City of Keene
New Hampshire

KEENE CITY COUNCIL
Council Chambers, Keene City Hall
May 5, 2016
7:00 PM

Roll Call
Pledge of Allegiance
Minutes of Preceding Meeting

HEARINGS/PRESENTATIONS/PROCLAMATIONS

1. **ELECTIONS/NOMINATIONS/APPOINTMENTS/CONFIRMATIONS**
   A. Confirmation – Conservation Commission

2. **COMMUNICATIONS**
   A. Kevin Dremel – Request to Use City Property – Keene Music Festival – Community Event
   B. John MacLean – Resignation – Partner City Committee
   C. Walter Lacey – Renaming of the "North Bridge" to the "Vietnam Veterans Bridge"

3. **REPORTS**
   A. COUNCIL COMMITTEES
   1. Periodic Report – Ashuelot River Park Advisory Board – MSFI COM
   2. Lighting Project – Commercial Street Parking Lot – MSFI COM
   3. Request to Discharge Fireworks – Swamp Bats – PLD COM
   4. Request to Use City Property – Big Brothers Big Sisters – PLD COM
   5. Request that the City Council Take a Position on the Kinder Morgan Pipeline – PLD COM
   6. Large Gathering Ordinances – PLD COM
   7. NH Department of Justice Case #20155117214 - FOP COM
   8. SCA Trails Crew – FOP COM

   B. CITY OFFICERS AND DEPARTMENTS
   1. General Comments –City Manager

   C. BOARDS AND COMMISSIONS

   D. MORE TIME
   1. Street Lighting – Ralston Street – MSFI COM
   2. Driveway Permit Exceptions – MSFI COM
   3. Removal of Granite Curbing – West Side of Central Square – MSFI COM
   4. Donation of Property – Off Pearl Street – FOP COM
   5. Request to Use City Property – Clarence DeMar Marathon – PLD COM

4. **ORDINANCES FOR FIRST READING**

5. **ORDINANCES FOR SECOND READING**

6. RESOLUTIONS

A. City Council Policy – Oaths of Office
   1. Report – FOP COM
   2. Resolution R-2016-16

B. Relating to the 2016/2017 Fiscal Year Budget
   1. Memorandum – Finance Director
   2. Resolution R-2016-17

C. In Appreciation of Robert F. Collinsworth Upon His Retirement
   1. Resolution R-2016-18

Non Public Session
Adjournment

A regular meeting of the Keene City Council was held Thursday, April 21, 2016. The Honorable Mayor Kendall W. Lane called the meeting to order at 6:30 PM. Roll called: Carl B. Jacobs, Janis O. Manwaring, Robert J. O'Connor, Terry M. Clark, Jay V. Kahn, Randy L. Filiault, Thomas F. Powers, Robert B. Sutherland, George S. Hansel, Stephen L. Hooper, Bettina A. Chadbourne, Philip M. Jones and Mitchell H. Greenwald were present. Councilors Gary P. Lamoureux and David C. Richards were absent. The Mayor took a moment to recognize newly elected Councilor Hansel's service. The Mayor continued that since 2016, Councilor Hansel began serving as Councilor-At-Large and serving on the Planning, Licenses and Development Committee. Councilor Hansel led the Pledge of Allegiance. A motion by Councilor Greenwald to accept the minutes from the April 7, 2016 meeting was duly seconded. The motion passed with a unanimous vote in favor.

INFORMATIONAL MEETING – NORTHEAST ENERGY DIRECT PIPELINE

Mayor Lane opened the meeting explaining it was originally scheduled to hear about the NED Pipeline (Kinder Morgan) that was scheduled to be constructed in the southern part of this County. Noting Kinder Morgan has suspended its plan for the pipeline, Mayor Lane pointed out there is still an issue remaining. Mayor Lane recognized Donald Kreis, from the Office of Consumer Advocate to address this issue.

Donald Kreis, Consumer Advocate from the Office of Consumer Advocate thanked the Mayor for the invitation to speak. Mr. Kreis reported along with his staff of four his office is tasked with representing the interests of residential utility customers before the Public Utilities Commission and various other forums. Mr. Kreis clarified the things he doesn't do 1) the statute says he has no authority to appear before the Site Evaluation Committee; so the question of whether a particular pipeline should be built in a particular place is not on his agenda, and 2) nor does the Office of Consumer Advocate represent any individual customers or landowners or even groups of customers or landowners. He continued their job is to look after residential utility as a whole; for the most part that means making sure the customers get safe and reliable service at the lowest possible cost. Mr. Kreis reported they argued unsuccessfully at the PUC that the so-called Market Path Agreement that the utilities entered into with the NED Pipeline (Kinder Morgan) was a bad deal for consumers. Last week the Office of Consumer Affairs filed testimony explaining why the so-called Supply Path Agreement a bad deal for consumers. He noted yesterday's news about the demise of the pipeline was welcomed and it was especially gratifying to us at the OCA because Kinder Morgan's stated reason for pulling the plug resonates nicely with the arguments they've been making. He continued basically too much capacity relative to the need for that capacity.

Mr. Kreis said now the OCA will pivot to the Access Northeast project, which Eversource's parent company owns 40% of. He continued it was one thing to ask, as Liberty Utilities did, that retail natural gas customers pay for any new gas pipeline capacity, but Eversource (formerly PSNH) wants electric customers to pay for 20 years' worth of new natural gas pipeline capacity. Eversource is finally nearing the end of a process that has taken 20 years to restructure the old PSNH into a new kind of electric utility that doesn't do electrical generation anymore; but rather is a company whose mission is to provide distribution services to consumers through poles and wires. Mr. Kreis asked why a "poles and wires" company would expect its customers to pay for fuel. Eversource claims it makes sense for customers because the availability of natural gas capacity will mean more natural gas for generators, lower electricity prices, and thus cheaper electricity for consumers.

Continuing, Mr. Kreis stated that on behalf of residential utility customers the Office of Consumer Advocacy is profoundly skeptical. Consumers have paid dearly for restructuring, stranded cost charges related to Seabrook; stranded cost charges related to long-term contracts and soon four hundred million dollars in stranded cost charges for a mercury scrubber at a coal plant that most of the time is rusting away. The whole idea of restructuring is to free consumers from the risks associated with these investments, in particular generation technologies that may or may not be in the money over the long run. Mr. Kreis said how ironic, unfair, and illegal it is to turn back restructuring by forcing electric distribution customers to double down on natural gas in such a fashion. Mr. Kreis advised the City Council and residents of Keene to be on their guard; unlike the Kinder Morgan pipeline, Access Northeast will not run through Cheshire County, but it will run straight through rate payer wallets.

Mayor Lane asked procedurally, where does that project stand at this point? Mr. Kreis replied Eversource has petitioned the PUC for approval of this arrangement that it has entered into, and they had a pre-hearing conference just last week. The first phase of the proceeding at the PUC will involve the legal question because the PUC said it's not certain that Eversource has the legal authority to move forward with this. The Office of Consumer Advocacy will argue they do not and the PUC will be making that determination as the first step in that process. If the PUC decided they do have legal authority to move forward then they move forward to a full-blown evidentiary process where his office will argue about whether it's in the public interest to go forward. Mayor Lane also asked for the timeframe in which the PUC would be acting on this. Mr. Kreis replied Eversource and its partner pipeline company is requesting an order by October 1, 2016. Mr. Kreis suggested this is unrealistic and thinks it will be more along the lines of the first quarter of 2017.

At this point Mayor Lane asked for Council questions.

