *Definitions Related to Licenses and Permits.*

Parklet means an outdoor dining area placed and/or constructed on parking spaces(s) determined to be public ways, as defined by this section and authorized by RSA 176:24 (2021), in which patrons may consume food and/or beverages provided by a licensed restaurant holding a valid license to sell alcohol issued by the New Hampshire Liquor Commission.

Section 46-63. *Designated licensing officials.*

Type of License/Permit	Licensing Official
Parklets	City Clerk

Article XVII. *Sidewalk and Right-of-Way Obstructions.*

Section 46-956. *Required.*

No person who owns or operates a business in ~~the central business district~~ **downtown core district** shall put or place or cause to be put or placed as a contiguous extension of his business, in an area equal to or less than the width of his business, any display, merchandise, goods, tables, chairs, vending machines, sandwich board sign as defined below, **parklet as defined in Section 46-1 and described below**, or any other obstruction ("obstruction") on any sidewalk or right-of-way maintained by the city, whether publicly or privately owned, unless he shall have received written permission in the form of a license from the city clerk. **With the exception of parklets,** Aall licenses issued under this division shall expire on March 1 next following their date of

issuance. There shall be no pro-rated license fees to reflect use of the sidewalk for a portion of the year.

Section 46-957. *Reserved. Parklets.*

- (a) A “parklet,” as defined in Section 46-1 and authorized by RSA 176:24 (2021), is permitted in the downtown core district after written permission in the form of a license issued by the city clerk is received. Said license may be suspended with reasonable notice, if there are public safety concerns as determined by the public works director, emergency management director, the police chief, or fire chief including but not limited to during those times when the downtown core district is licensed for a street fair or other community event as provided for in Article XVIII of this chapter pertaining to street fairs or community events. Said licenses are not transferable or assignable.**
- (b) The Public Works Director is authorized to develop and issue parklet design guidelines used in implementing an issued license for a parklet. Such guidelines will be known as City of Keene Parklet Guidelines, and shall include guidelines on construction, placement, aesthetics, etc.**
- (c) A parklet may be established as an extension of a restaurant onto a public parking space where:
 - (1) Any of the following three conditions exists:
 - a. The distance from the face of a building to the curb is eight (8) feet or less;**
 - b. The distance from the face of a building to the curb is impeded by steps, planted areas, parking meters, or other permanent objects such that the distance from the face of the building to the curb line is eight (8) feet or less; or**
 - c. The distance from the face of a building to the curb is impeded by a crosswalk, or other surface feature intended to comply with the Americans with Disabilities Act, such that the distance from the face of the building to the curb line is eight (8) feet or less;****
 - (2) The parklet is placed in a maximum of three adjacent parallel parking spaces, including wheel stop, buffer areas, and other structures or objects as required by the City of Keene Parklet Guidelines, but excluding designated loading zones and accessible parking spaces; and**
 - (3) The parklet otherwise complies with the City of Keene Parklet Guidelines as determined by the Public Works Director.****
- (d) Parklets shall not be placed within 15 feet of fire hydrants or utility accesses. Parklets must be placed at least one parking space’s length away from intersections or street corners.**
- (e) Parklets shall not block drainage or stormwater flow.**
- (f) A parklet must comply with all applicable city ordinances, design requirements, and state laws, applicable to restaurants licensed to sell alcohol. Failure to ensure compliance may result in suspension or termination of the license.**

- (g) Parklets may be licensed between April 1 and October 15 of the calendar year, and this period shall be referred to as the license period for parklets. Licenses shall be issued on a first come first served basis. Licensees may operate a parklet beginning on any date within the license period. The license fee and administrative fee associated with a parklet in Appendix B shall apply and shall not be prorated regardless of when the license was granted or when the licensee began operating the parklet. Any such fees are non-refundable.**
- (h) Except for the administrative fee, fees collected for parklet licensing shall be deposited into the Parking Fund.**
- (i) A Licensees failure to remove all parklet materials from the parking spaces by the end of the license period will be subject to removal by the city and will subject the licensee to the cost for removal and storage of any such material.**
- (j) The City disclaims any liability for any costs or expense, or damages, relating to or arising from the placement or use of a parklet in the public way.**
- (k) Notwithstanding any provision of the City Code of Ordinances to the contrary, the licensing, installation and use of a parklet in public parking spaces shall be governed by this Article.**

