



KEENE CITY COUNCIL
Council Chambers, Keene City Hall
December 21, 2023
7:00 PM

ROLL CALL

PLEDGE OF ALLEGIANCE

MINUTES FROM PRECEDING MEETING

- December 7, 2023

A. HEARINGS / PRESENTATIONS / PROCLAMATIONS

B. ELECTIONS / NOMINATIONS / APPOINTMENTS / CONFIRMATIONS

1. Confirmation
Planning Board
2. Nomination - Keene Housing Authority

C. COMMUNICATIONS

1. Robert Elliott - Resignation - Keene Housing Authority
2. Request to City Property - Ice and Snow Festival - February 3, 2024

D. REPORTS - COUNCIL COMMITTEES

1. Relating to Amendments to the Permitted Uses in the Downtown Core, Downtown Growth, and Commerce Districts – Ordinance O-2023-16-A **and** Relating to Amendments to the City of Keene Land Development Code, Definition of Charitable Gaming Facility – Ordinance O-2023-17-A
2. Execute Lease for Airport Hangar
3. PowerPoint - Airport Brand Strategy and Marketing Plan
4. Contract Award - Gear Extractor and Drying Equipment
5. Acceptance of the Lieutenant Joseph DiBernardo Memorial Grant

6. Lease Renewal Agreement 12 Gilbo Ave - Suite C
7. Consultant Selection for Master Plan Update
8. Allegation of Fraud or Misconduct in Connection with the Municipal Election Pursuant to Section 5 of the Keene City Charter

E. CITY MANAGER COMMENTS

F. REPORTS - CITY OFFICERS AND DEPARTMENTS

1. Acceptance of Donations
2. Purchase of Map/Lot #536/031
3. Emergency Management Director - Resignation

G. REPORTS - BOARDS AND COMMISSIONS

H. REPORTS - MORE TIME

I. ORDINANCES FOR FIRST READING

J. ORDINANCES FOR SECOND READING

1. Relating to Class Allocation and Salary Schedules
Ordinance O-2023-19
2. Relating to Life Safety Permit and Inspection Fees
Ordinance O-2023-20

K. RESOLUTIONS

1. Relating to the Appropriation of Funds for the Purpose of Funding the Classification and Total Compensation Project
Resolution R-2023-40
2. Relating to the Acceptance and Appropriation of Unanticipated Highway Revenue
Resolution R-2023-41
3. Relating to the Appropriation of Funds for the Master Plan Update Project
Resolution R-2023-42
4. In Appreciation of Kurt D. Blomquist Upon His Retirement
Resolution R-2023-43
5. In Appreciation of John Milledge Upon His Retirement
Resolution R-2023-44
6. In Appreciation of Diane M. Theall Upon Her Retirement
Resolution R-2023-45

NON PUBLIC SESSION

ADJOURNMENT

A regular meeting of the Keene City Council was held on Thursday, December 7, 2023. The Honorable Mayor George S. Hansel called the meeting to order at 7:00 PM. Roll called: Bryan J. Lake, Michael J. Remy, Michael Giacomo, Randy L. Filiault, Robert C. Williams, Philip M. Jones, Andrew M. Madison, Kris E. Roberts, Raleigh C. Ormerod, Bettina A. Chadbourne, Catherine I. Workman, Kate M. Bosley, and Thomas F. Powers were present. Mitchell H. Greenwald was absent. Ward Four Council seat vacant. Councilor Powers led the Pledge of Allegiance.

MINUTES OF THE PRECEDING MEETING

A motion by Councilor Powers to adopt the November 16, 2023, minutes as presented was duly seconded by Councilor Bosley. The motion carried unanimously with 13 Councilors present and voting in favor. Councilor Greenwald was absent. Ward Four Council seat vacant.

ANNOUNCEMENTS

Mayor Hansel reminded the Council that the Wednesday, December 27 MSFI meeting was moved to Tuesday, December 12. The PLD and FOP Committees are holding their regular meetings on December 13 and December 14. The FOP Committee meeting on December 28 was canceled. Further, the Mayor announced that at the final Council meeting of the year on December 21, the outgoing and incoming Council group photos would be taken in the Council Chamber. Mayor Hansel also announced that a Council workshop was scheduled for Tuesday, January 9 at 6:00 PM on the right-to-know statute; and it is important that Councilors make every effort to attend this workshop.

Lastly, Mayor Hansel announced a veterans' homelessness event on Friday, December 8, that was targeted toward landlords to educate them about the programs available to help homeless veterans in NH. The Mayor invited all to attend and stated his hope that it would spread to other needs in the community. The event is hosted by Harbor Care, a statewide non-profit organization.

PUBLIC HEARING – AMENDMENT TO THE LAND DEVELOPMENT CODE – CHARITABLE GAMING FACILITY – ORDINANCE O-2023-16

Mayor Hansel noted that at the Joint Planning Board-Planning, Licenses, and Development Committee workshop on this Ordinance, substantive changes were introduced. Therefore, Mayor Hansel opened the public hearing and immediately continued it until the January 18, 2024, regular meeting at 7:00 PM.

APPOINTMENT – AD HOC ROADWAY SAFETY PLAN COMMITTEE

Mayor Hansel appointed the following individuals to the new ad hoc Roadway Safety Plan Committee: Elizabeth Dragon (City Manager), Bryan Lake (Councilor), Ockle Johnson (Keene

State College), Erin Roark (School Administrative Unit 29), J. B. Mack (Southwest Regional Planning Commission), Frank Linnenbringer (NH Department of Transportation, District 4), Autumn DelaCroix (Bicycle/Pedestrian Path Advisory Committee), Fred Roberge (disability advocate), and William Lambert (NH Department of Transportation, Highway Safety Section).

The Committee's charge is to: oversee the development of a comprehensive Safety Action Plan for the City of Keene; provide guidance and general direction to City of Keene staff and engineering consultants as they collect and analyze roadway safety data and generate a draft work product; ensure that the plan development process provides for the equitable representation of all roadway users and stakeholders, and that the final document addresses the diverse needs of those groups. In addition, the Committee would assist in the development of specific roadway safety improvement priorities and recommendations. Ultimately, the Committee will make a recommendation to the City Council with respect to adoption of the draft plan and a roadway safety performance goal.

A motion by Councilor Powers to confirm the appointments as presented was duly seconded by Councilor Bosley. The motion carried unanimously with 13 Councilors present and voting in favor. Councilor Greenwald was absent. Ward Four Council seat vacant.

COMMUNICATION – COUNCILOR MITCHELL GREENWALD – CONFLICT OF INTEREST – ORDINANCE O-2023-16 & ORDINANCE O-2023-17

A communication was received from Councilor Mitchell Greenwald, notifying the Council of his conflict of interest for Ordinances O-2023-16 and O-2023-17. He believes that depending on how he considers the issue, it could be either a benefit or a detriment to his business interests. Therefore, he should be recused from the discussions and votes on the issue.

A motion by Councilor Powers to grant the request to abstain was duly seconded by Councilor Bosley. The motion carried on a roll call vote with 13 Councilors present, and 12 Councilors voting in favor. Councilor Remy voted in opposition. Councilor Greenwald was absent. Ward Four Council seat vacant.

COMMUNICATION – JOSHUA GORMAN – ZONING BOARD OF ADJUSTMENT

A communication was received from Joshua Gorman, submitting his resignation from the Zoning Board of Adjustment. A motion by Councilor Powers to accept the resignation with regret and appreciation of service was duly seconded by Councilor Bosley. The motion carried unanimously with 13 Councilors present and voting in favor. Councilor Greenwald was absent. Ward Four Council seat vacant.

MSFI REPORT – MEMORANDUM OF UNDERSTANDING WITH KEENE STATE COLLEGE – LOCKER ROOMS

A Municipal Services, Facilities, & Infrastructure Committee report read, recommending that the City Manager be authorized to do all things necessary to negotiate and to execute a Memorandum of Understanding with Keene State College, to include a Development Agreement and Lease, for the purpose of the installation by Keene State College, at its cost and expense, of locker rooms, together with required utilities, including but not limited to water and waste water services, at the Keene Ice location. A motion by Councilor Filiault to carry out the intent of the Committee report was duly seconded by Councilor Workman. The motion carried unanimously with 13 Councilors present and voting in favor. Councilor Greenwald was absent. Ward Four Council seat vacant.

MSFI REPORT – POWERPOINT PRESENTATION – AD-HOC LOWER WINCHESTER STREET PROJECT

A Municipal Services, Facilities, & Infrastructure Committee report read, recommending that the Lower Winchester Street Reconstruction Project advance to preliminary design of a proposed action including the following elements:

1. Provide two travel lanes in each direction from Rt. 101 to Krif Rd.
2. Replace the intersections at Krif Rd. and Matthews Rd. with roundabouts.
3. Construct a raised median from Rt. 101 to Krif Rd.
4. Construct a raised median from Krif Rd. to Matthews Rd.
5. Construct a dual use center turn lane from Matthews Rd. to the town line.

A motion by Councilor Filiault to carry out the intent of the Committee report was duly seconded by Councilor Workman. Councilor Lake asked if bike lanes and sidewalks were intentionally excluded from the plans. The City Manager replied that sidewalks and bike lanes are assumed to be a part of the plan. The motion carried unanimously with 13 Councilors present and voting in favor. Councilor Greenwald was absent. Ward Four Council seat vacant.

MSFI REPORT – POWERPOINT PRESENTATION – ROBIN HOOD PARK CONCEPTUAL PLAN

A Municipal Services, Facilities, & Infrastructure Committee report read, recommending the Robin Hood Park presentation be accepted as informational. Mayor Hansel filed the report as informational.

MSFI REPORT – REPORT OUT – SAFETY CONCERNS ON THE EAST SIDE OF KEENE AND STRATEGIES TO ADDRESS HOMELESSNESS

A Municipal Services, Facilities, & Infrastructure Committee report read, recommending the report from the City Manager relating to safety concerns on the east side of Keene and strategies to address homelessness be accepted as informational. Mayor Hansel filed the report as informational.

CITY MANAGER COMMENTS

First, the City Manager reported that Public Works Director/Emergency Management Director, Kürt Blomquist, would be retiring on December 29. After 30 years of service, Mr. Blomquist decided it was time to pass the torch. The City Manager shared copies of the press release formally announcing his retirement. Throughout his City career, Mr. Blomquist played a significant role in overseeing numerous projects that have improved safety, sustainability, and quality of life for our residents, businesses, and visitors. In addition, his leadership and experience as the City's Emergency Management Director was invaluable to the City Manager during severe weather events and during the Covid-19 health emergency. The City Manager said she could not imagine getting through the health crises without Mr. Blomquist in that role. The City Manager said she would always be grateful to Mr. Blomquist for his efforts coordinating our response locally, with the state, and the region. The City has been very fortunate to have Mr. Blomquist on our team for the past three decades and the City Manager wished him nothing but happiness, good health, and a long well-deserved retirement. On Thursday, December 28, there would be a general mid-day open house in Council Chamber to honor Mr. Blomquist and his career.