Councilor Sutherland asked Mr. Kreis who the PUC answers to. Mr. Kreis explained there are three Commissioners who are appointed by the Governor and confirmed by the Executive Councils. The PUC itself is a creature of statute so it answers to the Legislature. Councilor Sutherland said so the group that brought this forward to the City Council should go through the proper representative process of our government and go through the Legislature. Mr. Kreis continued if he understands Councilor Sutherland comments correctly questions about the pipeline aren't within the purview of a municipal government, but municipalities do have a lot of persuasive authority.

Councilor Kahn inquired whether Mr. Krieis has approached the New Hampshire Municipal Association with regards to the position you just articulated; Mr. Kreis replied in the negative. The Councilor further inquired whether there has there been some financial analysis done to determine the extent to which rate increases versus private investment are fueling the project. Mr. Kreis answered in its filing Eversource claims that if everything goes as they predict there could be a net decrease in wholesale electricity prices New England wide of $8.00/per megawatt hour. They estimate consumer cost is about $4.00/per megawatt hour. Mr. Kreis provided the Eversource's estimated benefit of $8.00/per megawatt hour noting the benefits are not guaranteed and the Eversource projections have to pan out exactly as they have predicted. Essentially Eversource is asking for its customers to guarantee that $4.00/per megawatt hour or 4/10 of a cent per KWH. The question the PUC has to decide and the question Mr. Kreis has decided to oppose is whether to impose that charge on every Eversource customer. Mr. Kreis continued it's possible and even likely that other public utilities in New Hampshire are waiting in the wings to negotiate similar deals. Mr. Kreis added the demise of the NED Pipeline adds some momentum to the Access Northeast project.

Mayor Lane thanked Mr. Kreis for bringing this information forward. He then recognized Council Clark who originally brought the matter to Council. Mayor Lane asked Councilor Clark to explain the nature of his original request.

Councilor Clark thanked the Mayor and noted he was happy everyone was still here after the air was taken out of the balloon yesterday; adding it's not over. Councilor Clark said Mr. Kreis already said most of what he was going to say. Originally a number of citizens asked the City to take a position on the pipeline because of its effects on water aquifers and rights-of-way. He noted two issues that could be decided shortly that would set dangerous precedents. Councilor Clark addressed rate paired funding of private projects citing the Seabrook project (1970's and 1980's) as an example pointing out New Hampshire residents ended up with the highest electric rates in the country, which only started to abate a few years ago.

Continuing Councilor Clark said since the event of fracking in Pennsylvania there are estimates that New England is getting half its electrical power from natural gas. He noted there are several companies trying to push through projects to increase electrical generation with Kinder Morgan being just one of them. Councilor Clark referred to Mr. Kreis' comments regarding costs being passed along to the rate payers and the deregulation of producers and suppliers. Councilor Clark explained it was RSA 374-A that allowed rate payers to be charged for the shared costs of electrical generation. He continued some parts of the RSA were not changed after deregulation; and this is something the Legislators need to look at to ensure everything is the way it's supposed to be. Last week Eversource petitioned the PUC to allow them to purchase a certain amount of contracted gas coming from the fracking fields. If allowed, this will set a precedent. If the PUC allows Eversource to put the costs of that contract into rate payer's costs it will be difficult in future years for the PUC to deny anyone else.

Councilor Clark continued that he believes the City Council needs to inform the PUC that there are flaws in the law, and that the PUC erred when it concluded RSA 374-F justifies the gas purchases being a public interest and justifying cost recovery when it really doesn't. Councilor Clark said the city Council needs to protect rate payers not only Keene's rate payers but our neighbors; this is why he suggests separating all other issues whether or not you agree with the environmental aspects of the pipeline. This is the economic portion of it that is going to affect everybody and they need to tell the PUC that they don't want this. The bottom line; it just isn't right for rate payers to be footing the bill to guarantee a private investor's profit. In response to Councilor Clark, Mayor Lane noted there were no representatives here from Eversource; he added they withdrew after yesterday's announcement. Councilor Clark stated his question for

Eversource is was their precedent agreement with the owners of the Algonquin Pipeline affected by Kinder Morgan's decision to step away from the local pipeline. Councilor Clark said if Eversource still wants this agreement with Algonquin, and they aren't going to withdraw its request this will set a very dangerous precedent.

Councilor Clark concluded by noting Kinder Morgan said that its NED Project didn't receive the commitments from big customers it needed to proceed. He continued this indicates there is something wrong with the market forces, the need isn't there apparently. He referred to reporting in the Boston Globe indicating there are still other companies better situated financially than Kinder Morgan waiting to come forward. He reiterated his suggestion of telling the PUC they don't think it's fair for rate payers to be paying for a privately owned pipeline or infrastructure; they also need to reconsider the above mentioned sections of RSA 374.

At this point Mayor Lane opened the floor to the pubic noting the use of speaker cards that were filled out prior to the meeting.

Sarah Wilton, of 127 School Street noted a recent exhibit at the Cheshire County Historical Society on agriculture in this region. She reported our agricultural history goes back about 300 years; a noteworthy fact is that about 8.8% of the food in this region is coming from local agriculture. Ms. Wilton asked the Council to consider what the impact of this pipeline would be on our agricultural resources. She noted a policy in New England recognizing the vulnerability of its food systems which is helping to ensure secure local food systems. Ms. Wilton indicated about 700 acres per year are taken out of agriculture due to development. Ms. Wilton concluded by noting a pipeline would damage the scarce agricultural resources and pipeline leakages would put our food sources at risk. Ms. Wilton also pointed out local farms are an excellent resource for solar or wind power and any energy produced there could be sold back as a new cash crop to provide security not just for the farmers but for the region.

Stillman Rogers, Chairman of the Cheshire County Commissioners commented this development is something our community is not prepared for. As Chairman he constituted a committee called the Impacted Towns Committee; which consists of members of all the representative towns. Its goal is to anticipate issues that would arise if the pipeline was built. Commissioner Rogers also advised he is opposed to the pipeline and noted he felt it was important for the protection of the citizenry and the rights of the people that there be some foresight given to Ordinances and things of that nature that had to be drafted and enacted. Commissioner Rogers continued the NED Pipeline has been suspended, not withdrawn. It's not only the NED project but other projects of this nature that may come into our community; so it is a matter of having Ordinances in place so you can at least control what comes into your community. He noted the work done by the local Committee pointing out they have worked with the larger Committee that represents all 17 of the affected towns. Commissioner Rogers suggested all of the towns in the County should take a hard look at what's in place that needs to be for projects coming down the road, and what needs to be done in order to protect the citizenry.

Commissioner Rogers addressed the issue of taking private land for private purposes; the NED Project was positioned on the basis of taking private land for public purposes (provision of electric services). The stated reasons for Kinder Morgan's withdrawal are indicative of the fact that is not the real purpose of the NED Pipeline. The rationale behind NED was there was a drastic shortage of gas to supply the electric generators. Kinder Morgan was unable to justify this during the past two years. Commissioner Rogers said he would like to see the City and County work together on this and bring in representatives of the towns so they will be prepared. Commissioner Rogers also reported last week that the County Commissioners adopted a Resolution opposing the imposition of a tax on rate payers for this project; he wouldn't be surprised if the Commission doesn't do the same thing for the Access Northeast Project.

Jeff Scott, 45 Crowningshield Road, Chesterfield commented he spoke at his Town Meeting about this last month. He pointed out the pipeline wasn't coming to Chesterfield or Keene, but he wanted his town to go on record opposing the pipeline with its neighbors. He decided not to make it a referendum on fossil fuels or fracking. Mr. Scott did speak to them about eminent domain, exporting, and the tariff on electric rate payers. He suggested they needed to send a message to Kinder Morgan or any other company wanting to put a pipeline through that they will not allow this to happen. Mr. Scott said Kinder Morgan is not saying the people's opposition had anything to do with their decision to withdraw, but he thinks it had a lot to do with it. He continued Keene coming out in opposition to this pipeline would help send a stronger message. Mr. Scott added the Town of Chesterfield voted almost unanimously to oppose the Kinder Morgan pipeline.