Section 46-958. *Application; agreement; issuance.*

- (a) Completed application forms for the license required under this division along with a scaled drawing of the portion of the sidewalk or public right-of-way showing the location of the obstruction shall be reviewed by the code enforcement superintendent to insure unimpeded public use of the sidewalk, and:**
 - (i) Applications for a license to obstruct a sidewalk shall be reviewed by the code enforcement superintendent to ensure unimpeded public use of the sidewalk.**
 - (ii) Applications for a license to obstruct a right-of-way for the use of a parklet shall be reviewed by the public works director to ensure compliance with Section 46-957 and compliance with City of Keene Parklet Guidelines.**
- (b) If the license is approved, a revocable license and indemnification agreement shall be required in addition to liability insurance listing this city as an additional insured in an amount specified by the city clerk.**
- (c) Licenses to obstruct a sidewalk such license shall be issued in accordance with guidelines established by the city clerk.**
- (d) In addition to the requirements stated in Section 46-957, an application for a parklet will only be issued after review and approval by the following, or their designee:**
 - a. Public Works Director, to review for compliance with Section 46-957;**
 - b. City Clerk, to ensure compliance with Section 46;**
 - c. Parking Operations Manager to review for compliance with Chapter 94;**
 - d. Community Development Director to review compliance with public health requirements; and**

- e. **Fire Chief, to ensure compliance with any applicable requirements of the state Liquor Commission and local and state fire codes.**

Appendix B

Chapter 46. Licenses and Permits.

...

§ 46-959. License fees for sidewalk **and right-of-way** obstructions:

Per storefront area, per year100.00

Additional administrative fee for merchant requesting use of ~~areas~~ **sidewalks** beyond the immediate area in front of his establishment, **or for a parklet license**100.00

Business other than on ground floor, per storefront100.00

Per parking space for a parklet, per license period\$950.00

George S. Hansel, Mayor



CITY OF KEENE NEW HAMPSHIRE

ITEM #K.1.

Meeting Date: May 19, 2022

To: Mayor and Keene City Council

From: Merri Howe, Finance Director/Treasurer

Through: Elizabeth Dragon, City Manager

Subject: Relating to the Appropriation of Funds for Municipal Building Roofs;
Relating to the Appropriation of Funds for Road Rehabilitation; Relating to
the Appropriation of Funds for the Salt Shed Replacement; Relating to the
Appropriation of Funds for the Wells Street Parking Structure
Maintenance; and Relating to the Appropriation of Funds for the 3MG
Water Tank Repair
Resolution R-2022-10
Resolution R-2022-11
Resolution R-2022-12
Resolution R-2022-14
Resolution R-2022-15

Recommendation:

That Resolutions R-2022-10, R-2022-11, R-2022-12, R 2022-14, and R-2022-15 relating to appropriation of funds for Municipal Building Roofs, Road Rehabilitation, Salt Shed Replacement, Well Street Parking Structure Maintenance, and 3MG Water Rank Repair projects be introduced and read at the May 19, 2022 meeting of the City Council and be referred to the Finance, Organization, and Personnel Committee for consideration, discussion, and a recommendation back to City Council.