The City Manager continued, explaining that she was in the process of reviewing Mr. Blomquist's job description, which had not been updated in a long time. The City Manager intended to finalize the job description and have the position posted by December 15. The job would be open until filled and she anticipated the process taking several months to complete. During this process, the City Manager assigned additional oversight responsibilities (in the same way it happens now when Mr. Blomquist is out of the area) to Duncan Watson, Assistant Public Works Director, who will be handling all issues for streets, fleet, and solid waste. Aaron Costa, Assistant Public Works Director, would be handling all issues for water and sewer. The City Engineer, Don Lussier, would be handling all engineering and construction project issues. By Code, the City Manager would become the interim Emergency Management Director. In 30 days, when the City Manager is past the NH retirement restrictions, she intended to contract with Mr. Blomquist to complete the City's Hazard Mitigation Plan and to move our Emergency Operations Center (from the basement in City Hall to the second floor training room). This space is much better suited and has most of the technology we need in place; some modifications to this room would be needed, so it can serve as both our current training room/staff meeting space and when necessary, serve as the Emergency Operations Center. Contracting with Mr. Blomquist for these duties will allow the time to bring on a new Public Works Director and for a recommendation to be brought forth for the Council to consider as our next Emergency Management Director.

The City Manager was also happy to report that the Airport now has a Marketing & Communications Plan. This has been on the list of projects for several years and was a long-time recommendation of Councilor Greenwald as a member of the Airport Development & Marketing Committee. The City's brand consultant (Guide Studio) helped to put this together and ensure it is also in line with the City's larger branding efforts, by utilizing themes and language from the

broader City platform. As there will be new signage and visual identifiers at the Airport over the next couple of years, there will be a presentation at the December 13 PLD Committee meeting.

Next, the City Manager reported on the Upper Winchester Street Reconstruction Project. The City's bridge contractor, ED Swett Inc., was scheduled to install the bridge girders for the new Island Street Bridge on Thursday, December 14. The contractor would be using two cranes on each side of the bridge to lift and place the girders. A total of six girders would be installed.

The City Manager also shared a reminder about the holiday party on December 14. Many administrative offices will close during that time to allow those who wish to utilize their lunch hour to attend the luncheon.

The City Manager shared updates on the Cheshire County ambulance backup agreement. On December 7, the City Manager once again reached an agreement with the County. Instead of a 3-year term, it is a 1-year term. The late addition of the language related to billing for calls that exceed 20% of our call volume was removed. The City Manager hoped this agreement would be executed quickly. She would keep the Council updated.

Lastly, the City Manager shared a proud moment for a City employee, Christian Tarr, Utilities Maintenance Manager in Public Works. Mr. Tarr's son, Aiden, was awarded the Fred B. Sharby Award. This award was created to honor a young man who was killed in the coconut grove fire in Boston 1942; he was a Keene High School football player who saved his girlfriend and then lost his life trying to save her parents and others that night, when 492 people perished. The Fred B. Sharby award is the highest athletic award at Keene High School, given to the student athlete who exemplifies Mr. Sharby's character on and off the field, sacrificing self for the betterment of the group, and exceling in the classroom and field of play. Aiden Tarr was voted to receive the award by his peers and coaches.

PB-PLD REPORT – RELATING TO AMENDMENTS TO THE PERMITTED USES IN THE DOWNTOWN CORE, DOWNTOWN GROWTH, AND COMMERCE DISTRICTS ORDINANCE O-2023-16

A Joint Planning Board-Planning, Licenses, and Development report read, with the PLD Committee unanimously recommending amending the definition of a Charitable Gaming Facility to include the definition of Commercial Hall under New Hampshire RSA 287E. Further, the report read, with the PB unanimously finding that that the amended Ordinance O-2023-16-A was consistent with the 2010 Comprehensive Master Plan. Lastly, the PLD Committee unanimously recommended formalizing the public hearing previously set.

Mayor Hansel referred the report to the Planning, Licenses, and Development Committee.

MORE TIME – MSFI REPORT – STEPHEN BRAGDON – SAFETY ISSUES ASSOCIATED WITH THE DRIVEWAY AT 82 COURT ST; & STAFF RESPONSE TO NO PARKING REQUEST – 82 COURT ST

A Municipal Services, Facilities, & Infrastructure Committee report read, unanimously recommending placing this item on more time until the next meeting. Mayor Hansel granted more time.

ORDINANCE FOR FIRST READING – RELATING TO CLASS ALLOCATION AND SALARY SCHEDULES – ORDINANCE O-2023-19

A memorandum was read from the Human Resources Director/Assistant City Manager, Elizabeth Fox, recommending that Ordinance O-2023-19 be referred to the Finance, Organization, & Personnel Committee for their review and recommendation. Mayor Hansel referred Ordinance O-2023-19 to the Finance, Organization, & Personnel Committee.

ORDINANCE FOR FIRST READING – RELATING TO LIFE SAFETY PERMIT AND INSPECTION FEES – ORDINANCE O-2023-20

A memorandum read from Donald Farquhar, Fire Chief, recommending that Ordinance O-2023-20 be referred to the Finance, Organization, & Personnel Committee for their review and recommendation. Mayor Hansel referred Ordinance O-2023-20 to the Finance, Organization, & Personnel Committee.

RESOLUTION – RELATING TO THE APPROPRIATION OF FUNDS FOR THE PURPOSE OF FUNDING THE CLASSIFICATION AND TOTAL COMPENSATION PROJECT – RESOLUTION R-2023-40

A memorandum was read from Human Resources Director/Assistant City Manager, Elizabeth Fox, recommending that Resolution R-2023-40 be referred to the Finance, Organization, & Personnel Committee for their review and recommendation. Mayor Hansel referred Resolution R-2023-40 to the Finance, Organization, & Personnel Committee.

RESOLUTION – RELATING TO THE ACCEPTANCE AND APPROPRIATION OF UNANTICIPATED HIGHWAY REVENUE – RESOLUTION R-2023-41

A memorandum was read from Public Works Director, Kürt Blomquist, recommending that Resolution R-2023-41 be referred to the Finance, Organization, & Personnel Committee for their review and recommendation. Mayor Hansel referred Resolution R-2023-41 to the Finance, Organization, & Personnel Committee.

12/07/2023

RESOLUTION – RELATING TO THE APPROPRIATION OF FUNDS FOR THE MASTER
PLAN UPDATE PROJECT –RESOLUTION R-2023-42

A memorandum was read from Senior Planner, Mari Brunner, recommending that Resolution R-2023-42 be referred to the Finance, Organization, & Personnel Committee for their review and recommendation. Mayor Hansel referred Resolution R-2023-42 to the Finance, Organization, & Personnel Committee.

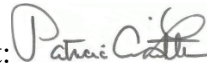
NON-PUBLIC SESSION

A motion by Councilor Powers to enter non-public session to discuss land matters under NH RSA 91-A:3, II (d) was duly seconded by Councilor Bosley. The motion carried unanimously on a roll call vote with 13 Councilors present and voting in favor. Councilor Greenwald was absent. Ward Four Council seat vacant. The Council entered non-public session at 7:24 PM. Discussion was limited to the subject matter. The session concluded at 8:48 PM. A motion by Councilor Powers to keep the minutes of the non-public session, non-public as disclosure would render the proposed action ineffective, was duly seconded by Councilor Bosley. On roll call vote, 13 Councilors present and voting in favor. Councilor Greenwald was absent. Ward Four Council seat vacant.

ADJOURNMENT

There being no further business, Mayor Hansel adjourned the meeting at 8:49 PM.

A true record, attest:



City Clerk



CITY OF KEENE NEW HAMPSHIRE

ITEM #B.1.

Meeting Date: December 21, 2023
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 October 5, 2023.

Nomination tabled until the December 21, 2023, City Council, at which point membership slot 5 will have been vacated by its current member.

Recommendation:

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

Planning Board

Kenneth Kost, slot 5
alternate to regular membership

Term to expire Dec. 31, 2025

Attachments:

None

Background:



CITY OF KEENE NEW HAMPSHIRE

ITEM #B.2.

Meeting Date: December 21, 2023
To: Mayor and Keene City Council
From: Mayor George H. Hansel
Through: Patricia A. Little
Subject: **Nomination - Keene Housing Authority**

Recommendation:

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

Keene Housing Authority
Cody Morrison
64 Fox Circle

Term to expire Dec. 31, 2028

Attachments:

1. Morrison, Cody_Redacted

Background:

From: helpdesk@ci.keene.nh.us <helpdesk@ci.keene.nh.us>
Sent: Tuesday, December 19, 2023 11:48 AM
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 Tue, 12/19/2023 - 11:48</p>
<p>Submitted values are:</p>

First Name:

Cody

Last Name:

Morrison

Address

64 Fox Circle

How long have you resided in Keene?

1.5 years

Email:

codym@monadnockedc.org

Cell Phone:

[REDACTED]

Employer:

Monadnock Economic Development Corporation

Occupation:

Executive Director

Retired

No

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

Executive Director - Monadnock Economic Development Corporation
Southwest Region Planning Commission - Economic Development & Brownfields Advisory Committee
President - New Hampshire Alliance of Regional Development Corporations

Have you ever served on a public body before?

Yes

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

Keene Housing Authority

Please let us know the Board or Commission that you are most interested in serving on.

Keene Housing Authority

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

I am interested in serving on the Keene Housing Authority (KHA) Board of Commissioners so that I can help address the local housing crisis. Professionally, I work in the community and economic development field, which focuses on commercial and industrial development in the region. However, housing is a major issue for employers, so we have been shifting our efforts to help address this need. I have interacted with KHA in various capacities, as both a local partner and from the perspective of a state agency. I am relatively new to the Keene community and this is my first nomination to a City committee or board. As a young person, the housing crisis impacts me directly so I feel strongly about this issue. Given my experience and KHA's direction, I feel that I can contribute to its success.

Please provide 2 personal references:

George Hansel

[REDACTED]
[REDACTED]

References #2:

Chris Coates

ccoates@co.cheshire.nh.us

[REDACTED]



CITY OF KEENE NEW HAMPSHIRE

ITEM #C.1.

Meeting Date: December 21, 2023
To: Mayor and Keene City Council
From: Robert Elliott
Through: Patricia Little, City Clerk
Subject: **Robert Elliott - Resignation - Keene Housing Authority**

Recommendation:

Attachments:

1. Communication_Elliott

Background:

Robert Elliott has submitted his resignation from the Keene Housing Authority. Mr, Elliott has been a member of the Board since January 2021.

Robert Elliott

110 Arch Street Unit 21

Keene NH 03431

September 11, 2023

Dear Mayor Hansel

With regrets I'm resigning as Commissioner of Keene Housing as of third week of December, the last board meeting of 2023

Of all the boards I've served on over the last 50 years in Keene the Keene Housing Board has been the most interesting and rewarding.

Josh Meehan and staff have always provided every overview and fine detail necessary to inform board members, which made each meeting succinct and relevant.

I'll be leaving the Keene area at the end of December and I will sincerely miss this community.

Thank you for the opportunity to serve on this Board.

Sincerely,



Bob Elliott



CITY OF KEENE NEW HAMPSHIRE

ITEM #C.2.

Meeting Date: December 21, 2023

To: Mayor and Keene City Council

From: Mark Rebillard
Keene Downtown Group Chair

Through: Patricia Little, City Clerk

Subject: Request to City Property - Ice and Snow Festival - February 3, 2024

Recommendation:

Attachments:

1. Ice and Snow City License Request 2024

Background:

Mr. Rebillard has submitted the annual request for a license to conduct the 2024 Ice and Snow Festival on City property on February 3, 2024.

December 18, 2023
Mayor George Hansel
Keene City Council
3 Washington Street
Keene, NH 03431

Dear Mayor Hansel and City Council,

On behalf of the Keene Downtown Group I ask the City of Keene to grant a license for the 21st annual Keene Ice & Snow Festival to be held on Saturday, February 3rd, 2024.