Dana Pinney, of Fitzwilliam thanked the Council for hearing those from other towns; he also said he understands you represent the tax payers of Keene but we are part of your community. The decisions you make in Keene do affect what we do in our communities. Mr. Pinney addressed the issue of eminent domain and the knowledge of the people fighting this issue. Mr. Pinney noted his involvement in the process since the beginning. Mr. Pinney noted he installed solar last year and since that time has produced 53 kilowatts of electricity; far exceeding his personal use. He noted the reconciliation every April with Eversource who pays him monthly for what he produced. Mr. Pinney stated he has to send them a check because he produced too much. Mr. Pinney said New Hampshire has the highest electric rates in the country and businesses are going to leave New Hampshire. Referring to electric bills he suggested the supply side is not higher than other parts of the country; it's the transmission part of the bill related to the infrastructure.

James Smart, of 26 Iceland Circle commented he was not initially opposed to the pipeline until he discovered the amount of land it would take and rate hikes that will be imposed by Eversource. Mr. Smart noted he thinks one of the reasons NED pulled out is the decrease in fuel prices. Mr. Smart also commented if the people of Massachusetts thought this was a good thing they would have kept it down there. Mr. Smart joins Councilor Clark and the others present in their opposition of this project.

Representative James W. McConnell, who represents the Towns of Swanzey and Richmond, noted he is very active in the Legislature to block the efforts of the pipeline. Representative McConnell reiterated his testimony provided at the PLD Committee meeting on March 23, 2016. Representative McConnell commented he is pleased Kinder Morgan has suspended their effort but expects they will come back. Representative McConnell reiterated findings on Kinder Morgan's financial status suggesting if they have to pay for the pipeline it won't be built. Addressing the rate increases, Representative McConnell said the way they would pay for this pipeline over the next 20 years would be tariffs on everyone's electric bills. On February 9, 2015 the Industrial Energy Consumers of America filed to block the export permits with the Department of Energy. Representative McConnell also suggested another reason Kinder Morgan suspended the pipeline besides not having the commitment they needed is that the price of natural gas overseas has dropped significantly. After additional comments Representative McConnell said he would like to see this project permanently pulled. He would also like to see the City of Keene do something along the lines of what the Cheshire County Commissioners did in preparing a Resolution which was sent to the PUC indicating they didn't feel the electric rate payers in the State of New Hampshire should be required to provide funding for a speculative pipeline. Representative McConnell said it has been widely speculated that this was an export pipeline from the moment it was announced. Representative McConnell noted he has introduced a number of measures to ensure the rate payers are not stuck with this bill.

Toby Tousley, of 499 Washington Street said he is in favor of the pipeline and feels it's a shame it won't be coming to Keene and he would like to see the City Council remain neutral on this issue. He also feels it would be a mistake for Keene to speak out against it. Mr. Tousley listed the benefits the pipeline would have brought to Keene as follows 1) it would have saved the rate payers as much as half on their rates, and 2) it would have gone right up to the hospital which serves other communities as well as Keene. Mr. Tousley suggested there are some myths about the pipeline like the export deal and the rate charge; he also provided his rationale for these suggestions. The next myth Mr. Tousley addressed is the building of solar fields to supplement all of the fossil fuels. Mr. Tousley reported on his involvement to work on a solution for sustainable future generating plants not using fossil fuels. He noted it will take years before any electricity is generated from this solar farm. Concluding Mr. Tousley reiterated he hopes the Council will stay neutral on this and address it if and when it comes back.

Patricia Martin, of 17 Sparrow Road, Rindge said she wanted to give a simple explanation from a rate payer's perspective. Since 2011 she has been buying her electric from a competitive supplier and has never paid more than $60/month on her electric bill. If the rate payer tariff goes through she still has a 20-month contract with Fair Point Energy for 8.9 cents/per kilowatt hour (100% wind power). Ms. Martin said she won't see any drop in her energy supply costs because she has this fixed contract; this affects 25% of the rate payers. All she will see is an increase on the delivery side reflecting the tariff. Ms. Martin said the pipelines have never been able to help us with the delivery side which is now about 60% of our bill; they can only help on the supply side and they can only help with the wholesale electricity prices which have dropped to about two or three cents per kilowatt hour. She suggests this indicates our electricity prices have already dropped much more than any of the pipeline proposals are forecasting. Ms. Martin said she hopes the Council will come out with a Resolution against the rate payer tariff.

Mayor Lane noted that concludes the speakers for this evening and asked Mr. Kreis if he had anything additional to add. Mr. Kreis commended Councilor Clark on his research noting he had one correction to make. Last year the PUC conducted a generic investigation into the question whether it is permissible and in the public interest for electric distribution companies to enter into arrangements like this for firm natural gas capacity with pipelines. Although the staff of the Commission files at least one, if not two memoranda suggesting that is in fact consistent with New Hampshire Law (citing RSA 374-A), the Commission itself has reserved judgement on that question. They closed that investigation in January with an order saying they would make no ruling on any of the legal questions until they had a specific proposal before it. That specific proposal is now before the PUC in docket DE16241; the Commission will make the decision on the question whether or not this is consistent with New Hampshire Law. The position of the Office of Consumer Advocacy is this is not permissible under New Hampshire Law and even it permissible it is pre-empted by Federal Law and therefore impermissible under Federal Law. Mr. Kreis concluded that question remains to be determined; adding if necessary they will argue that point before the New Hampshire Supreme Court.

Mayor Lane closed the meeting at 7:36 PM noting written testimony can be submitted to the City Clerk's office until next Tuesday. Mayor Lane said he was taking the PLD report dated March 23, 2016 off the table and was referring it back to the PLD Committee for their further consideration and recommendation to the Council.

A true record, attest:

City Clerk

NOMINATION

The following nomination to City boards and commissions were received from the Mayor: Andrew Madison as a regular member to the Conservation Commission for a term to expire December 31, 2018. The confirmations will occur at the next regular meeting.

COMMUNICATION – KEVIN WATTERSON/SWAMP BATS – REQUEST TO DISCHARGE FIREWORKS

A communication was received from Kevin Watterson on behalf of the Swamp Bats, requesting to discharge fireworks on two separate dates of Wednesday, June 22, 2016 and Sunday July 3, 2016. The communication was referred to the Planning, Licenses and Development Committee.

COMMUNICATION – ALISON WELSH – RESIGNATION – AGRICULTURAL COMMISSION

A communication was received from Alison Welsh resigning from her position on the Agricultural Commission. A motion by Councilor Greenwald to accept the resignation with regret and appreciation for service on the board was duly seconded. The motion passed with a unanimous vote in favor.

COMMUNICATION – GREGG BURDETT/BIG BROTHERS BIG SISTERS – REQUEST TO USE CITY PROPERTY – STILETTO SPRINT

A communication was received from Gregg Burdett, from Big Brothers Big Sisters, requesting to use City property to close Railroad Street on Saturday, September 17, 2016 for the annual

Stiletto Sprint. The communication was referred to the Planning, Licenses and Development Committee.

COMMUNICATION – ALAN STROSHINE/CLARENCE DEMAR MARATHON – REQUEST TO USE CITY PROPERTY – COMMUNITY EVENT

A communication was received from Alan Stroshine on behalf of the Clarence DeMar Marathon, requesting to use City property on Sunday, September 25, 2016 for the Annual Clarence DeMar Marathon and DeMar Half Marathon. The communication was referred to the Planning, Licenses and Development Committee.