Attachments:

1. Resolution R-2022-10
2. Resolution R-2022-11
3. Resolution R-2022-12
4. Resolution R-2022-14
5. Resolution R-2022-15

Background:

Included in the proposed 2022-2023 operating budget are several bond issues to fund projects advanced through the Capital Improvements Program (CIP) process, as follows:

Resolution	Fund	Description	Amount	Term
R-2022-10	General Fund	Municipal Building Roofs	\$541,000	10
R-2022-11	General Fund	Road Rehabilitation	\$298,000	10

R-2022-12	General Fund	Salt Shed Replacement	\$439,000	10
		Subtotal - General Fund	\$1,278,000	
R-2022-14	Parking Fund	Wells Street Parking Structure Maintenance	\$523,000	10
R-2022-15	Water Fund	3MG Water Tank Repairs	\$2,433,000	15
		Subtotal - Other Funds	\$2,433,000	
Total - All Funds			\$3,711,000	

These Resolutions require two readings before the City Council, the first of which will be May 19, 2022.



CITY OF KEENE

R-2022-10

Twenty-Two

In the Year of Our Lord Two Thousand and

Relating to the Appropriation of Funds for Municipal Building Roofs
A RESOLUTION

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

That the sum of five hundred forty-one thousand dollars (\$541,000.00) is hereby appropriated for Municipal Building Roofs, and to fund said appropriation, the City Treasurer, with the approval of the City Manager, is authorized to borrow up to five hundred forty-one thousand dollars (\$541,000.00) under the provisions of the Municipal Finance Act and to issue bonds or notes thereof.

This authorization shall lapse if not fulfilled within five (5) years from the date of approval.

George S. Hansel, Mayor

PASSED



CITY OF KEENE

R-2022-11

Twenty-Two

In the Year of Our Lord Two Thousand and

Relating to the Appropriation of Funds for Road Rehabilitation

A RESOLUTION

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

That the sum of two hundred ninety-eight thousand dollars (\$298,000.00) is hereby appropriated for Road Rehabilitation, and to fund said appropriation, the City Treasurer, with the approval of the City Manager, is authorized to borrow up to two hundred ninety-eight thousand dollars (\$298,000.00) under the provisions of the Municipal Finance Act and to issue bonds or notes thereof.

This authorization shall lapse if not fulfilled within five (5) years from the date of approval.

George S. Hansel, Mayor

PASSED



CITY OF KEENE

R-2022-12

In the Year of Our Lord Two Thousand and Twenty-Two

A RESOLUTION Relating to the Appropriation of Funds for the Salt Shed Replacement

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

That the sum of four hundred thirty-nine thousand dollars (\$439,000.00) is hereby appropriated for the Salt Shed Replacement, and to fund said appropriation, the City Treasurer, with the approval of the City Manager, is authorized to borrow up to four hundred thirty-nine thousand dollars (\$439,000.00) under the provisions of the Municipal Finance Act and to issue bonds or notes thereof.

This authorization shall lapse if not fulfilled within five (5) years from the date of approval.

George S. Hansel, Mayor

PASSED



CITY OF KEENE

R-2022-14

In the Year of Our Lord Two Thousand and Twenty-Two

A RESOLUTION Relating to the Appropriation of Funds for the Wells Street Parking
..... Structure Maintenance

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

That the sum of five hundred twenty-three thousand dollars (\$523,000.00) is hereby appropriated for the Wells Street Parking Structure Maintenance, and to fund said appropriation, the City Treasurer, with the approval of the City Manager, is authorized to borrow up to five hundred twenty-three thousand dollars (\$523,000.00) under the provisions of the Municipal Finance Act and to issue bonds or notes thereof.

This authorization shall lapse if not fulfilled within five (5) years from the date of approval.

George S. Hansel, Mayor

PASSED



CITY OF KEENE

R-2022-15

In the Year of Our Lord Two Thousand and Twenty-Two

A RESOLUTION Relating to the Appropriation of Funds for the 3MG Water Tank Repair

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

That the sum of two million four hundred thirty-three thousand dollars (\$2,433,000.00) is hereby appropriated for the 3MG Water Tank Repair, and to fund said appropriation, the City Treasurer, with the approval of the City Manager, is authorized to borrow up to two million four hundred thirty-three thousand (\$2,433,000.00) under the provisions of the Municipal Finance Act and to issue bonds or notes thereof.

This authorization shall lapse if not fulfilled within five (5) years from the date of approval.