The Keene Downtown Group is a 501c6 all volunteer organization that has hosted the Keene Ice & Snow Festival as well as other community events such as the Keene Art Walk and The Keene Music Festival.

The Keene Ice & Snow Festival provides a free day of family fun in mid-winter. Scheduled activities include; a children's train ride, a snow slide, free hot chocolate at 12 participating downtown merchants, a scavenger hunt, campfire smores, character actors, face painting, a sugar on snow station and art from 12 ice carvers whose sculptures are illuminated to shine like christmas tree bulbs into the evening.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark Rebillard', with a stylized, flowing script.

Mark Rebillard, Keene Downtown Group Chair
PO Box 80
Keene, NH 03431
603-439-0321



CITY OF KEENE NEW HAMPSHIRE

Meeting Date: December 21, 2023

To: Mayor and Keene City Council

From: Planning, Licenses and Development Committee, Standing Committee

Through:

Subject: **Relating to Amendments to the Permitted Uses in the Downtown Core, Downtown Growth, and Commerce Districts – Ordinance O-2023-16-A and Relating to Amendments to the City of Keene Land Development Code, Definition of Charitable Gaming Facility – Ordinance O-2023-17-A**

Recommendation:

On a vote of 3–0, the Planning, Licenses, and Development Committee recommends that the City Council substitute the amended Ordinance O-2023-16-A for consideration at the continued public hearing scheduled for January 18, 2024.

On a vote of 3–0, the Planning, Licenses, and Development Committee recommends that Ordinance O-2023-17-A be placed on more time.

Attachments:

1. O-2023-16-A Redline
2. O-2023-17-A Redline

Background:

Jesse Rounds, Community Development Director, presented the first two agenda items together, explained how Staff moved forward with the “A” versions of Ordinances O-2023-16 and O-2023-17, and discussed how they differ. Some of his presentation was repeated from the Joint Planning Board-Planning, Licenses, and Development (PB-PLD) Committee workshop.

Mr. Rounds explained that per Keene’s Zoning Code, unless a use is specifically defined, then it is not allowed. However, there is a caveat that if a use is similar to the definition of another use, then it can be interpreted—or allowed—after interpretation by the Zoning Administrator. It is a best practice that if a new use needs to be defined, to define it as soon as possible and expand the Zoning Code. The City should try to define uses as they arise. The use definition in question was for indoor recreation and entertainment facilities. The definition is that these are “spectator and participatory uses conducted within an enclosed building”; this is the extent of the definition before example uses are listed, including: “movie theaters, live performance venues, night clubs, indoor sports arenas, bowling alleys, skating centers, physical adventure game facilities, and pool halls.”

Mr. Rounds explained that one use the City had interpreted—charitable gaming facilities or casinos—

—was currently permitted in the Downtown Core, Downtown Growth, Downtown Institutional, Commerce, Commerce Limited, and Business Growth & Reuse zones. Staff proposed a significantly different definition for this use—as defined by the State of NH—and specific areas where these would be located in the City.

Mr. Rounds read the definition of charitable gaming facilities from the original Ordinance O-2023-16 as first proposed: “A facility in accordance with the requirements of RSA 287-D and operated by a Licensed Game Operator as defined by RSA 287—D:1, VII, or any facility operated by a person or entity licensed by the lottery commission under RSA 287-D:7 to operate games of chance on 5 or more dates per calendar year. Does not include games licensed under RSA 287-E.” There were public comments at the PB-PLD workshop on this Ordinance, and the PB-PLD Committee asked Staff to develop an “A” version that considered commercial bingo halls and Lucky 7.

Staff reviewed the existing statutes and developed a new definition to address the concern about these two uses. The new definition says that facilities licensed under RSA 287-D are not permitted except in the Commerce and Downtown Growth zones. The new definition allows charitable gaming facilities to offer Lucky 7 as defined in RSA 287-E, as long as all licenses are obtained, and operational requirements are met. The new definition also includes bingo-style games operated in commercial or host halls, which are allowed in the Downtown Growth and Commerce Districts. The new proposed definition of a charitable gaming facility in Ordinance O-2023-16-A is: “A facility licensed in accordance with the requirements of RSA 287-D, and operated by a licensed Game Operator as defined by RSA 287-D:1, VII; or any facility operated by a person or entity licensed by the lottery commission under RSA 287-D:7 to operate games of chance on 5 or more dates per calendar year. Charitable Gaming Facilities may offer Lucky 7, as defined in RSA 287-E, as long as their use complies with all licensure and operation requirements under RSA 287-E and rules published by the New Hampshire Lottery Commission. This use includes facilities licensed to operate Bingo or bingo style games as Commercial Halls (287-E:1, V-a) or as Host Halls (RSA 287-E:1, X).”

Before explaining Ordinance O-2023-17-A, Mr. Rounds took questions.

Chair Bosley asked if the State of NH had any specific definitions of charitable gaming facilities. Mr. Rounds said there was no statutory reference. Chair Bosley said that constituents asked her why this instance is being treated differently than a skating center, for example, and she wondered if the State defined some of these items. Mr. Rounds offered to investigate this question further before the next public hearing. He said this was the recommendation because the use is defined in the RSA, so the City treats these uses the way the State does.

Vice Chair Giacomo referenced the NH RSA definition for bingo, which mentions Lucky 7. Discussion ensued on what Lucky 7 is and how it differs from bingo. However, the RSA does not define Lucky 7. Mr. Rounds said that per the NH Lottery Commission, Lucky 7 is technically a card game played on a device meant to look like a slot machine (traditionally not allowed in NH). The Vice Chair quoted from the RSA: “Bingo shall not include any game involving a slot machine.” Based on this quote, Vice Chair Giacomo was shocked that Lucky 7—resembling a slot machine—would be allowed. He found it annoying that poker was disallowed because it is not a game of chance.

Chair Bosley agreed that in her research, she was surprised that something so closely resembling a slot machine would be allowed. Mr. Rounds offered to do more research on Lucky 7 to present at the public hearing. The Chair recalled that this was a new venture by the State, which might be creating some of these rules haphazardly. She thought it was important to define these charitable gaming facilities, so it is clear what is allowed in these specific zones.

The City Attorney, Tom Mullins, clarified that RSA 287 was focused on commercial facilities that host

charitable gaming, which per Ordinance O-2023-16-A, would only be allowed in the Downtown Growth and Commerce zones. This rule does not exclude charitable organizations, like churches, from hosting bingo even outside of the Downtown Growth and Commerce zones. These had been normally considered as accessory uses of an entity like a church. The RSA limits those activities to 5 per year for commercial facilities. Essentially, a commercial hall and host hall are the same thing, but they appear in two different places in the RSA. RSA 287-D deals with charitable gaming facilities. However, RSA 287-E contains both bingo and Lucky 7, but the two do not intermix until the question of a host facility, which for all intents and purposes, is not the same as a charitable gaming facility.

Mr. Rounds continued his presentation and shifted to Ordinance O-2023-17 and the proposed “A” version. At the PB-PLD workshop, the issue of drive-throughs was introduced. Currently in the City, drive-throughs are permitted by special exception in the Downtown Core zone. Ordinance O-2023-17-A would eliminate that special exception, meaning that drive-throughs would no longer be allowed in the Downtown Core. However, caveats include that if a drive-through exists currently, it would be allowed in perpetuity, unless there is a significant change (e.g., cannot remove a drive-through and try to replace it many years later). Also, there is at least one drive-through that was approved by special exception in the last year that would be allowed to continue. Much of this Ordinance was to preserve the character of the Downtown Core, where drive-throughs seem out of character. Still, those with existing drive-throughs would not have their current uses changed.

Chair Bosley thought this was a reasonable change, particularly after a recent issue with a drive-through approved on West Street. She also mentioned challenges with some drive-throughs causing traffic jams, like on upper Court Street. There are challenges making them viable in the community. The Chair was comfortable with this alteration of the Ordinance.

In response to Councilor Ormerod, Mr. Rounds clarified that Ordinance O-2023-16-A included everything from the original Ordinance but had a revised definition of charitable gaming facilities. Councilor Ormerod asked if charitable organizations other than churches could hold non-profit casino nights, for example. The City Attorney replied that if entities like the Elks or Rotary have such an accessory use, there is a specific definition for non-charitable entities in RSA 287. If it is something that an entity would do on occasion, it would be considered an accessory use.

Vice Chair Giacomo mentioned a limit of 5 times per year for these accessory uses, and noted some entities seem to do these more often. He went on to ask if the City has a formula for drive-through average queue time. Mr. Rounds said it exists but has a lot to do with perceived vs. actual demand of average drive-through queue length, which is often underestimated, and a lot depends on the level of service of the road in front of a drive through. Chair Bosley thought language could be included in future approvals indicating that modifications to a site could be required to accommodate the use in the future (e.g., take back the embankment or create a shoulder lane) if it becomes a problem. Mr. Rounds hoped more could be done in the future to keep drive-through uses from impacting roadway levels of service.

Discussion ensued further on what Lucky 7 is and how it is different than a slot machine. As defined by the State of NH, it is a bingo-type game.

There were no public comments.

Vice Chair Giacomo made the following motion, which was duly seconded by Councilor Ormerod.

On a vote of 3–0, the Planning, Licenses, and Development Committee recommends that the City Council substitute the amended Ordinance O-2023-16-A for consideration at the continued public hearing scheduled for January 18, 2024.

Vice Chair Giacomo made the following motion, which was duly seconded by Councilor Ormerod.

On a vote of 3–0, the Planning, Licenses, and Development Committee recommends that Ordinance O-2023-17-A be placed on more time.



CITY OF KEENE

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

AN ORDINANCE Relating to Amendments to the Land Development Code, Permitted Uses in the Downtown Core, Downtown Growth and Commerce Districts

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

That Chapter 100 of the Code of Ordinances of the City of Keene, New Hampshire, as amended, is hereby further amended by deleting the stricken text and adding the bolded and underlined text, as follows.

1. Amend Section 8.3.2. of Article 8 to add a definition for “Charitable Gaming Facility” under the category of Commercial Uses, as follows:

I. Charitable Gaming Facility

1. **Defined. Charitable Gaming Facility – A facility licensed in accordance with the requirements of RSA 287-D, and operated by a Licensed Game Operator as defined by RSA 287-D:1, VII; or any facility operated by a person or entity licensed by the lottery commission under RSA 287-D:7 to operate games of chance on 5 or more dates per calendar year. Charitable Gaming Facilities may offer Lucky 7, as defined in RSA 287-E, as long as their use complies with all licensure and operation requirements under RSA 287-E and rules published by the New Hampshire Lottery Commission. This use includes facilities licensed to operate Bingo or bingo style games as Commercial Halls (287-E:1, V-a) or as Host Halls (RSA 287-E:1, X). Does not include games licensed under RSA 287-E.**
2. Amend Section 8.4.2.C.2.a, “Specific Use Standards” of Article 8 to remove drive-through uses as a permitted use by Special Exception in the Downtown Core District, as follows:
 - a. Drive-through uses shall only be permitted by right in the Commerce and Commerce Limited Districts and by special exception from the Zoning Board of Adjustment in the Downtown-Growth and ~~Downtown-Core~~ Districts.
3. Update Table 8-1 “Permitted Principal Uses By Zoning District” in Article 8, Table 4-1 “Downtown Districts Permitted Uses” in Article 4, and Table 5.1.5 “Permitted Uses” in Article 5 to display “Charitable Gaming Facility” as a permitted use in the Downtown Growth District and Commerce District under the category of Commercial Uses.