COMMUNICATION – MICHAEL KAPILOFF – DONATION OF PROPERTY – OFF PEARL STREET

A communication was received from Michael Kapiloff, trustee of the Charlotte R. Kapiloff Trust, requesting to donate property located off Pearl Street. The communication was referred to the Finance, Organization and Personnel Committee.

COMMUNICATION – COUNCILOR LAMOUREUX – LIGHTING PROJECT – COMMERCIAL STREET PARKING LOT

A communication was received from Councilor Lamoureux, requesting funds from the Downtown Infrastructure Capital Reserve be allocated to complete the lighting project in the Commercial Street parking lot. The communication was referred to the Municipal Services, Facilities and Infrastructure Committee.

COMMUNICATION – COUNCILOR JONES – STREET LIGHTING – RALSTON STREET

A communication was received from Councilor Jones, requesting that staff recommend options for street lighting on Ralston Street. The communication was referred to the Municipal Services, Facilities and Infrastructure Committee.

MSFI REPORT – EXEMPTION FROM SEC. 70-135 – 27 BAKER STREET

Municipal Services, Facilities and Infrastructure Committee report read recommending the City Engineer's memorandum be accepted as informational. The report was filed as informational.

MSFI REPORT – REMOVAL OF GRANITE CURBING – WEST SIDE OF CENTRAL SQUARE

Municipal Services, Facilities and Infrastructure Committee report read recommending granting the application for a second driveway at 27 Baker Street. A motion by Councilor Manwaring to carry out the intent of the report was duly seconded. The motion passed with 12 voting in favor and Councilor Chadbourne opposed. The Mayor referred back the issue of the driveway permit exceptions to the Municipal Services, Facilities and Infrastructure Committee in order to consider potential ordinance amendments.

MSFI REPORT – ROAD REHABILITATION – 2016 AND BEYOND

Municipal Services, Facilities and Infrastructure Committee report read recommending the "Roadway Rehabilitation – 2016 and Beyond" report be accepted as informational. The report was filed as informational.

PLD REPORT – DEMOLITION REVIEW ORDINANCE

Planning, Licenses and Development Committee report read recommending the report regarding the demolition review ordinance with respect to Councilor Clark's communication be accepted as informational. The report was filed as informational.

PLD REPORT – PERIODIC REPORT – HERITAGE COMMISSION

Planning, Licenses and Development Committee report read recommending this report from the Heritage Commission be accepted as informational. The report was filed as informational.

PLD REPORT – USE OF CITY PROPERTY – DUCK RACE

Planning, Licenses and Development Committee report read recommending the Keene Lions Club be granted permission to use City property on July 9, 2016, to conduct the Annual Great Ashuelot River Duck Race, and permission to use a bay at the Public Works Garage to sort and count ducks on a date to be determined with City staff, subject to the following conditions: subject to the customary licensing requirements of the City Council, and compliance with any requirements of City staff. In the event of inclement weather, the event may be postponed to a future date to be determined in conjunction with City staff. A motion by Councilor Jones to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

PLD REPORT – HOURS OF OPERATION – HAWKING AND PEDDLING

Planning, Licenses and Development Committee report read recommending the request of Raymond Lindsey to extend his operating hours by opening early at 7:00 AM on a daily basis be granted at the designated vending spot on Railroad Square. The permission is granted for the license period ending April 1, 2017. A motion by Councilor Jones to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

FOP REPORT – ACCEPTANCE OF DONATION – PLANNING DEPARTMENT

Finance, Organization and Personnel Committee report read recommending the City Manager be authorized to do all things necessary to accept a donation of $375.00 and that this money be used to send a staff person to the NERETA Talent Pipeline Strategic Alignment Summit in April 2016. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

FOP REPORT – ACCEPTANCE OF DONATIONS – PARKS, RECREATION AND FACILITIES DEPARTMENT

Finance, Organization and Personnel Committee report read recommending the City Manager be authorized to do all things necessary to accept donations of a two-grave cemetery lot in Section J of Monadnock View Cemetery, a donation of $300.00 from the Cheshire Kennel Club for equipment in Wheelock Park, a donation of a foosball table from Russ Thompson to be used in the Recreation Center game room for public use, and a donation of $100.00 to be used by the Parks, Recreation and Facilities Department and a donation of $185 collected at the Easter Sunrise Service to be used for improvements at the Sumner Knight Chapel. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

FOP REPORT – ACCEPTANCE OF TRAVEL GRANT – PUBLIC WORKS AND PLANNING DEPARTMENS

Finance, Organization and Personnel Committee report read recommending the City Manager be authorized to do all things necessary to accept travel grants from Antioch University Center for Climate Preparedness and Community Resilience for travel and conference expenses for the Public Works Director and the Planning Director/ Assistant City Manager for their attendance at the 2016 Local Solutions: Eastern Regional Climate Preparedness Conference. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

FOP REPORT – LEGISLATIVE PROCESS

Finance, Organization and Personnel Committee report read recommending accepting the communication from Councilor Hansel regarding the legislative policy as informational. The report was filed as informational.

FOP REPORT – REFUND PARTIAL PAYMENT OF DEEDED PROPERTY

Finance, Organization and Personnel Committee report read recommending an order be issued upon the town treasurer to refund the partial payments made on properties located at 270 Beaver Street and 9 Martin Street that have been deeded to the City. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

FOP REPORT – LAND USE CODE UPDATE – CONSULTANT SELECTION

Finance, Organization and Personnel Committee report read recommending the City Manager do all things necessary to negotiate a professional services contract with Town Planning Urban Design Collaborative for planning services for the first phase of the Land Use Code Update project. In the event that a satisfactory contract and fee cannot be agreed upon, the City Manager is authorized to negotiate with the next highest ranked firms in turn. A motion by Councilor

Greenwald to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

FOP REPORT – CHESHIRE RAIL TRAIL III - LOOP PROJECT DESIGN

Finance, Organization and Personnel Committee report read recommending the City Manager be authorized to do all things necessary to negotiate and execute a contract with the firm Clough Harbor and Associates (CHA) for engineering services for the Cheshire Rail Trail III project in the amount not to exceed $60,000 and should negotiations fall through, enable the City Manager to negotiate with the next highest ranked firms in turn. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded. The motion passed with 12 voting in favor and Councilor Sutherland opposed.

FOP REPORT – 2014 INFRASTRUCTURE PROJECT – CHANGE ORDER #4

Finance, Organization and Personnel Committee report read recommending the City Manager be authorized to do all things necessary to execute Change Order No. 4 with SUR Construction West, Inc., in an amount not to exceed $108,849.28 for the 2014 Infrastructure Project. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

FOP REPORT – CHANGE ORDER – AIR MONITORING CONTRACT

Finance, Organization and Personnel Committee report read recommending the City Manager be authorized to do all things necessary to execute a change order with Loureiro Engineering for an amount not to exceed $59,591 for Contract 04-16-04, and further recommending the City Manager be authorized to do all things necessary to execute a professional services contract with the Lawson Group, to provide air monitoring and analytical services for an amount not to exceed $45,000. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

ASSISTANT CITY MANAGER – COMMENTS

The Assistant City Manager, Rebecca Landry announced that the Red Cross had requested a shelter to open at the Recreation Center due to fires in Stoddard. Anyone needing shelter can follow the Notify Keene Twitter feed or go to the City Website. They may also contact the Red Cross. The Assistant City Manager continued with Waste Management and Public Works hauled away 7,860 lbs. of trash. Several groups in addition to the 558 volunteers reported hauling the trash away themselves putting our estimated total at over 8,000 lbs. or 4 tons. Keene State had 143 volunteers and approximately 70 businesses and other groups signed up to adopt streets, trails and parks in Keene. The Assistant City Manager went on to announce on Saturday, April 30th the annual City of Keene Fourth Grade Water Science Fair at the Drinking Water Treatment Facility. She continued with the Police Department's Facebook page has reached 75,000 people in the month of March and had 25,000 engaged people. The Police Department also reported that Lieutenant McLaughlin has been awarded, this year's Police Lifetime Achievement Award from the New Hampshire Police Fire & EMS Foundation. Lt.