George S. Hansel, Mayor

PASSED



CITY OF KEENE NEW HAMPSHIRE

ITEM #K.2.

Meeting Date: May 19, 2022

To: Mayor and Keene City Council

From: Finance, Organization and Personnel Committee, Standing Committee

Through:

Subject: **Relating to the Appropriation of Funds for the Patricia T. Russell Park Project and the Carpenter Street Flood Management Project**
Resolution R-2022-16
Resolution R-2022-19

Recommendation:

On a roll call vote of 4-0, the Finance, Organization, and Personnel Committee recommends the adoption of Resolution R-2022-16.

On a roll call vote of 4-0, the Finance, Organization, and Personnel Committee recommends the adoption of Resolution R-2022-19.

Attachments:

1. Resolution_R-2022-16
2. Resolution_R-2022-19

Background:

Chair Powers asked to hear from staff.

Don Lussier, City Engineer, stated that he and Andy Bohannon, Parks, Recreation, and Facilities Director, will present together tonight. He continued that the two Resolutions included with this agenda item are to increase the amount allowed for bonds on two previously approved bonds that this project entails. This project has been going through an extensive design process since 2020. It involved community outreach and workshops. The designers and Mr. Bohannon came up with a great plan. Simultaneous with the they had the Carpenter Street Flood Management Project, which, in the CIP, called for replacing the drainage piping from Beaver Brook to Carpenter St. then up Carpenter St. to Church St. That was the first of several phases of flood improvements intended to address localized street flooding on the east side. It was clear, once they started looking at the two projects, that they had to be built together. They do not want to build a park then tear it up to build the pipes; thus, they married the projects together. They had the same consultant design both so they could put it out to bid as a single, uniform contract.

Mr. Lussier continued that with the design process complete, they put the project out to bid over the

winter. On March 31, they received one bid for the construction phase. Not receiving many bids is unfortunately an ongoing theme this year and also unfortunately, that one bid came in about a million dollars over the appropriated budget. Staff talked with the vendor, and they did what he calls “value engineering.” The question was how to get this project to fit within the available funding. They came up with several ideas, which do not sacrifice or diminish the quality or aesthetics of the park. Most people would probably not even realize that there was a change.

Mr. Lussier continued that he will quickly run through the changes. The original plan called for blue stone pavers at the entrance pavilion and in the picnic area, which will be replaced with regular concrete. The original plan for the bathroom called for a “site-built building,” which would have been pretty, but building it on site requires a lot of skilled labor and bringing specialty trades into the site, which drives up the cost. It also takes longer to get that work done. Working with the contractor, staff came up with alternatives. The bathroom will now be a pre-fabricated, concrete structure, and will arrive on site in one piece, already built. A crane will set it on its prepared foundation and it will be constructed in a day. They modified the landscaping plan a bit, by removing or downsizing some of the items. For example, a 4-inch diameter tree might instead be a 3-inch diameter tree.

Mr. Lussier continued that the original playground plan called for an all-natural playscape, such as logs and boulders, but logs and boulders are actually very expensive. Thus, in the bid documents they included the alternative of having a more traditional playscape that Mr. Bohannon selected. Mr. Bohannon stated that they will not be losing any of the elements of play. Mr. Lussier stated that this alone saved about \$100,000.

Mr. Lussier continued that the Bocce court was also an alternative bid item, and they will not award the contract for that. The two bleacher sets on the Carpenter St. side will be five rows of seating instead of eight rows. Mr. Bohannon stated that he thinks they were successful in their attempts to maintain the integrity of the design without losing any of the elements.

Mr. Lussier stated that with all of that together, they were able to bring down the top line by about \$401,000. He continued that it still leaves them, unfortunately, with a deficit. Another agenda item tonight is to increase the bond amounts for the two bonds associated with this project. There was a bond associated with the Patricia T. Russell Park Project and separately, a bond was authorized for the Carpenter Street Flood Management Project. Both of those amounts would be increased, with the two resolutions listed in the 4th agenda item.