CITY OF KEENE

In the Year of Our Lord Two Thousand and _____ Twenty Three

AN ORDINANCE Relating to Amendments to the Land Development Code, Definition of Charitable Gaming Facility

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

That Chapter 100 of the Code of Ordinances of the City of Keene, New Hampshire, as amended, is hereby further amended by adding the bolded and underlined text, as follows.

1. That Article 28 “Defined Terms” be amended to include a definition for “Charitable Gaming Facility,” as follows:

Charitable Gaming Facility – A facility licensed in accordance with the requirements of RSA 287-D, and operated by a Licensed Game Operator as defined by RSA 287-D:1, VII; or any facility operated by a person or entity licensed by the lottery commission under RSA 287-D:7 to operate games of chance on 5 or more dates per calendar year.
Charitable Gaming Facilities may offer Lucky 7, as defined in RSA 287-E, as long as their use complies with all licensure and operation requirements under RSA 287-E and rules published by the New Hampshire Lottery Commission. This use includes facilities licensed to operate Bingo or bingo style games as Commercial Halls (287-E:1, V-a) or as Host Halls (RSA 287-E:1, X).~~Does not include games licensed under RSA 287-E.~~

George S. Hansel, Mayor



CITY OF KEENE NEW HAMPSHIRE

Meeting Date: December 21, 2023
To: Mayor and Keene City Council
From: Planning, Licenses and Development Committee, Standing Committee
Through:
Subject: Execute Lease for Airport Hangar

Recommendation:

On a vote of 3–0, the Planning, Licenses, and Development Committee recommends that the City Manager be authorized to execute a lease agreement with Hexagon Hangar LLC. for land and associated hangar structure at the Keene Dillant-Hopkins Airport.

Attachments:

None

Background:

Chair Bosley welcomed comments from the Airport Director, David Hickling, who explained this lease for the “Hex” Hangar, a very old building at the Dillant-Hopkins Airport. The City owns the hangar that is leased to the Hex Hangar Corporation. The lease expired, and this was to authorize the City Manager to renegotiate and execute a new lease. The Hex Hangar Corporation sought a longer lease than the City preferred. The City Manager negotiated a 3-year lease instead because this is a prime, valuable development spot. Terms were included in the lease to allow the City an opportunity to acquire the property if a larger corporation was interested in buying it; there is a clause included that would allow the City to end the lease with 60 days’ notice if an entity wanted to build something larger there. This negotiation followed the Airport Leasing Policy, which requires a 3% escalator that was not included in the previous lease. The lease value was also increased to market value.

Chair Bosley thought the increased terms seemed favorable to the City. Discussion ensued about how this request differed from another hangar lease renewal request this Committee heard recently from the Monadnock T-Hangar Corporation, whose lease had not yet ended. Councilor Ormerod was grateful for the City Manager’s negotiations.

Vice Chair Giacomo asked the size of the hangar, but that information was not readily available. Mr. Hickling did note that per this lease, the Hex Hangar Corporation would be liable for any repairs to the aging building, whereas the City was responsible for repairs in the past, as is customary for City-owned buildings.

Councilor Ormerod made the following motion, which was duly seconded by Vice Chair Giacomo.

On a vote of 3–0, the Planning, Licenses, and Development Committee recommends that the City

Manager be authorized to execute a lease agreement with Hexagon Hangar LLC. for land and associated hangar structure at the Keene Dillant-Hopkins Airport.



CITY OF KEENE NEW HAMPSHIRE

Meeting Date: December 21, 2023
To: Mayor and Keene City Council
From: Planning, Licenses and Development Committee, Standing Committee
Through:
Subject: PowerPoint - Airport Brand Strategy and Marketing Plan

Recommendation:

On a vote of 3–0, the Planning, Licenses, and Development Committee recommends the acceptance of the Airport Brand Strategy and Marketing Plan Presentation as informational.

Attachments:

None

Background:

Chair Bosley welcomed Airport Director, David Hickling, again to present on the new Airport Brand Strategy and Marketing Plan. He explained that he worked closely with the Communications and Marketing Director, Rebecca Landry, on this plan. Together, they worked on this plan with Guide Studios, which also conducted the City's recent overall rebranding. This allowed the Airport's branding to complement and align with the City's brand. The Airport's older logo dated back to the 1950s, so it was due for an update. Mr. Hickling sought a new brand that was more unique, with an aviation focus. This effort was guided by a steering committee comprised of Mr. Hickling, Ms. Landry, Councilor Greenwald (long-time member of the Airport Development and Marketing Committee, and advocate for this Plan), Councilor Remy (provided representation for C&S), Beth Bendel (Monadnock Aviation FBO), Bill Hutwelker (Town of Swanzey), Jesse Rounds (Keene Community Development Director), and Cody Morrison (Monadnock Economic Development Corporation). The steering committee worked together on the final product, which was presented in October.

Mr. Hickling continued, showing images of the new branding, some of which was inspired by him noticing that the "K" in Keene's new logo could resemble an aircraft's wings. He demonstrated how the color palette, fonts, etc., align with and complement Keene's branding. The "K" is accompanied by "EEN" on some products, which happens to be an airport designator; these details would be evident to individuals experienced in aviation. New signage would help visitors' first impressions when landing in Keene.

Mr. Hickling continued, explaining that the first part of this effort was the branding and the second part was the actual Marketing and Communications Plan to ensure the best information is shared about the Airport. He shared the Plan's objectives:

1. Bring in businesses that are related to the aviation industry.
2. Better communicate the value of the Airport.

3. Attract more regional businesses to use this Airport.
4. Maintain the image and reputation of the Airport.
5. Identify the most appropriate communication tools for the Airport's audiences and goals.
6. Clear positioning to help all those with a stake in the success of the Airport to work toward the same vision.

Next, Mr. Hickling read the Plan's positioning statement: "Keene Dillant-Hopkins airport connects the Monadnock region and its people to the world. Providing all facets of aviation from corporate to recreational aviators and everyone in between, the airport offers first-rate facilities and outstanding service in a prime location in New England. The airport is the key to unlocking the potential of the region and its people: it provides a vital transportation connection for residents and visitors alike, it puts the breathtaking southern New Hampshire on display for countless travelers, and it offers tremendous economic development opportunities to Keene, Swanzey, and the region."

The Plan also includes the distinct advantages of using the Airport:

- Location
 - Strategic for Boston, Portland, NY City, and even parts of Canada.
- Service that Stands Out
 - At the top of their field, Monadnock Aviation provides most services to corporate aircraft.
- The Amenities You Need
- Approachability
- Opportunity

The key messages of the plan are:

- Keene Dillant-Hopkins Airport is for everyone.
 - Countering the perception of some that the Airport is only for rich people.
- The importance of Keene Dillant-Hopkins Airport to the Monadnock Region.
- Many are not aware of the economic benefit of the Airport for the Region.
 - Investments in the Keene Dillant-Hopkins Airport are an investment in Keene, Swanzey, and the Monadnock Region.

The recommendations from the Plan are:

1. Airport website landing page
2. Airport social media
 - a. Focused on Facebook instead of spreading resources amongst multiple platforms.
3. Airport email marketing
 - a. Not used before and could help to build a City-wide marketing list.
4. Airport prospectus
5. Community engagement
6. Networking and outreach

Ms. Landry said this was a fun project. While she did not envision this degree of branding for each City department, it was logical in this case because the Airport is unique, with unique stakeholders.

The Airport prospectus will be important for drawing investors. This effort was well timed with the Airport Development Study and its recommendations for building new interest for new opportunities. Ms. Landry recalled how instrumental Councilor Greenwald was in urging for this Plan. Ms. Landry called this a big win that City Staff are happy about.

Councilor Ormerod recalled his vast experience in corporate marketing and branding, and complimented the success of this effort to create a very coherent brand for the Airport. He added that it would be important for the plan to be something the Council can budget for and execute. He wanted to better understand the impacts so the Airport's budget can be well designated; it had been a smaller budget in the past. Councilor Ormerod also wondered how long the City was obligated to have the Dillant-Hopkins name on the Airport. Mr. Hickling was unsure, but recalled that the Dillant-Hopkins family was recognized a few years ago when traveling through to honor the Pearl Harbor veteran. Mr. Hickling thought the name was one people knew well. The City Attorney noted that the Airport was originally a military location in 1942–1943. He thought the FAA recognized the name and did not see an issue with keeping it.

There was brief discussion and general agreement about the advantages of having well-branded merchandise. The Vice Chair imagined that Councilor Greenwald would be proud. Mr. Hickling reiterated what a help Guide Studios was. There was also agreement that the simplicity of the designs was nice and that they match the City's well, while clearly focused on aviation. The Chair mentioned the new survey process the City had been using (e.g., recently for Robin Hood Park), and wondered if that was a way to engage the community about the Airport and break down barriers. Ms. Landry agreed that FlashVote is a great survey tool, and she could look at surveys from other municipal airports. The Chair suggested a question like, "What brings you to the Airport," whether its dining, an airshow, or flying. Further discussion ensued on the value of the Airport, including how small charter flights can be a good way to reach the regional airports (e.g., can be more cost effective if multiple members of a company are flying charter together versus a limousine). Chair Bosley agreed about hearing complaints about the distance to regional airports and the lack of reliable phone service on those drives. Mr. Hickling thought many in the community would be surprised at how much corporate aviation comes through Keene.

There were no public comments.

Vice Chair Giacomo made the following motion, which was duly seconded by Councilor Ormerod.

On a vote of 3–0, the Planning, Licenses, and Development Committee recommends the acceptance of the Airport Brand Strategy and Marketing Plan Presentation as informational.



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.4.

Meeting Date: December 21, 2023
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: Contract Award - Gear Extractor and Drying Equipment

Recommendation:

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to execute a contract with Daniels Equipment Co. Inc. for the purchase of a gear extractor and drying system.

Attachments:

None

Background:

Fire Chief Farquhar addressed the Committee and stated this item is a CIP line item for \$45,000. It is allotted through a competitive bidding process. The City has a bid from Daniel's equipment for \$39,825. This is for a Gear Extractor and Drying Equipment. The equipment comes with a five year service contract.

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

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to execute a contract with Daniels Equipment Co. Inc. for the purchase of a gear extractor and drying system.



CITY OF KEENE NEW HAMPSHIRE

Meeting Date: December 21, 2023
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: **Acceptance of the Lieutenant Joseph DiBernardo Memorial Grant**

Recommendation:

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept and expend the Lieutenant Joseph DiBernardo Memorial Foundation Grant for the purpose of outfitting department members with emergency rope escape systems.

Attachments:

None

Background:

The Fire Chief addressed the next item as well. This item is a grant from the Joseph DiBernardo Foundation. The department received a similar grant last year. The grant this year is for \$11,997.45.

Chief Farquhar explained that Lt. DiBernardo was one of those fire fighters involved in the Black Sunday Fire in 2005. The fire fighters who responded to the fire were trapped inside the building due to illegal renovations and trapped fire escapes. This causes fire fighters to jump out of the building, Mr. DiBernardo lived another five years before he succumbed to those injuries.

The Foundation is run by his family and other firefighters and have made it their mission to make the funds available for all active firefighters to be able to carry a rope bag, special heat resistant hook for anchoring to help fire fighters escape in situations like this. Last year's donation helped the City provide 20 fire fighters with these kits and another 20 will be provided this year which will help reach the mission of the foundation to help equip all fire fighters with these kits.