McLaughlin has over 38 years of service with the Police Department, and has been assigned to the Department's Bureau of Criminal Investigations for approximately 30 of those years and is currently the Bureau Commander for the Investigations Unit. The Assistant City Manager commented Firefighters James MacLean and Daniel McKenna have been recognized by the New Hampshire Police, Fire & EMS Foundation at their 8th Annual Recognition Dinner. Both of them received Life Saving awards for their actions on December 19, 2015, during the Liberty Utilities Incident. They entered a building to locate the possible source of the odor and searched for any potential occupants requiring evacuation. Firefighter MacLean picked up a young unconscious woman and removed her from the building while Firefighter McKenna continued to search for any additional patients. The quick responses of Firefighters MacLean and McKenna were responsible for saving the life of the young victim. The Assistant City Manager stated as a testament to the caliber of personnel they have had the opportunity to bring on board in the Fire Department, she highlighted that Probationary Firefighter West has completed his certification and training for Paramedic. She went on about Probationary Firefighters Riley, Kay and Kiniry are finishing up their paramedic training. Paramedic training includes 416 hours of hospital clinical time in O.R., labor and delivery, ICU, E.R., Cardiology Cath lab and Psychiatric time. In addition, 240 hours of pre-hospital ride time. All of which is equivalent to 35 hours of college credit. The Assistant City Manager commented that the City, thru Andy Bohannon, Parks, Recreation and Facilities Director, has partnered with KSC architecture students for airport terminal design ideas. The students will be presenting their ideas on April 27th. The Assistant City Manager congratulated Kurt Blomquist, Public Works Director, for becoming the American Public Works Association's Professional Manager of the Year Award winner in Public Works Emergency Management for the year 2016.

MORE TIME

More time was granted by the Chair for the following item in Committee: Removal of Granite Curbing – West Side of Central Square.

PLD REPORTS AND ORDINANCE O-2016-03-A: RELATING TO CHANGE OF ZONE – KEENE PUBLIC LIBRARY ANNEX PARCEL

Planning, Licenses and Development Committee report read recommending the adoption of Ordinance O-2016-03-A. The report was filed as informational. A motion by Councilor Jones for adoption of the Ordinance was duly seconded. On roll call vote, with 13 Councilors present and voting in favor, the motion carried. Ordinance O-2016-03-A declared adopted.

FOP REPORTS AND ORDINANCE O-2016-07: RELATING TO CEMETERY FEES

Finance, Organization and Personnel Committee report read recommending the adoption of Ordinance O-2016-07. The report was filed as informational. A motion by Councilor Greenwald for adoption of the Ordinance was duly seconded. On roll call vote, with 13 Councilors present and voting in favor, the motion carried. Ordinance O-2016-07 declared adopted with an effective date of July 1, 2016.

FOP REPORTS AND RESOLUTION R-2016-09: CITY COUNCIL POLICY – COMPENSATION FOR CITY COUNCILORS

Finance, Organization and Personnel Committee report read recommending the adoption of Resolution R-2016-09. The report was filed as informational. Resolution R-2016-09: City Council Policy - Compensation for City Councilors was read for the second time. A motion by Councilor Greenwald for adoption of the Resolution was duly seconded. On a show of hands vote, with 13 Councilors present and voting in favor, the motion carried. Councilors Lamoureux and Richards were absent. Resolution R-2016-09 declared adopted.

FOP REPORTS AND RESOLUTION R-2016-07: LIBRARY PROJECT - TAX INCREMENT FINANCING DISTRICT

Finance, Organization and Personnel Committee report read recommending the adoption of Resolution R-2016-07. The report was filed as informational. Resolution R-2016-07: Further Modifying the District Boundaries of the Wells Street Parking Structures and Infrastructure Improvements Tax Increment Financing District was read for the second time. A motion by Councilor Greenwald for adoption of the Resolution was duly seconded. On a show of hands vote, with 13 Councilors present and voting in favor, the motion carried. Councilors Lamoureux and Richards were absent. Resolution R-2016-07 declared adopted.

FOP REPORTS AND RESOLUTION R-2016-10: RELATING TO APPLICATION FOR CDBG FEASIBILITY FUNDS

Finance, Organization and Personnel Committee report read recommending the adoption of Resolution R-2016-10. The report was filed as informational. Resolution R-2016-10: Approving an Application for CDBG Feasibility Funds was read for the second time. A motion by Councilor Greenwald for adoption of the Resolution was duly seconded. On a show of hands vote, with 13 Councilors present and voting in favor, the motion carried. Councilors Lamoureux and Richards were absent. Resolution R-2016-10 declared adopted.

MEMORANDUM AND RESOLUTION R-2016-16: COUNCIL POLICY: RELATING TO OATHS OF OFFICE

A memorandum was received from the City Clerk along with Resolution R-2016-16: Council Policy: Relating to Oaths of Office. The memorandum was filed as informational. Resolution R-2016-16 was read for the first time. The Resolution was referred to the Finance, Organization and Personnel Committee.

ADJOURNMENT

At 8:47 PM, there being no further business, the Mayor adjourned the meeting.

A true record, attest:

City Clerk

In City Council April 21, 2016.
Tabled until the next regular meeting.

City Clerk

1A

City of Keene
New Hampshire

April 19, 2016

TO: The Keene City Council

FROM: Kendall W. Lane, Mayor

SUBJECT: Nomination

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

CONSERVATION COMMISSION
Andrew Madison, Slot 1 — Term expires December 31, 2018
Keene, NH

2A

63 Emerald Street
#363
Keene, NH 03431
http://www.keenemusicfestival.org

May 25, 2016

The Honorable Mayor and City Council
Keene City Hall
3 Washington Street
Keene, NH 03431

Re: 16th Annual Keene Music Festival

The Keene Music Festival, in association with the Keene Downtown Group wishes to sponsor the 16th Annual Keene Music Festival on Saturday, September 3, 2016. The scheduled hours for performances and other activities are 9:00 AM until 10:30 AM.

As with the thirteen previous events, we are seeking permission to use the common area and bandstand in Central Square, Railroad Square and those sections of the following sidewalks that are located within the Downtown area: Main Street, Washington Street, and Gilbo Avenue. Musicians, merchants and city permitted restaurants will use the sidewalks. In no instance will a sidewalk be blocked in a manner that restricts pedestrian traffic. In addition to these locations, City Tire Company (124 Main Street), Lindy's Diner, Heberton Hall, as well as other possible downtown businesses, will also be designated as performance venues. We would like to request and reserve the use of parking metered spaces #'s 164, 166, 168, 170, 172, and 174 on Main Street in front of the City Tire Company. The Main Street metered spaces are being requested to serve as a staging area to allow the sound crew to prepare equipment to be set up in the City Tire Company parking lot; and could be opened for use later in the day. We are also requesting permission to set up an additional pop up tent on Central Square for a plen aire painting demonstration/sale coordinate with Art in The Park; which coincides with our event.