The next agenda item talks about reallocating other funds that are available to be reused. The Roxbury St. Management Project was completed under budget, and they can shift the \$100,000 savings from that to the Carpenter Street Flood Management Project, and that money would still be used for its intended purpose. The last piece of the puzzle is the \$310,000 authorized by the City Council for the Police Equipment Fund, because luckily, the City was able to procure a grant, which means they do not need all of the money the Council authorized for that. He and Mr. Bohannon ask that they shift \$310,000 from the Police Equipment Fund over to the Patricia T. Russell Park Project.

The City Manager stated that the Police Equipment Fund was created in anticipation of implementing a body-worn camera program, among other things. She continued that they were successful in getting a \$415,000 grant for the body-worn camera program. Thus, they will only need a portion of the Police Equipment Fund to finish that project.

Chair Powers stated that Pat Russell would be very happy to hear that money was not taken away from the Police Department, because she always used to say they were her “favorite friends.” Now she has her own park. He thinks she will watch over this project and be very pleased.

Councilor Lake stated that he appreciates staff trying to keep a slim budget as possible while still maintaining the feel of the park. He asked if the area meant to be a Bocce court is being allocated for anything else, or if they could potentially revisit this in following years, if they did decide to create a Bocce court in the future. Mr. Lussier replied that if they do not award the Bocce court, it will just be planted as lawn. Mr. Bohannon replied that the Bocce court idea will not be forgotten, and he has been researching some grants.

Councilor Remy asked if they have reached out to any of the heavy users of the park, such as the rugby team, to see if they have any interest in contributing to, for example, maintain the eight rows of bleacher seating, as a project element that has value to them. Mr. Bohannon replied that he has not reached out to them recently, but he had a lot of conversation with them early on related to the project's different amenities. He continued that oftentimes, some of the rugby team's funding resources did not come through for them, but he certainly can reach back out.

Chair Powers asked if there were any further questions from the Committee or other City Councilors. Hearing none, he asked if members of the public had any questions. Hearing none, he asked for a motion.

Councilor Lake made the following motion, which was seconded by Councilor Chadbourne.

On a roll call vote of 4-0, the Finance, Organization, and Personnel Committee recommends the adoption of Resolution R-2022-16.

Councilor Lake made the following motion, which was seconded by Councilor Chadbourne.

On a roll call vote of 4-0, the Finance, Organization, and Personnel Committee recommends the adoption of Resolution R-2022-19.



CITY OF KEENE

R-2022-16

Twenty-Two

In the Year of Our Lord Two Thousand and

Relating to the Appropriation of Funds for the Patricia T. Russell Park Capital
A RESOLUTIONProject.....

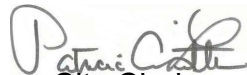
Resolved by the City Council of the City of Keene, as follows:

That the sum of three-hundred fifty thousand dollars (\$350,000.00) is hereby appropriated for the Patricia T. Russell Park Capital Project (90316), and to fund said appropriation, the City Treasurer, with the approval of the City Manager, is authorized to borrow up to three-hundred fifty thousand dollars (\$350,000.00) under the provisions of the Municipal Finance Act and to issue bonds or notes thereof.

This authorization shall lapse if not fulfilled within five (5) years from the date of approval.

George S. Hansel, Mayor

In City Council May 5, 2022.
Referred to the Finance, Organization
and Personnel Committee.


City Clerk

PASSED



CITY OF KEENE

R-2022-19

Twenty-Two

In the Year of Our Lord Two Thousand and

A RESOLUTION *Relating to the Appropriation of Funds for the Carpenter St. Flood Management Project*

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

That the sum of one-hundred thousand dollars (\$100,000.00) is hereby appropriated for the Carpenter St. Flood Management Project (90298), and to fund said appropriation, the City Treasurer, with the approval of the City Manager, is authorized to borrow up to - _____ dollars (\$100,000.00) under the provisions of the Municipal Finance Act and to issue bonds or notes thereof.

This authorization shall lapse if not fulfilled within five (5) years from the date of approval.