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

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept and expend the Lieutenant Joseph DiBernardo Memorial Foundation Grant for the purpose of outfitting department members with emergency rope escape systems.



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.6.

Meeting Date: December 21, 2023
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: Lease Renewal Agreement 12 Gilbo Ave - Suite C

Recommendation:

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to negotiate and execute a lease renewal with United States Senator Jeanne Shaheen for the office space located at 12 Gilbo Avenue - Suite C.

Attachments:

None

Background:

Parks, Recreation and Facilities Director Andy Bohannon stated the lease utilized at Suite C at 12 Gilbo Avenue is coming to an end on January 3, 2024. Staff is looking to extend the lease through the Senator's term in 2027. Mr. Bohannon stated in this case the lease conditions are provided by the Sargent of Arms of the United States Senate, reviewed by the City Attorney, and the new lease agreement is then executed. He added they have been a tenant since 2011 and are in good standing.

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

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to negotiate and execute a lease renewal with United States Senator Jeanne Shaheen for the office space located at 12 Gilbo Avenue - Suite C.



CITY OF KEENE NEW HAMPSHIRE

Meeting Date: December 21, 2023
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: **Consultant Selection for Master Plan Update**

Recommendation:

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to negotiate and execute a professional services contract with Future IQ for master plan consulting services for an amount not to exceed \$160,000.00. In the event that negotiations with the preferred vendor are not successful, the City Manager is authorized to do all things necessary to negotiate and execute a professional services contract with FHI Studio for an amount not to exceed \$160,000.00.

Attachments:

None

Background:

Senior Planner Mari Brunner addressed the committee and stated this item is in reference to the master plan update for which the Council has already appropriated funding through the CIP. In preparation for the master plan update which is scheduled to happen in 2024, an RFP was released in October and the City received five responses. The selection committee interviewed all five firms and came up with a three way tie. A second round of conversations were pursued and the committee have selected Future IQ as the consultant for the project and coming in at a very close second FHI Studio.

Ms. Brunner noted all five proposals came in above the project budget of \$90,000. The proposals came in between \$160,000 - \$175,000. Staff is recommending \$160,000. She added later in the agenda there is a Resolution to appropriate funding to get to this amount.

The City Manager suggested moving up Item 10 before awarding the contract because it is contingent on that funding.

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

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to negotiate and execute a professional services contract with Future IQ for master plan consulting services for an amount not to exceed \$160,000.00. In the event that negotiations with the preferred vendor are not successful, the City Manager is

authorized to do all things necessary to negotiate and execute a professional services contract with FHI Studio for an amount not to exceed \$160,000.00.



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.8.

Meeting Date: December 21, 2023
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: **Allegation of Fraud or Misconduct in Connection with the Municipal Election Pursuant to Section 5 of the Keene City Charter**

Recommendation:

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends accepting this item as informational.

Attachments:

None

Background:

The City Attorney stated he just received a message from the City Clerk. The Clerk's office did reach out to Mr. Hutchinson a number of times and the Memorandum was also sent to him. He felt the proper action at this time would be to accept the communication as informational.

Councilor Madison made the following motion, which was seconded by Councilor Remy.

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends accepting this item as informational.



CITY OF KEENE NEW HAMPSHIRE

ITEM #F.1.

Meeting Date: December 21, 2023
To: Mayor and Keene City Council
From: Merri Howe, Finance Director/Treasurer
Through: Elizabeth Dragon, City Manager
Subject: **Acceptance of Donations**

Recommendation:

Move that the City Council accept the donation in the amount of \$750.00 from Monadnock Interfaith Project and the City Manager be authorized to use the funds as specified by the donor for the Human Rights Committee's Martin Luther King Jr. Day event on January 15, 2024.

Attachments:

None

Background:

The Human Rights Committee is bringing Father Greg Boyle from Homeboy Industries to speak on January 15, 2024, for the MLK day event called "Cherished Belonging: Love in Divided Times."

In 1986, Father Greg Boyle became the Pastor of Dolores Mission Church which was the poorest Catholic Parish in Los Angeles that also had the highest concentration of gang activity. Through his work in the Parish and with community members, Homeboy Industries became the largest gang intervention, rehabilitation, and re-entry program in the world.

This event is going to bring community members together in a dialogue around change, coming together, and love. This kind and appreciated donation in the amount of \$750 by the Monadnock Interfaith Project support additional funds needed to have Father Greg Boyle join and speak during this event.



CITY OF KEENE NEW HAMPSHIRE

ITEM #F.2.

Meeting Date: December 21, 2023
To: Mayor and Keene City Council
From: Elizabeth Dragon, City Manager
Through:
Subject: Purchase of Map/Lot #536/031

Recommendation:

Move to recommend the City Manager be authorized to execute all documents necessary for the purchase of Map/Lot #536/031.

Attachments:

1. tax card 536 031

Background:

The City is interested in acquiring a land locked parcel, Map/Lot #536/031, which abuts other city parcels. We have negotiated a purchase amount of \$5,000. A vote of the council is now necessary to carry out the purchase.

00ff HOWARD ST.

Location

00ff HOWARD ST.

Map/Lot #

536/ / 031/000 000/000

Acct#

536031000000000

Owner

LAIRD LORETTAA

Building Name

Assessment

\$1,100

Appraisal

\$1,100

PID

541

Building Count

1

Current Value

Appraisal			
Valuation Year	Improvements	Land	Total
2023	\$0	\$1,100	\$1,100
Assessment			
Valuation Year	Improvements	Land	Total
2023	\$0	\$1,100	\$1,100

Parcel Addresses

Additional Addresses
No Additional Addresses available for this parcel

Owner of Record

Owner

LAIRD LORETTAA

Sale Price

\$3

Co-Owner

Book & Page

1118/0337

Address

155 RIVER ST
ALSTEAD, NH 03602

Sale Date

01/01/1986

Ownership History

Ownership History			
Owner	Sale Price	Book & Page	Sale Date
LAIRD LORETTAA	\$3	1118/0337	01/01/1986

Building Information

Building 1 : Section 1

Year Built:

Living Area: 0

Replacement Cost: \$0

Building Percent Good:

Replacement Cost

Less Depreciation: \$0

Building Attributes	
Field	Description
Style	Vacant Land
Model:	
Grade	
Stories	
Occupancy	
Exterior Wall 1	
Exterior Wall 2	
Roof Structure:	
Roof Cover	
Interior Wall 1	
Interior Wall 2	
Interior Floor 1	
Interior Floor 2	
Heat Fuel	
Heat System	
Central AC	
Bedrooms	
Full Baths	
Half Baths	
Extra Fixtures	
Total Rooms	
Bath Style	
Kitchen Style	
Additional Stacks	
Daylight Basement	
ADU	
Location Adjustment	
Bsmt Garage	
MH Park	
FBLA	
Cath Ceiling	
WBFP Stacks	

Building Photo



(<https://images.vgsi.com/photos2/KeeneNHPhotos/\0000\675.0.jpg>)

Building Layout

([ParcelSketch.ashx?pid=541&bid=541](#))

Building Sub-Areas (sq ft)	Legend
No Data for Building Sub-Areas	

Family Rooms	
Prefab Fireplace	
Total Plumb Fix	
WBFP Openings	
Heat Pump	
Generator	
Physical Cond	

Extra Features

Extra Features	Legend
No Data for Extra Features	

Land

Land Use

Use Code 10N
Description Res Non-Bld Vacant
Zone MD
Category

Land Line Valuation

Size (Acres) 0.21
Depth
Assessed Value \$1,100
Appraised Value \$1,100

Outbuildings

Outbuildings	Legend
No Data for Outbuildings	

Valuation History

Appraisal			
Valuation Year	Improvements	Land	Total
2022	\$0	\$1,100	\$1,100

Assessment			
Valuation Year	Improvements	Land	Total
2022	\$0	\$1,100	\$1,100



CITY OF KEENE NEW HAMPSHIRE

Meeting Date: December 21, 2023
To: Mayor and Keene City Council
From: Kurt Blomquist, ACM/Public Works Director
Through: Elizabeth Dragon, City Manager
Subject: **Emergency Management Director - Resignation**

Recommendation:

The City Council accepts Kurt Blomquist, Emergency Management Director, resignation as the City's Emergency Management Director effective December 30, 2023. Further, as per the City of Keene Code of Ordinances Sections 30-56 and 59, the City Manager will perform the Emergency Management Director's functions until a new Director is recommended and appointed.

Attachments:

None

Background:

On June 4, 2015, per RSA 21-P:39 I, I was appointed by the City Council the Emergency Management Director for the City of Keene. I will be retiring from the City on December 30, 2023, and therefore I submit my resignation effective that date.

Per City Code Section 30-56, Authority to Create; Responsibilities of City Manager and Section 30-59, Emergency Powers and Duties of City Manager, the City Manager will be performing the duties and responsibilities of the Emergency Management Director. This will continue until such a time the City Manager makes a recommendation and the City Council appoints a new Emergency Management Director as per RSA 21-P:39 I, Local Organization for Emergency Management.



CITY OF KEENE NEW HAMPSHIRE

Meeting Date: December 21, 2023
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: **Relating to Class Allocation and Salary Schedules
Ordinance O-2023-19**

Recommendation:

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends adoption of Ordinance O-2023-19.

Attachments:

1. Ordinance O-2023-19

Background:

Asst. City Manager/Human Resources Director Beth Fox addressed the committee next regarding O-2023-19, non-union class allocation. The adjustments are proposed to consider a compression, equity and current market conditions as well as advance the City's ability to recruit and retain organizational leaders. She stated in addition, due to a vacancy created in the Utilities Division, the City has decided to complete a restructuring and add additional divisions under the position of Water, Sewer Manager to help manage the utility operations.

Ms. Fox explained the changes proposed deal with some position adjustments, organizational structure and an adjustment to the position of Parks, Recreation and Cemeteries Superintendent to Recreation Facilities Manager.

Councilor Remy stated he had a difficult time approving this item before the next item that deals with Classification and Total Compensation Project Resolution R-2023-40 is addressed. The Manager stated she would have like to wait on addressing this item until the Classification and Total Compensation item is discussed. She noted this is however, a six to eight month study and she is completing department head hiring due to retirement. She indicated most department heads are moving up one grade and this is based on salary information the City obtained from the NH Municipal Association. She explained since Covid salaries have changed drastically and hence the work needs to be done to look at the City's salary ranges. In addition, the City needs room for people to grow.

The Manager stated in the midst of recruitment she felt it was important to address department head grades and at the same time move forward with the compensation study which could take up to eight months.

Ms. Fox stated the City's timetable is longer than the FY25 budget cycle. The City will have the benefit of a study Manchester is currently in the process of completing by spring.

The Chairman felt this is a long time coming. He felt Covid has changed the market and felt all communities are having a difficult time recruiting senior staff.

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

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends adoption of Ordinance O-2023-19.



CITY OF KEENE

In the Year of Our Lord Two Thousand and Twenty Three

AN ORDINANCE Relating to Class Allocations and Salary Schedules

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 62-194, "Administrative, office, technical and management personnel." of Chapter 62 entitled, "Personnel," and by substituting in lieu thereof the following attached new section: Section 62-194, "Administrative, office, technical and management personnel.", effective December 24, 2023.

George S. Hansel, Mayor

In City Council December 7, 2023.
Referred to the Finance, Organization
and Personnel Committee.