While we do not request that Railroad Street, from Main Street to the parking garage, be officially closed, we are asking that the Public Works Department please provide us with adequate barriers for that eventuality. If the Keene Police Department determines that there is a safety issue, we will close the street with the barricades. We are also requesting to place a stage at Lamson Street; in the area between Main Street and the sidewalk. We would request access to portable safety barriers to place at the entrance to Lamson Street to serve as a buffer between Main Street and the performers. The performance area would be designed to fit within the area between Main Street and the sidewalk adjacent to Lamson Street.

As with prior years, and in a manner consistent with community event protocol, we ask that the City please give due consideration to absorbing any additional cost of Police Officers and Fire Department Medical Personnel for the day. We are requesting that Police and Fire Department Personnel be detailed to the event between the hours of 11:00 AM and 10:30 PM.

As required, we will provide a $1Milion certificate of insurance to the City, and work closely with City staff to ensure that this is a safe and enjoyable event.

Our previous Music Festivals have always been a great success. There have been no public issues; the performances have been amazing, and the crowds' orderly. As in previous years, Keene Music Festival does not consider or accept outside vendor applications. We prefer to encourage our guests to explore local businesses and shops as they enjoy the music. Events such as this add to the vibrancy of our Downtown area and the City in general and help Keene to be the exceptional place that it is. We thank you in advance for your continued consideration and support.

Sincerely,

Kevin M. Dremel
Music Festival Director

2B

Dear Patty —

I regretfully must resign my place as a member of the Partner Ctg Committee.

[illegible]

4/26/16

2C

3 May 2016

Mayor and City Council
City of Keene, NH

Dear Sirs/Madams:

The construction of a second pedestrian bridge connecting trails to the south is a reminder of some unfinished business.

Almost four years ago the first bridge, to the west across Rtes. 9/10/12, was soon to be erected. The planning and construction name had been "North Bridge" but most agreed a more appropriate name was needed. I, and others who knew him, suggested remembering Peter Morrison, a son of Keene who was killed in Vietnam in 1967. Pete had grown up a stone's throw from the new bridge. Quite simply, this had been Pete's neighborhood and the opportunity to honor him and his sacrifice in that neighborhood seemed very fitting. Later, a formal naming process evolved and the City invited nominations. The process became confusing and controversial and eventually the City Council decided to retain "North Bridge" until a more appropriate name could be agreed on in the future.

My thoughts on naming the bridge have evolved and I propose expanding the tribute to honor <u>all</u> those who served in Vietnam. I am not aware of any such recognition existing in Keene. The bridge on lower Main Street (Rte. 12), over the Branch River, is named for Maj. Richard Ganley USAF, a Vietnam casualty, but no public honor exists for the men and women who simply served in that conflict. The Vietnam War took a huge toll of lives and the physical and emotional well-being of those who served. Sadly we often only learn of this service, sacrifice and in many instances extensive suffering when we read their obituaries.

In naming the bridge for Vietnam Veterans we have the opportunity to recognize and honor the service and sacrifice of <u>all</u> involved. Attaching highly visible Vietnam Service Ribbons, for those passing under or over the bridge to see, would be a very apt display of this recognition.

To that end, I respectfully ask that the Keene City Council consider re-naming the North Bridge, the Vietnam Veterans Bridge.

Sincerely,

Walter Lacey
230 Daniels Hill Road
Keene, NH

3A1

City of Keene
NEW HAMPSHIRE

April 27, 2016

TO: Mayor and City Council

FROM: Municipal Services, Facilities and Infrastructure Committee

SUBJECT: **PERIODIC REPORT - Ashuelot River Park Advisory Board**

By a vote of 5 to 0 the Municipal Services, Facilities, and Infrastructure Committee accepted the Ashuelot River Park Advisory Board report as informational.

Chairman/Designee

Background:

Mr. Bohannon introduced Bud Windsor, the Ashuelot River Park Advisory Board (ARPAB) Chair. Mr. Windsor stated that it is interesting to watch the park mature. It is 26 years old now. They are starting the next steps to make it a true arboretum. He continued that the ARPAB and Mr. Bohannon contracted with Bartlett Tree to do long overdue corrective pruning. The park is getting used for more events. It has become quite as an asset for the city. The ARPAB is charged with enhancing and maintaining the park for its present and future use, and the enjoyment and educational benefit. Regarding the educational benefit, they have inventoried most trees. They would like to tag all the trees with QR codes, which would give information about the tree when a person holds a smart phone up to it. They are trying to treat it more like the arboretum that it is, not just a general purpose park. They have had volunteer groups who help out, such as the LINKS program from Keene State College (KSC) and the Keene Lions Club. They hired a landscaper contract to do day to day maintenance, which is very helpful. The park is blossoming. It is a huge asset. There are some hot button issues, like the West Street Dam, that they are dealing with. There are also plans to develop the land next to the park. It has become more of a gem than he ever saw in 1990.

Mr. Bohannon stated that with regards to the adjoining land, the Ashuelot Greenspace group is looking to expand the park. As things develop staff will bring it forward. They are still in development stages.

Chair Manwaring asked how far back the park goes. Mr. Windsor replied the part they are talking about is the two acres by West Street. Mr. Bohannon stated that the arboretum is on West Street and the park extends all the way back on Rt. 12 and almost abuts the school district. All of that is designated as Ashuelot River Park. Mr. Windsor stated that the ARPAB concentrates on the arboretum.

Chair Manwaring asked if the trees in the back were inventoried. Mr. Windsor replied no, just the trees in the arboretum. Mr. Bohannon stated that the ARPAB's focus is the arboretum area, which pretty much goes to the boat landing/last bench by the start of the Jonathan Daniels Trail.

Chair Manwaring asked if the public had questions or comments. Hearing none, she asked for a motion.

Councilor Filiault made the following motion, which was seconded by Councilor O'Connor.

By a vote of 5 to 0 the Municipal Services, Facilities, and Infrastructure Committee accepted the Ashuelot River Park Advisory Board report as informational.

3A2

City of Keene
NEW HAMPSHIRE

April 27, 2016

TO: Mayor and City Council

FROM: Municipal Services, Facilities and Infrastructure Committee

SUBJECT: **COMMUNICATION – Councilor Lamoureux – Lighting Project – Commercial Street Parking Lot**

On a vote of 5-0, the Municipal Services, Facilities, and Infrastructure Committee recommends that the City Council give staff the authority to prepare a resolution to install lighting on the Commercial Street lot in construction season 2016.

Chairman/Designee

Background:

Councilor Lamoureux stated that the City Council voted last year to complete the rehabilitation of the Commercial Street parking lot. He continued that the parking lot has been completed; work was done last spring and summer. There was originally a small mill/shim/overlay project of just the travel lanes. The City Council along with the Parking Service and the Public Works Department brought forward an increased scope of work to pave those areas and remove the asphalt curbing and sidewalks and replace with concrete. The Commercial Street lot was also repaved and accessible parking was in place. The City Council also talked about the lighting situation. Another proposal was brought forward and the City Council voted to install conduits and bases during construction. That has been completed and they are ready to move forward with the next phase. There is street lighting with utility poles with overhead lines. The poles are aging and at least one is condemned and in need of replacement. If they are going to install poles in that area they should look at changing the project and putting lighting up, for the last phase of the project. Original pricing was about $99,000. Hamblet Electric did the lighting. They value engineered that and it is estimated at about $76,000 for the lighting and utility wiring.

Councilor Lamoureux continued that he checked with the Finance Department today. Based on what is in the Capital Improvement budget, they have $1,046,000 in the Downtown Infrastructure fund. Of that, $672,000 is allocated for some type of a parking structure in the Gilbo Avenue area. That leaves a little over $350,000.