George S. Hansel, Mayor

In City Council May 5, 2022.

Referred to the Finance, Organization
and Personnel Committee.


City Clerk

PASSED



CITY OF KEENE NEW HAMPSHIRE

ITEM #K.3.

Meeting Date: May 19, 2022

To: Mayor and Keene City Council

From: Finance, Organization and Personnel Committee, Standing Committee

Through:

Subject: Relating to the Appropriation of Funds for George Street Bridge
Replacement Project
Resolution R-2022-17

Recommendation:

On a roll call vote of 4-0, the Finance, Organization, and Personnel Committee recommends the adoption of Resolution R-2022-17.

Attachments:

1. Resolution_R-2022-17

Background:

Mr. Lussier stated that the George Street bridge replacement project was in the CIP. He continued that the way the State Bridge Aid (SBA) program works is that a municipality has to appropriate its local match ahead of time, to then get in the queue to get State funding of up to 80% of the project. At least, that is how it has been done up until this point. He has been told there may be changes coming from NHDOT on that. The City Council appropriated funds for this project in 2009, and he thinks there were additional funds in 2012. The amount appropriated was based on the NHDOT project budget developed in 2009. The steps in the process are: 1) the City asks the NHDOT to do a budget estimate, 2) the NHDOT prepares the estimate, 3) the City appropriates the funds, and once the funds are sitting and ready to spend, 4) the City asks NHDOT for State funding, and the City is put on the list, 5) and eventually the project goes forward. However, it has been 13 years since the NHDOT did their estimate. Obviously, some prices have changed since then, including the costs for design. The amount that was in the City's budget to match the design fee is not enough to match the actual design fee that they negotiated. Staff suggests appropriating \$30,000 from the Capital Reserve for the design phase in the current fiscal year. Then they can move forward with the design. Within the bridge capital reserve, they set it up with contributions so they could ask for a bridge to be funded by the State every two to three years. If they had hit that, that would have been fantastic, but unfortunately, the State's funding does not allow them to fund the City that much. Right now, Maple Ave. is not anywhere within the State's Ten Year Plan for bridge funding, but the City's money is already sitting in the capital reserve. Staff will recommend, as part of

this, as a follow on action during the next update to the CIP, adding additional funds to the Maple Ave. Bridge capital reserve, so that when the time comes, the money will be made whole. In the meantime, they will use the funds to match the design phase.

Chair Powers asked if there were any questions from the Committee. Hearing none, he asked if other City Councilors or members of the public had any questions. Hearing none, he asked for a motion.

Councilor Chadbourne made the following motion, which was seconded by Councilor Lake.

On a roll call vote of 4-0, the Finance, Organization, and Personnel Committee recommends the adoption of Resolution R-2022-17.



CITY OF KEENE

R-2022-17

In the Year of Our Lord Two Thousand andTwenty-Two.....

A RESOLUTIONRelating to the Appropriation of Funds for the George Street
.....Bridge Replacement Project.....

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

That the sum of Thirty Thousand (\$30,000.00) is hereby appropriated from the Bridge Capital Reserve, Maple Avenue sub-account (T0617-K) for the George Street Bridge Replacement Project (90328-22).

George S. Hansel, Mayor

In City Council May 5, 2022.
Referred to the Finance, Organization
and Personnel Committee.

City Clerk

PASSED



CITY OF KEENE NEW HAMPSHIRE

ITEM #K.4.

Meeting Date: May 19, 2022

To: Mayor and Keene City Council

From: Merri Howe, Finance Director/Treasurer

Through: Elizabeth Dragon, City Manager

Subject: **Relating to the Establishment of a Parks and Facilities Infrastructure
Capital Reserve
Resolution R-2022-18**

Recommendation:

That Resolution R-2022-18 relating to the establishment of a Parks and Facilities Infrastructure Capital Reserve have a first reading in front of the City Council and that the Resolution be referred to the Finance, Organization and Personnel Committee.