City Clerk

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 December 24, 2023)

	<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	38,372	40,099	41,903	43,789	45,760	47,819
S 5	40,099	41,903	43,789	45,760	47,819	49,971
S 6	41,903	43,789	45,760	47,819	49,971	52,220
S 7	43,789	45,760	47,819	49,971	52,220	54,570
S 8	45,760	47,819	49,971	52,220	54,570	57,026
S 9	47,819	49,971	52,220	54,570	57,026	59,592
S 10	49,971	52,220	54,570	57,026	59,592	62,274
S 11	52,220	54,570	57,026	59,592	62,274	65,076
S 12	54,570	57,026	59,592	62,274	65,076	68,004
S 13	57,026	59,592	62,274	65,076	68,004	71,064
S 14	59,592	62,274	65,076	68,004	71,064	74,262
S 15	62,274	65,076	68,004	71,064	74,262	77,604
S 16	65,076	68,004	71,064	74,262	77,604	81,096
S 17	68,004	71,064	74,262	77,604	81,096	84,745
S 18	71,064	74,262	77,604	81,096	84,745	88,559
S 19	74,262	77,604	81,096	84,745	88,559	92,544
S 20	77,604	81,096	84,745	88,559	92,544	96,708
S 21	81,096	84,745	88,559	92,544	96,708	101,060
S 22	84,745	88,559	92,544	96,708	101,060	105,608
S 23	88,559	92,544	96,708	101,060	105,608	110,360
S 24	92,544	96,708	101,060	105,608	110,360	115,326
S 25	96,708	101,060	105,608	110,360	115,326	120,516
S 26	101,060	105,608	110,360	115,326	120,516	125,939
S 27	105,608	110,360	115,326	120,516	125,939	131,606
S 28	110,360	115,326	120,516	125,939	131,606	137,528
S 29	115,326	120,516	125,939	131,606	137,528	143,717
S 30	120,516	125,939	131,606	137,528	143,717	150,184
S 31	125,939	131,606	137,528	143,717	150,184	156,942
S 32	131,606	137,528	143,717	150,184	156,942	164,004

<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; Fire Department Administrator; Purchasing Specialist; Human Resource 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; Senior Paralegal; Police Dispatch Supervisor; Social Worker
S 16	Planner; Laboratory Supervisor
S 17	Appraiser; Recreation Programmer; Librarian III; Parks & Cemetery Maintenance Superintendent; Airport Maintenance & Operations Manager; IT Systems Specialist; Parking Operations Manager; Recreation Facilities Manager
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, Accounting & Fund Manager; Infrastructure Project Manager
S 20	Systems Administrator; Purchasing & Contract Services Manager; Assistant City Attorney; Water/Sewer Operations Manager
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; Database Administrator; Airport Director; Building/Health Official
S 25	Human Resources Director; Library Director; Assistant Finance Director/Assistant Treasurer; Deputy Fire Chief; Assistant Public Works Director/Division Head; Airport Director
S 26	Community Development Director; City Assessor; Parks, Recreation & Facilities Director- Police Captain; Human Resources Director; Library Director; Deputy Fire Chief
S 27	Finance Director/Treasurer; IT Director; Communications & Marketing Director; Community Development Director; Parks, Recreation & Facilities Director
S 28	Fire Chief, Public Works Director; Finance Director/Treasurer;
S 29	Police Chief, Fire Chief; Public Works Director
S 30	Deputy City Manager NO POSTIONS ASSIGNED
S 31	Deputy City Manager
S 32	NO POSITIONS ASSIGNED



CITY OF KEENE NEW HAMPSHIRE

Meeting Date: December 21, 2023
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: Relating to Life Safety Permit an Inspection Fees
Ordinance O-2023-20

Recommendation:

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends adoption of Ordinance O-2023-20.

Attachments:

1. Ordinance O-2023-20

Background:

Fire Chief Farquhar addressed the committee again and stated this item is centered around the discussion that happened on November 9 regarding the Fire Department's charge of \$70.00 for the inspection portion of the Assembly Permitting. He indicated the Fire Department traditionally charges a \$70 fee for the inspection of an assembly area. He indicated there is an RSA that strictly prohibits charging a fee for the permit. The discussion is whether the City is charging for the inspection or is it charging for the permit. He noted the department is charging for the inspection.

He stated the proposal before the Council is a change in ordinance that clarifies the permit fee schedule. The Permit Fee Schedule, Appendix B appears in City Code, and it formally indicates under Section 65.11.3 – Permit Requirements – under Life Safety Permits and Inspection Fees. The old language replaces Assembly Inspection Permits valid for one year. The proposed change is to remove the word permit in place of assembly inspection. The ordinance change is making a clearer statement that the \$70 fee is for the inspection and not the permit, and that is the ordinance before the committee today.

Councilor Lake asked whether this would be an annual inspection. The Chief answered in the affirmative. He added they perform about 120 inspections for approximately \$8,500 into the Fire Department budget.

Councilor Remy asked if this fee was removed whether the City could run into the issue of someone frivolously requesting inspections. The Chief stated he did not foresee that happening. The permit is good for one year and can be revoked at any time. The Councilor stated he wants more businesses to come to Keene, and if eliminating this fee is what would make that happen, he is in support of

eliminating it.

The Chair asked for public comment.

Mr. Toby Tousley of 500 Washington Street addressed the Committee and asked that the committee not advance this proposal. He felt it would be irresponsible for the City Council to authorize the fire department to charge any new fees until a complete, comprehensive review of all fees and how those funds are spent is completed. He noted he has received several messages from community members and fire department personnel regarding the misuse of collected fees by the Fire Department; different fees for different individuals for the same permit.

He noted there are 400 master fire alarm boxes in the City of Keene and are required by City Code if a building has an occupancy of more than 300 people. The boxes are owned by fire department and are to be maintained by the fire department in accordance with NFPA 72. These master fire alarm boxes are important and critical to life safety in the City as they send a signal to fire dispatch automatically when a fire is detected at a building. If these boxes are not functioning properly, a fire can burn in a building without the fire department ever being notified. Mr. Tousley noted an annual fee of \$408 is charged to building owners for maintenance and inspection of these fire alarm boxes. He noted however, this inspection and maintenance has not been happening. Some have entire circuits that don't function, master alarm boxes disconnected. He stated his box has not been maintained or inspected for at least two years. Prior to 2020, he had a third party monitor his system, and they inspected the system every six months for many years.

He felt this was a life safety concern. Mr. Tousley referred to an instant where a fire alarm system was activated at 1 Butler Court at Keene State College but the Fire Department never responded, students called 911 and when arriving at the scene it was discovered that the master alarm box for the building was non-functioning and was filled with insects.

He added this issue could be lack of staffing but noted previously there was a full time Lieutenant position allocated for the inspection and maintenance of these master alarm box systems, but this position was recently filled with a person with no training nor any knowledge of the master alarm system. He indicated there are people within the department who have the knowledge and capability to inspect and service the system, but they are only permitted to do so on an overtime basis, which can only be authorized by the Chief.

He indicated the fire department is collecting nearly \$200,000 annually from building owners like himself to inspect and maintain these system but neither inspections nor maintenance is occurring. He felt this sort of fee collecting without providing the service is the kind of behavior that breeds mistrust within the government. The fact that this is also tied to the maintenance of a life safety system further exasperates that mistrust. Mr. Tousley stated in his circumstance, he had a perfectly good working system with regular inspections and maintenance, yet was forced to change to the master box system. He is now paying for something he is not sure works.

Mr. Tousley stated tonight there is a request before the committee to authorize the fire department to charge a new fee. He felt it would be irresponsible to authorize this new fee when the department cannot demonstrate the responsible spending of fees it is currently collecting. He asked that this item be placed on more time and instruct the City Manager to investigate the issues he has brought to the committee's attention tonight. He indicated the City has the responsibility for public safety.

Mr. Jared Goodell of 39 Central Square was the next speaker. Mr. Goodell stated the item before the committee does not require the committee to consider much more than just the plain text of the law and in this case the law is clear in that Assembly Permits are to be issued without charge. He

indicated before the committee considers revenue generated by the proposed fee, he felt the City first needs to consider the threshold issue of whether or not the law allows for the City to charge for the inspection required prior to the issuance of an assembly permit. He felt the committee needs to focus upon the statute as a whole and not isolated words or phrases. The City also cannot add words that the legislature did not include.

Mr. Goodell went on to say this legal principle is grounded in the 2001 New Hampshire Supreme Court case *Crowley vs. Fraser*, the controlling body of law here is RSA 155, and there are a few provisions of this chapter that he felt the City must consider when deciding if allowing this inspection fee is appropriate. The first is RSA 155:19, which states “a permit shall be obtained from the licensing agency by the owner or operator of any place of assembly. Such permit shall be issued without charge for one year from date of issue. No permit shall be issued by the licensing agency until the provisions of this chapter have been complied with.” Mr. Goodell called the attention to some of the language, the first is that the assembly permit shall be issued without charge and second that the permit shall not be issued until the provisions of the chapter have been complied with. He noted the other provisions the committee needs to consider is RSA 155:34, which requires that the licensing agency to inspect or cause to be inspected each place of assembly.

He noted when the legislature prepared this body of law, it intended for assembly permits to be issued at no charge and everyone is in agreement with that. The legislature also made it a requirement that the licensing agency inspect the proposed assembly; you cannot obtain an assembly permit without an inspection – this is in the law. The legislature understood that an inspection was part and parcel to the issuance of an assembly permit, and they clearly intended that the issuance of the assembly permit would be at no charge. He felt if the City authorizes for the charge of an inspection fee in order to obtain an assembly permit, it will make it impossible to meet the legislative intent of RSA 155:19 – “the issuance of an assembly permit at no charge.”

Mr. Goodell asked if this ordinance passes, will there be any instance in which an assembly permit could be issued in the City of Keene at no charge – the answer would be no. He pointed out that New Hampshire is not a Home Rule state, which means as a general rule, municipalities in this state have the authority to only do what they are specifically authorized to do by a specific state law. He noted there is no state law authorizing the City to charge for inspections for assembly permits. He felt the law is clear and specific that you cannot charge for the issuance of an assembly permit or the inspection for the permit, as it is a requirement of the Chapter.

Mr. Goodell went on to say according to the Fire Chief’s testimony at an earlier hearing, the fee generated is less than \$10,000 per year in revenue for the City, which he noted was a de-minimus amount in the overall fire department budget, which is now the single most expensive department in the City. Passage of this ordinance will not have a noticeable economic impact to the City or the Fire Department. However, the \$70 fee could have a noticeable impact on occupancies that are required to obtain the assembly permit, which includes churches, community centers, youth organizations and restaurants. Many of these organizations are nonprofits or locally owned businesses. Mr. Goodell point out that the law requires assembly inspections to happen twice per year, even though the Chief stated it was required only once per year. He questioned whether this would mean the cost would then be \$140 per year. He felt because the City has been charging for this assembly permit for years, contrary to the law, perhaps the nonprofits and businesses could be given a break from having to pay this fee for an equal number of years.

He concluded by stressing that the City needs to focus on the State Statute as a whole not isolated words or phrases and words cannot be added to the legislature either. He felt a legal challenge to this ordinance would cost taxpayers far more than would be generated by the fee over the next few years. He asked that the committee vote no on this ordinance.

Attorney Joe Hoppock representing Mr. Goodell addressed the committee and began by referring RSA 155-19 which indicates “such permits shall be issued” - Attorney Hoppock explained to issue this permit an inspection is required and it needs to comply with the fire code and felt Mr. Goodell is correct about the statutory interpretation language provided and hence felt this ordinance should not be adopted.