It is time to install the new lighting this construction season. Eversource gave a new transformer proposal. They are ready to put their wiring underground. Also underground are the Time Warner and fire line conduits. This would eliminate the overhead wires in that area and the need for replacing those poles, which are unattractive. And again, they would have a better lighting plan. There will be new lighting on the side of the Colonial Theater; there is currently not a lot of lighting in that alley, which the theater uses often. That would install new lighting that matches the ornamental lighting that would be in that section.

Councilor Lamoureux continued that tonight he is asking for the committee to have a discussion about completing the lighting phase. They have the money reserved in the Downtown Infrastructure Reserve, which would entail City staff creating a resolution to allocate the money from that fund.

Councilor Hooper asked if they were to do something in 2016 versus 2017, would that keep the costs stable, or keep the costs below what they would be if they waited a year or two down the road? Councilor Lamoureux replied that they were able to hold the pricing for this coming year, because this pricing was from last year. He continued that Hamblet Electric works with Eversource regularly to make sure they have the right type of lighting that would be eligible for a rebate through Eversource. The City could apply for a rebate.

Mayor Lane stated that first, there is a policy question regarding whether the City Council wants to go forward with the issue of lighting in the Commercial Street parking lot. Second, there is the issue of how it will be paid for and which account it would come out of. If the MSFI Committee recommends that the City Council go forward, and the City Council agrees, he will refer this to the Finance, Organization, and Personnel (FOP) Committee and the FOP Committee will determine the financing. Maybe they would just fold it into the budget, or maybe do something else.

Councilor Lamoureux stated that the anticipation was that when a resolution came forward it would go to the FOP Committee. He continued that the Downtown Infrastructure Capital Reserves money is not tax money. It comes out of a separate account and which does not affect the tax base at all. There is $100,000 put in each year to the Downtown Infrastructure Capital Reserve to fund these types of projects.

Councilor Filiault stated that he has no problem looking at the project. He continued that however, the committee has had a proposal from a constituent asking for a minor curb cut and a proposal from another constituent asking for minor curbs to be moved, and both proposals have gone through the gamut. Now Councilor Lamoureux is asking to move up a *City* project, saying that it is "just a million dollars, no problem," after having just pointed out during the last agenda item that the City has a plan coming down the road so he does not want to do [the constituent's] project yet. Councilor Filiault continued that he thinks the committee and City Council would be better off if they listened to constituents as much as they listen to themselves. He wishes they would give constituents the decency, time, and reduced rhetoric that the City Council gives to City projects. That said, he has no problem with staff looking at this and reporting back.

Mr. Blomquist stated that the Commercial Street lot went through a series of review by the City Council in February 2015. That is where staff brought forward the concept of adding the lighting. There were two pieces - one, the cost for installing the underground conduit and pedestals; second, the cost for the lights. The estimates were $90,435 for the underground work and $95,700 for the lighting. At that point the City Council considered and approved the underground conduits and pedestals. Lighting was considered, but the City Council decided to only move forward with the underground. The FOP Committee minutes of February 19, 2015 say they would consider lighting later on. The current estimate is $95,700. The intent, if the committee recommends that the City Council move forward with lighting consideration, is that the Mayor would refer the matter to the FOP Committee to make sure the $95,700 is adequate.

Chair Manwaring asked if there is lighting there now. Mr. Blomquist replied that there is overhead lighting, rented from Eversource. That has been the light source on Gilbo Avenue east, across the street from Commercial Street, and it has been in place for at least 20 years in the Commercial Street lot. They maintained that lighting when they did the reconstruction, because the fixtures were not bought for the ornamental/downtown style lighting so they left the poles in place. The poles need to be looked at for replacement, as Councilor Lamoureux was saying. The intent of the City Council was to look at this in the reasonable future, to install ornamental-style lighting in that area.

Chair Manwaring asked if this is in the CIP. Mr. Blomquist replied not right now. He continued that if the FOP Committee says they should consider that, staff would insert it into the CIP. They could do it in what is being considered for fiscal year 2017, or insert it in the FY 2018-2023 CIP (which they will start putting together in 60 to 90 days), or, as Councilor Lamoureux indicated, there is the Downtown Infrastructure Capital Reserve, which is part of the TIF district that was established, and funding could come from there.

Chair Manwaring asked for comments from the committee or public. Hearing none, she asked for a motion.

Councilor Lamoureux made the following motion, which was seconded by Councilor O'Connor.

On a vote of 5-0, the Municipal Services, Facilities, and Infrastructure Committee recommends that the City Council give staff the authority to prepare a resolution to install lighting on the Commercial Street lot in construction season 2016.

3A3

City of Keene
NEW HAMPSHIRE

April 27, 2016

TO: Mayor and City Council

FROM: Planning, Licenses and Development Committee

SUBJECT: **COMMUNICATION: Swampbats - Request to Discharge Fireworks**

On a vote of 4-0, the Planning, Licenses and Development Committee recommends that the Keene Swampbats be granted permission for the discharge of display fireworks on the following dates: Wednesday, June 22 and Sunday, July 3 , 2016 on Alumni Field at no later than 10:00 PM subject to the customary licensing requirements of the City Council; submittal of a signed letter of permission from SAU 29 for use of their property; and obtainment of a Class B fireworks permit for each display date. In addition, the petitioner agrees to comply with all recommendations of the Keene Fire Department and the Keene Police Department. This permission is conditional upon the Petitioner absorbing the charges for any City services provided for the June 22 display. The Petitioner agrees to absorb the cost of any City services over and above any amount of City funding allocated in the FY 17 Community Events Budget for the July 3 display. Said payments shall be made within 30-days of the date of invoicing.

Philip M Jones
Chairman/Designee

Background:

Kevin Watterson of 10 Western Avenue addressed the annual request of the Keene Swampbats to host a Class B Fireworks display on two separate dates: Wednesday, June 22 and Sunday, July 3. He also noted these events would take place on Arch Street at Keene's Alumni Field immediately following the regularly scheduled Swampbats game at approximately 9:45 PM on those nights.

Vice-Chair Jones said July 3 is a Community Event (in-kind donation the City does with staff); he also clarified the Petitioner agrees to absorb any costs over and above that amount, to which Mr. Watterson agreed.

Vice-Chair Jones asked for questions/comments from the Committee.

Councilor Sutherland asked if this includes the fireworks that go off whenever there's a homerun. Mr. Watterson replied in the negative; adding this is no longer done.

Vice-Chair Jones asked Mr. Watterson if he would like rainout dates added. Mr. Watterson replied in the negative and advised the costs for doing that is almost prohibitive.

There being no further questions or comments from the Committee or public, Vice-Chair Jones asked for a motion.

Councilor Hansel made the following motion which was seconded by Councilor Chadbourne.

On a vote of 4-0, the Planning, Licenses and Development Committee recommends that the Keene Swampbats be granted permission for the discharge of display fireworks on the following dates: Wednesday, June 22 and Sunday, July 3 , 2016 on Alumni Field at no later than 10:00 PM subject to the customary licensing requirements of the City Council; submittal of a signed letter of permission from SAU 29 for use of their property; and obtainment of a Class B fireworks permit for each display date. In addition, the petitioner agrees to comply with all recommendations of the Keene Fire Department and the Keene Police Department. This permission is conditional upon the Petitioner absorbing the charges for any City services provided for the June 22 display. The Petitioner agrees to absorb the cost of any City services over and above any amount of City funding allocated in the FY 17 Community Events Budget for the July 3 display. Said payments shall be made within 30-days of the date of invoicing.