Attachments:

1. Resolution_R-2022-18

Background:

The purpose of a Parks and Facilities Infrastructure Capital Reserve is to fund, wholly or in part, upgrades, renovations, improvements, replacement, maintenance and the operation thereof of City facilities and Park components and apparatus, including but not limited to, buildings, building systems, roofs, paved areas, park equipment, play areas, and structures.

The current fiscal policies adopted by the City Council on September 2, 2021 emphasizes the use of other funding sources for projects in the Capital Improvement Program and stabilization funds. Creating capital reserves can serve two purposes. It can serve as a saving mechanism for a future purchase and can be used to stabilize funds from budget spikes. If enacted, this capital reserve will serve over time as a predictable and stable source of funding, reducing the reliance and amount of municipal debt and leveling out budget spikes.



CITY OF KEENE

R-2022-18

In the Year of Our Lord Two Thousand and
Twenty-Two

A RESOLUTION
Relating to the establishment of a Parks and Facilities Infrastructure Capital
Reserve

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

The City Council hereby authorizes the establishment of a Parks and Facilities Infrastructure Capital Reserve to fund, wholly or in part, upgrades, renovations, improvements, replacement, maintenance and the operation thereof of City facilities and Park components and apparatus, including but not limited to, buildings, building systems, roofs, paved areas, park equipment, play areas, and structures pursuant to the provisions of RSA 34.

George S. Hansel, Mayor

PASSED



CITY OF KEENE NEW HAMPSHIRE

ITEM #K.5.

Meeting Date: May 19, 2022

To: Mayor and Keene City Council

From: Merri Howe, Finance Director/Treasurer
Donald Farquhar, Fire Chief

Through: Elizabeth Dragon, City Manager

Subject: **Relating to an Appropriation of Funds and Use of Unassigned Fund Balance for the FY 2022 Fire Department Personnel Budget Resolution R-2022-21**

Recommendation:

That R-2022-21 relating to an appropriation of funds and use of unassigned fund balance for the FY 2022 Fire Department personnel budget have a first reading in front of the City Council and that it be referred to the Finance, Organization and Personnel Committee.

Attachments:

1. Resolution R-2022-21

Background:

The Fire Department personnel budget is projected to be over expended by \$360,000 at the end of FY 2022 with no remaining operating budget anticipated to offset the shortfall of appropriations. Current fiscal policies provide authorization for departments to vary spending from individual lines with authorized appropriations. However, spending cannot exceed the budget of the department. Resolution R-2022-21 appropriates additional funds from the general fund unassigned fund balance to the fire suppression and ambulance general personnel budget lines totaling \$360,000. The \$360,000 appropriation is off-set by a projected budgetary savings of \$506,800 in the Police Department FY22 personnel budget



CITY OF KEENE

R-2022-21

Twenty-two

In the Year of Our Lord Two Thousand and

A RESOLUTION Relating to the appropriation of funds from the General Fund Unassigned Fund
Balance:

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

WHEREAS: Resolution R-2021-37 Relating to Fiscal Policies states all departments are authorized to vary actual departmental spending from line item estimates provided the total departmental budget is not exceeded within each fund; provided however, that any item specifically eliminated by the City Council during budget approval cannot be purchased from another line item without City Council approval; and

WHEREAS: Any unexpended funds in a personnel line related to a vacancy cannot be expended without prior approval from the City Manager and the City Council unless funds are being expended to fill a vacancy, recruiting, or to employ temporary help including professional and contract services;

NOW, THEREFORE, BE IT RESOLVED by the City Council that the use of General Fund Unassigned Fund Balance in the amount of three hundred-sixty thousand dollars (\$360,000) be used to fund the appropriation for the over expenditure of the Fire Department personnel budget.

FY 2022 General Fund – Fire Department Expenditure Appropriation

Account#	Description	FY22 Budget	Additional Request	Revised Budget
00810-61304	Ambulance General Personnel	641,687.42	130,000.00	771,687.42
00811-61304	Fire Suppression-General Personnel	979,764.73	230,000.00	1,209,764.73

George S. Hansel, Mayor

PASSED