The City Manager addressed the committee and stated some of the prior comments were directed at the Fire Chief and stressed Chief Farquhar did not put these original fees in place, he is not advocating for it and the City is cleaning up some language that was brought forward to the City. She felt it was a relatively small fee. The Manager noted there were comments made tonight that were a little bit disturbing and the comments that were directed at the Chief were unfair as he is not the one forwarding this to the council. It is something that has been in place for quite some time.

Councilor Lake asked whether there are inspections the City performs, Fire Department or otherwise where there isn't a fee charged. The Manager stated she was not aware of any.

Attorney Mullins stated both parties have made their comments previously and the City has a different position from that of Mr. Goodell and Mr. Hoppock and felt the position the City set forward before should stand. He indicated the fire code incorporated into this title gives the committee the answer. He added most cities in New Hampshire charge a fee for inspection. The Attorney felt this is a legal question and a judge could tell what the language perhaps states.

Councilor Remy clarified if the Council did not want to charge this fee, it would not be to vote this ordinance down, it would be to amend this ordinance to strike the \$70 fee. The Attorney agreed it would be better to amend the ordinance, as striking it down would leave the City in the same spot it originally was.

Councilor Remy stated he does not have any challenge on whether the City is permitted to charge this fee or not. He felt the City was allowed to charge for the inspection, but at this point, given the fact that it is very gray in how it is defined at the state level and it is also a de-minimus amount it probably is not worth entering into a dispute. He felt it would be good to incentivize more people to open businesses and restaurants, and this could be one of those items that could assist in that effort.

Councilor Remy made the following motion, which was seconded by Councilor Madison.

That the Finance, Organization and Personnel Committee amend the Ordinance to strike the \$70 fee and make it zero and to amend the language to say there is no charge for an assembly permit or inspection.

Councilor Lake noted if the City is not going to charge for this inspection (under the assumption that that the City could charge for this inspection), he felt the City would lose any leverage for charging for any other in inspection at that point. He stated it is his understanding the charge is to recoup staff time for performing these inspections. He stated he intends to vote against the amendment.

Attorney Mullins added not charging for this inspection would not have an effect on any other inspections, he felt this item was an “oddity”. He indicated this is an issue that needs to be rectified by the legislature – the State Fire Marshall is not taking a clear position on this issue.

The motion to amend failed on a 2-3 vote with Councilors Powers, Chadbourne and Lake voting in opposition.

Councilor Remy stated the language being proposed is much clearer than the prior language of this ordinance. Councilor Madison felt it is time for the City to reach out to the legislature for clarification. He further stated following up on the Manager's comments, he has known Chief Farquhar for sometime and has had the pleasure of working with him and felt he has done a great job for the Fire Department and does not agree with some of the personal attacks made against him tonight.

Mr. Goodell addressed the committee again and stated the way in which the ordinance is written, it feels a business owner would be charged for each inspection. He noted RSA155:34, second sentence, ... "such inspection shall be at least semiannually..." and hence the opinion of the fire department that that it is once might be incorrect. He felt there should be clarification if the Council intends for this to be \$70 per inspection or \$35 per inspection - he stressed the language says "at least semiannually."

Councilor Remy made the following motion, which was seconded by Councilor Madison.

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends adoption of Ordinance O-2023-20.



CITY OF KEENE

In the Year of Our Lord Two Thousand and Twenty Three

AN ORDINANCE Relating to Life Safety Permit and Inspection Fees

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

That the Ordinances of the City of Keene, as amended, are hereby further amended by deleting Section 65.11.3 in Section 42.32., Amendments of Chapter 42, Fire Prevention and Protection and inserting a new section 65.11.3, and removing the stricken text and inserting the bolded text in Appendix B – Fee Schedule, Chapter 42, Fire Prevention and Protection, 65.11.3, Permit Requirements, as follows:

Sec. 42-32. Amendments.

Shall require the permits and ~~permit~~ fees as outlined in Appendix B Fee Schedule.

Appendix B

Section 65.11.3 Permit Requirements

Life safety permit **and inspection** fees

Place of assembly inspection permits (valid for one year) . There is no charge for an assembly permit.	\$70.00
Boarding/rooming/lodging inspections	
Up to 16 beds	120.00
More than 16 beds	170.00
Permissible firework displays (per display)	120.00
Non-permissible firework displays (per display)	120.00

Explosive/blasting (per site)	
Up to seven days	120.00
Add for each additional day beyond seven	10.00
Oil/LP burner	70.00
Oil/LP supply lines	70.00

George S. Hansel, Mayor

In City Council December 7, 2023.
 Referred to the Finance, Organization
 and Personnel Committee.


 City Clerk



CITY OF KEENE NEW HAMPSHIRE

ITEM #K.1.

Meeting Date: December 21, 2023

To: Mayor and Keene City Council

From: Finance, Organization and Personnel Committee, Standing Committee

Through:

Subject: Relating to the Appropriation of Funds for the Purpose of Funding the Classification and Total Compensation Project
Resolution R-2023-40

Recommendation:

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends adoption of Resolution R-2023-40.

Attachments:

1. Resolution R-2023-40

Background:

Ms. Fox stated as mentioned previously the City is planning on completing a compensation study.

Councilor Remy stated he will be voting against this item, as he would rather give employees raises than spend money on finding out on how the City is not paying employees. He stated he was in support of using Manchester's information to use it as a percentage for Keene.

The Manager stated the reason this study needs to be done is because there has been a lot of compression that has happened over time in many departments; responsibilities have grown but their grade has not changed. It will give opportunity to promote people within their departments absent someone retiring from that department. She added Manchester might not have the same positions Keene does. Hence, mimicking them might not solve the issue. She stated by completing this work the council is committing to implementing a better system for City employees and that salary range and benefits are what is needed to retain and recruit employees.

Councilor Chadbourne felt this was a responsible task which would provide the City with a roadmap.

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

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends adoption of Resolution R-2023-40.



CITY OF KEENE

In the Year of Our Lord Two Thousand and Twenty Three

A RESOLUTION Relating to the Appropriation of Funds from the General Fund Unassigned Fund Balance for the purpose of funding a Classification & Total Compensation Project

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

That up to the sum of one hundred fifteen thousand dollars (\$115,000) be appropriated from the General Fund Unassigned Fund Balance for the support of a Classification and Total Compensation Project.

George S. Hansel, Mayor

In City Council December 7, 2023.
Referred to the Finance, Organization
and Personnel Committee.

City Clerk



CITY OF KEENE NEW HAMPSHIRE

Meeting Date: December 21, 2023

To: Mayor and Keene City Council

From: Finance, Organization and Personnel Committee, Standing Committee

Through:

Subject: **Relating to the Acceptance and Appropriation of Unanticipated Highway Revenue
Resolution R-2023-41**

Recommendation:

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends adoption of Resolution R-2023-41.

Attachments:

1. Resolution R-2023-41

Background:

Asst. City Manager/Public Works Director, Kurt Blomquist stated with respect to the prior discussion; he was hired as the Public Works Director in 1994 and he “topped” out in 1999. His duties now are greatly different to what he was hired to do in 1994. He encouraged council’s support of what is being requested by the Manager and HR Director.

Mr. Blomquist went on to say the item before the committee tonight is a resolution to accept some unanticipated revenue as part of the state budget. The state combined several bills dealing with highways. The state has approximately \$10 million in extra funding which is being provided to municipalities as their portion of distribution for the gas tax. Keene is receiving approximately 12.5% of that number after the state retains 35%. The City will be receiving about \$190,000 in revenue for performing road work. The only restriction is that it cannot be used for locally budgeted and approved funds for road maintenance. The intent is to place these funds in the road and sidewalk capital reserve to fund future road projects.

Councilor Madison asked whether these funds could be used for lighted crosswalks in areas like Washington Street and Court Street. Mr. Blomquist stated it could be, but suggested the funds be placed in the capital reserve first and in FY26 the council can determine how to utilize the funds.

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

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends adoption of Resolution R-2023-41.

Mr. Blomquist thanked the committee for support of his position.



CITY OF KEENE

In the Year of Our Lord Two Thousand and Twenty Three

A RESOLUTION Relating to the Acceptance and Appropriation of Unanticipated Highway Revenue

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

WHEREAS, the New Hampshire State Legislature passed and the Governor signed House Bill 2 (HB 2) as part of the 2023 legislative session; and,

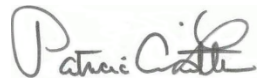
WHEREAS, HB 2 provides for a total of \$10 Million in payments to municipalities, to be distributed based upon the NHDOT's "Apportionment A" distribution formula; and,

NOW, THEREFORE, BE IT RESOLVED that the Sum of \$132,950.16 be accepted as a one-time payment from the State of New Hampshire pursuant to House Bill 2; and further,

That said Sum of \$132,950.16 be appropriated to the Road and Sidewalk Infrastructure Capital Reserve.

George S. Hansel, Mayor

In City Council December 7, 2023.
Referred to the Finance, Organization
and Personnel Committee.


City Clerk



CITY OF KEENE NEW HAMPSHIRE

ITEM #K.3.

Meeting Date: December 21, 2023
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: Relating to the Appropriation of Funds for the Master Plan Update Project Resolution R-2023-42

Recommendation:

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends adoption of Resolution R-2023-42.

Attachments:

1. Resolution R-2023-42

Background:

Ms. Brunner explained Resolution R-2023-42 is asking for \$110,000 from the unallocated general fund balance. She added the \$90,000 was split between two years; in FY 24 it was \$50,000 and in FY25 it would be \$40,000. Another \$70,000 is required to get to the \$160,000. To complete the contract all at once, staff is requesting \$110,000 of which \$40,000 will be removed from the CIP.

Councilor Remy asked to see a copy of the two proposals before this item got before Council so the committee can review what the City is getting for \$160,000.

Councilor Lake asked whether this would be a one or two year contract. Ms. Brunner stated it would be a two year contract, but staff's goal is to get it completed in 18 months.

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

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends adoption of Resolution R-2023-42.

Councilor Lake stated this is a large sum of money that is being spent and felt it was prudent that the item be referred to Council for further discussion to clarify what the City will be getting for the \$160,000. Councilor Remy felt this issue needs to be hi-lited to the Council for next week.



CITY OF KEENE

In the Year of Our Lord Two Thousand and Twenty Three

A RESOLUTION Relating to the appropriation of funds from the Unallocated General Fund Balance in the amount of \$110,000 for the Master Plan update project

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

WHEREAS: The City has a long history of conducting thoughtful and proactive planning supported by an active and engaged citizenry; and

WHEREAS: The City of Keene Comprehensive Master Plan was adopted in 2010 with the support of the greater Keene Community, City Council, and the Planning Board to provide guidance for city-wide growth and development, investments, public policy, and land use decisions; and

WHEREAS: The State of New Hampshire, RSA 674:3 recommends revisions to the Master Plan every 5 to 10 years, and it has been 13 years since the City of Keene Master Plan was last updated; and

WHEREAS: A capital project in the amount of \$50,000 in fiscal year 2024 was approved through the capital improvement program process and adopted through the City of Keene operating budget process to update the Master Plan; and

WHEREAS: Due to increases in costs affecting pricing for consultant services, the project is \$110,000 underfunded.

NOW, THEREFORE, BE IT RESOLVED by the City Council that the use of unassigned General Fund Balance in the amount of one hundred ten thousand dollars (\$110,000) be used to fund the appropriation for the additional cost of consultant fees for the Master Plan update.

George S. Hansel, Mayor

In City Council December 7, 2023.
Referred to the Finance, Organization
and Personnel Committee.


City Clerk



CITY OF KEENE NEW HAMPSHIRE

ITEM #K.4.

Meeting Date: December 21, 2023
To: Mayor and Keene City Council
From: Elizabeth Fox, ACM/Human Resources Director
Through: Elizabeth Dragon, City Manager
Subject: In Appreciation of Kürt D. Blomquist Upon His Retirement
Resolution R-2023-43

Recommendation:

That Resolution R-2023-43 be adopted by the City Council.

Attachments:

1. R-2023-43 Blomquist Retirement

Background:

Mr. Blomquist retires from the Parks, Recreation and Facilities Department effective December 30, 2023, with just over 30 years of service.



CITY OF KEENE

In the Year of Our Lord Two Thousand and Twenty Three

A RESOLUTION In Appreciation of Kürt D. Blomquist Upon His Retirement

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

WHEREAS: Kürt D. Blomquist began his career with the City of Keene 1 November 1993 as Deputy Director/Utilities Manager; was promoted to Public Works Director 19 December 1994; was appointed by City Council as the City's Emergency Management Director 4 June 2015; and added the responsibilities of Assistant City Manager 27 December 2021; and

WHEREAS: As visionary leader of the City's largest department with an encyclopedic memory for all things "infrastructure," his career has been dedicated to enhancing our community's quality of life in an efficient, sustainable and effective manner, overseeing innovative projects in multiple areas with his analytical approach, sound judgment, impeccable attention to detail, and abilities to take calculated risks and juggle competing deadlines; and Kürt is leaving a lasting impact that will be felt for decades to come; and

WHEREAS: He has helped lead the way towards a greener community, planning and incorporating innovative resource re-use, energy savings, and carbon-reducing elements to his projects and purchasing for decades as the City reduced its carbon footprint by 25% between 1995 and 2015, as well as oversaw realization of the methane collection system at the former landfill that provides power to the Transfer/Recycling Center; and

WHEREAS: His crucial problem-solving skills have benefited City projects, some of which include planning and constructing the City's multi-use trail network, developing the Tax Increment Financing approach to support corporate park development and infrastructure, managing the 500-year rainfall event of 2005, devising a multi-department snow/ice control operations plan, supporting roundabouts for traffic efficiency, implementing an asset-management style Fleet Equipment Replacement Program, co-authoring the City's Public Art Policy, and streamlining the department's system for endless work orders; and

WHEREAS: He introduced Infrastructure Report Cards in 1999 to evaluate City assets; he reconstructed three of the City's gateway streets; he initiated a public engagement process that brings together the community for conversations on a number of critical projects; and, recognizing that infrastructure projects have a significant impact on neighborhoods, he developed our *Complete Streets Design Guidelines* to improve overall quality of life and to increase private property values and investment; and

WHEREAS: Kürt's passion for community service and his spirit of collaboration have enhanced his participation in activities such as the annual *Fourth Grade Drinking Water Science Fairs* since 1997, annual *Green Up Keene* events, Partner City Committee cultural exchanges, annual Pumpkin Festivals, Clarence DeMar Marathons, Citizens Appreciation Nights and Community Nights; *Business to Business Expos*, and Keene State College parent tours—among many; and

WHEREAS: A tireless advocate for the public works profession amid the everchanging environment of regulations, citizen demands, and community concerns, Kürt has been instrumental in overseeing the development of his professional staff in their role as First Responders, as well as that of students and other public works and emergency management professionals and helped found the New Hampshire Public Works Mutual Aid system; and he was awarded the American Public Works Association's *Professional Manager of the Year* in 2016 and *Top Ten Public Works Leader* in 2019; and

WHEREAS: Kürt retires 30 December 2023, with just over 30 years of honorable service to the City;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of Keene hereby extends its sincere thanks to Kürt D. Blomquist for his dedication to the City of Keene and the Monadnock Region and wishes him the very best for his retirement years; and

BE IT FURTHER RESOLVED that a copy of this Resolution, properly engrossed, be presented to Kürt in appreciation of his years of service to the City of Keene.



CITY OF KEENE NEW HAMPSHIRE

ITEM #K.5.

Meeting Date: December 21, 2023
To: Mayor and Keene City Council
From: Elizabeth Fox, ACM/Human Resources Director
Through: Elizabeth Dragon, City Manager
Subject: **In Appreciation of John Milledge Upon His Retirement
Resolution R-2023-44**

Recommendation:

That Resolution R-2023-44 be adopted by the City Council.

Attachments:

1. R-2023-44 Milledge Retirement

Background:

Mr. Milledge retires from the Parks, Recreation and Facilities Department effective December 29, 2023, with over 33 years of service.



CITY OF KEENE

In the Year of Our Lord Two Thousand and Twenty Three

A RESOLUTION In Appreciation of John Milledge Upon His Retirement

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

WHEREAS: John Milledge began his career with the City of Keene's Public Works Department on September 17, 1989, as Temporary Recycling Help and became a Recycler I on August 3, 1990; was promoted to Motor Equipment Operator I at Parks, Recreation and Cemeteries on November 19, 1990; holding the dual role there of Motor Equipment Operator I and Maintenance Aide II as of April 1, 1996; returned to Solid Waste as a Recycler I / Gate Attendant on June 12, 1997; moved to Recycler I on July 6, 1998; was promoted to Recycler II on May 7, 2001; reverted to what now is Parks, Recreation and Facilities on March 10, 2003, as Motor Equipment Operator I; and has maintained the position of Maintenance Aide II since December 14, 2006; and

WHEREAS: Having excellent knowledge and skills in all aspects of cemetery operations, John is an outstanding employee who daily demonstrates pride in his job by producing consistent first-rate quality work; going above and beyond his responsibilities; always acting within his best judgment of a situation; and prioritizing situations and activities so that work flows smoothly; and

WHEREAS: He does an excellent job incorporating short-term objectives into the long-term goals for the cemeteries, always willing to listen to ideas and putting personal thoughts aside to act in the best interest of the City and the general public; and, having been an active member of the New Hampshire Cemetery Association, is an integral part of the professionalism leading the City of Keene to be considered one of the top cemetery systems in the state as he deals with funeral personnel, the vault company, monument companies, and others; and

WHEREAS: As one of two regular employees covering eight cemeteries, John often works alone and is interrupted regularly, but he enjoys these interactions and always puts others first on a moment's notice with outstanding communication—whether someone needs a specific burial location or general information or is stuck in the snow at an outlying trail parking lot—and treats those who are grieving with empathy and dignity and holding all customer information in strict confidence; and

WHEREAS: Very adaptable and able to handle pressure calmly, John communicates well with team members regarding the task status, is always ready to join any effort to complete a project, is very good at solving problems as they arise, leads by example as he serves as point person for summer seasonal staff; and is credited with helping to develop the new winter snow / ice control operations plan; and

WHEREAS: With the cemetery business going through major changes as an industry and changing the way we do business, John always has been open to suggestions and to learning new skills and techniques about the profession and has contributed ideas and suggestions as we undergo this transition and is willing to flex his schedule as cemetery workload dictates; and

WHEREAS: Aware at all times of safety issues with every aspect of his job either in the shop and out in the field, John always checks his equipment—which he maintains strictly—and, very aware of the risk of accidents, he ensures his worksites are safe for both himself and others, avoiding situations and shortcuts that could put anyone or any property at risk of injury or damage; and

WHEREAS: Through his efforts, John earned an individual Employee Achievement Award in 2001 as well, and was nominated by his peers as part of a group Employee Achievement Award in 2015; and

WHEREAS: John retires 29 December 2023, with just over 33 years of honorable service to the City;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of Keene hereby extends its sincere thanks to John Milledge for his dedication to the City of Keene and wishes him the very best for his retirement years; and

BE IT FURTHER RESOLVED that a copy of this Resolution, properly engrossed, be presented to John in appreciation of his years of service to our community.



CITY OF KEENE NEW HAMPSHIRE

ITEM #K.6.

Meeting Date: December 21, 2023
To: Mayor and Keene City Council
From: Elizabeth Fox, ACM/Human Resources Director
Through: Elizabeth Dragon, City Manager
Subject: In Appreciation of Diane M. Theall Upon Her Retirement
Resolution R-2023-45

Recommendation:

That Resolution R-2023-45 be adopted by the City Council.

Attachments:

1. R-2023-45 Theall Retirement

Background:

Ms. Theall retired from the Police Department effective December 8, 2023, with over 35½ years of service.



CITY OF KEENE

In the Year of Our Lord Two Thousand and

Twenty-Three

A RESOLUTION

In Appreciation of Diane M. Theall Upon Her Retirement

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

WHEREAS: Diane M. Theall joined the City 14 March 1988 as Account Clerk I in the Finance Department, specializing in ambulance billing; and was promoted to Office Manager at the Keene Police Department 14 November 1988; and

WHEREAS: With her technical and managerial skills complimented by her historical knowledge of the department, Diane led by example to ensure that the Records Bureau met all its time-sensitive requirements under law, provided excellent customer service to the thousands of citizens a month with whom they had contact in person or by telephone—with not a single complaint about their service received during multiple years; and she consistently enhanced her personal, professional, and leadership skills through trainings; and

WHEREAS: Her excellent planning and time management efforts ensured that the Bureau met expected high standards and that the timelines required by the County Attorney's Office, the Circuit and Superior Courts, internal procedures, and other statutory guidelines were met or exceeded—even as workloads increased—and that smooth shifting from one assignment to another did not sacrifice the quality of their work; and

WHEREAS: Whether billing or purchasing, Diane ensured that the finances for which she was responsible extended as far as possible—conducting research that saved the department thousands of dollars annually, that she used the software available to enhance administrative productivity for as many in the department as possible, that she kept ahead of continual changes to multiple software systems, and that safety reports mandated for injuries or property damage were filed timely to avoid fines; and

WHEREAS: Very open to the many changes and challenges the department faced over the decades, eliciting open communication from others, and having extremely good long-range vision, Diane took a proactive approach to issues impacting her operations, kept staff members up to date on changes required in administrative procedures, gave them opportunities to be part of the decision-making process, solicited their ideas for the betterment of processes, removed obstacles to empower them for successful decisions, and continuously worked on team building and cross training; and

WHEREAS: Continually seeking and recommending suggestions for organizational improvements regarding the Bureau's work area and equipment, as well as excelling at tracking goals that fell under her purview, some of Diane's significant achievements include instituting a new long-term goal of a 30-day turnaround for completion of Discoveries; being instrumental in development and successful implementation of the State's pilot program, Felonies First; introducing a lean and efficient records management system that reduced the time required from which to recover its data and to maintain going forward; playing a key role in the development of a series of forms to simplify and expedite work for field officers; assisting to create performance evaluation forms and processes to meet both KPD and CALEA standards; implementing a process to more quickly provide field officers with equipment, uniforms, identification, and supplies; assisting with the move to and setup of the current facility; reorganizing department archival records; setting up a new cash receipting system; and coordinating vest recalls; and

WHEREAS: Diane retired 8 December 2023, with over 35½ years of honorable service to the City;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of Keene hereby extends its sincere thanks to Diane M. Theall for her dedication to the City of Keene and wishes her the very best for her retirement years; and

BE IT FURTHER RESOLVED that a copy of this Resolution, properly engrossed, be presented to Diane in appreciation of her years of service to our community.

George S. Hansel, Mayor