3A4

City of Keene
NEW HAMPSHIRE

April 27, 2016

TO: Mayor and City Council

FROM: Planning, Licenses and Development Committee

SUBJECT: **COMMMUNICATION: Big Brothers Big Sisters (BBBSNH) – Request to Use City Property – Stiletto Sprint**

On a vote of 4-0, the Planning, Licenses and Development Committee recommends that the City Council grant permission to BBBSNH to sponsor the annual *Stiletto Sprint* on September 17, 2016 from 3:00 PM to 6:00 PM with a "rain date" of September 18, 2016 should there be inclement weather. Said permission includes the use of Railroad Square and the closure of Railroad Street from Main Street to Wells Street and is subject to the customary licensing requirements of the City Council. In addition the Parking Division shall identify Railroad Street immediately adjacent to Railroad Square as a No Parking zone from the hours of 3:00 PM to 6:00 PM. This permission is conditional upon the Petitioner absorbing the charges for any City services provided, and compliance with any recommendations of City staff.

Philip M Jones

Chairman/Designee

Background:

Gregg Burdett of 8 Park Hill, Westmoreland, said the BBBSNH respectfully request approval to close Railroad Street on Saturday, September 17, 2016 from 3:00 PM – 6:00 PM for the Annual *Stiletto Sprint*. They are further requesting the following Sunday, September 18, 2016 for a rain date. Mr. Burdett further noted our Young Philanthropists for Mentoring (YP4M) Committee and BBBSNH staff will be organizing the *Stiletto Sprint* once again. The YP4M Committee is a group of young professionals who help raise financial support and awareness for Big Brothers Big Sisters of New Hampshire.

Vice-Chair Jones asked for questions/comments from the Committee.

Vice-Chair Jones noted he showed the motion to the Petitioner before the meeting and asked if the Petitioner agreed to all the terms. Mr. Burdett replied in the affirmative.

There being no questions/comments from the Committee or members of the public Vice-Chair Jones asked for a motion.

Councilor Chadbourne made the following motion which was seconded by Councilor Hansel.

On a vote of 4-0, the Planning, Licenses and Development Committee recommends that the City Council grant permission to BBBSNH to sponsor the annual *Stiletto Sprint* on September 17, 2016 from 3:00 PM to 6:00 PM with a "rain date" of September 18, 2016 should there be inclement weather. Said permission includes the use of Railroad Square and the closure of Railroad Street from Main Street to Wells Street and is subject to the customary licensing requirements of the City Council. In addition the Parking Division shall identify Railroad Street immediately adjacent to Railroad Square as a No Parking zone from the hours of 3:00 PM to 6:00 PM. This permission is conditional upon the Petitioner absorbing the charges for any City services provided, and compliance with any recommendations of City staff.

3A5

City of Keene
NEW HAMPSHIRE

April 27, 2016

TO: Mayor and City Council

FROM: Planning, Licenses and Development Committee

SUBJECT: **COMMUNICATION: Requesting that the City Council take a position on the Kinder Morgan Pipeline**

On a vote of 4-0, the Planning, Licenses and Development Committee recommends this Communication be accepted as informational.

Philip M Jones
Chairman/Designee

Background:

Vice-Chair Jones noted the pipeline item has been before this Committee and there was a public information meeting before the City Council. Vice-Chair Jones thanked Mayor Lane for his transparency. He continued noting public comment has been closed; however, City Councilors and staff can still speak to this issue. Vice-Chair Jones reported he asked the City Clerk to distribute copies of the Resolution from the County Commissioners which is included in the packet as informational. Vice-Chair Jones indicated he was not suggesting the Resolution be mimicked here.

Vice-Chair Jones asked for questions or comments.

Councilor Clark, with reference to the County Commissioner's Resolution, noted he is in favor of mimicking the letter to the Public Utilities Commission (PUC). He also urged the Committee to look closely at the letter when they are making a recommendation to City Council.

Councilor Hansel stated his understanding from the testimony received is that the PUC hasn't yet made a decision whether the rate charges are legal. If they do this could go into an appeals process. Councilor Hansel recommended letting that process unfold and consider weighing in after that legal process plays out. He recommended this Communication be reported out as informational.

Vice-Chair Jones addressed the City Attorney asking whether we call the Kinder Morgan Pipeline item a public hearing or workshop. The fact that the Mayor set a deadline for comments means the public hearing over, correct. The City Attorney replied in the affirmative adding it is the Mayor's prerogative.

Councilor Chadbourne asked if the County Commissioner's letter was written before Kinder Morgan made the decision to suspend the pipeline. Councilor Chadbourne noted she believed was. Vice-Chair Jones commented the Resolution also includes an opinion, not just facts; he added if we were going to do something he wouldn't want to mimic the County Commissioner's resolution.

Councilor Sutherland said he has noticed there are a lot of people very engaged in the pipeline issue and that is a positive thing; on the other hand there were a number of questions addressed within the County Commissioners Committee and PLD Committee to better understand the position of City Council and their charge and what we do for the constituents in our community. Councilor Sutherland continued noting since the pipeline had no specific plans for coming to Keene and the plan has been suspended, he had difficulty trying to determine whether it is the charge of the City Council, or the charge of the citizenry to work with their State Representatives on state issues, to work with their Federal Representatives on federal issues, and then to work with the City Council on local issues. He reiterated his earlier comments regarding people working together adding he questions whether or not it is this body's charge to carry that message further.

Vice-Chair Jones noted his agreement with Councilor Sutherland suggesting that was why Councilor Hansel previously made a motion that dealt with the part of the recommendation that affects the Keene residents. Councilor Hansel agreed the idea of having rate payers pay for infrastructure work is a concern. Councilor Hansel continued he doesn't see how our input will affect a legal determination at this point, and waiting a little while will allow us to get more information and perhaps some perspective from Eversource and the utility companies. Councilor Hansel noted he does not see how this can hurt us.

Councilor Clark of Ward 3 said members of this body are elected by the citizens of Keene to represent the interests of the citizens of Keene. He continued if we have an interest we have a national interest/state issue that directly affects our citizens, then it is our duty to speak up. Councilor Clark argued that there is something before the Public Utilities Commission that does affect us; the Algonquin pipeline. Councilor Clark indicated there is a petition before the PUC that was filed on the April 13, 2016; which is why he wanted to have the pipeline issue done the beginning of April. He continued the PUC is weighing in on whether or not the State of New Hampshire will allow Eversource to charge rate payers for a natural gas pipeline. He also said a letter from the City of Keene is powerful, more than letters from t individual citizens. We represent our citizens and if we're going to represent them we need to stand up for them. Councilor Clark explained Eversource was invited to the public information meeting; they chose not to come and didn't provide the requested information. Councilor Clark suggested we already have all the information; what we need to do is protect our citizens from an administrative law by people who aren't elected (Commissioners) who will be setting a precedent for anyone else coming down the line. Councilor Clark continued stating we need to present the decision on behalf of the City of Keene.

Mayor Lane stated at the public information hearing Don Kreis, Consumer Advocate for the State of New Hampshire, made it clear that there is currently no public process pending before the PUC relating to Eversource, Northeast Energy Direct (NED), or the inclusion of any pipeline costs in the rate base; there is a request pending by Eversource to submit that. Continuing, the Mayor stated that is a legal question that the PUC is going to have to determine. Don Kreis indicated if it is determined that such a petition would be permitted, he intends to appeal that to the New Hampshire Supreme Court. Once that appeal has been determined, if in fact it is determined that Eversource can submit such a petition, and they do submit such a petition, there will be a public process. At that point the City Council should become actively involved, and should say clearly that we do not support this issue. The Mayor continued, however, at this point there is no public process, nothing for us to respond to, and nothing for the City Attorney to draft a response to this issue. Continuing his comments Mayor Lane suggested responding at this time is premature; we do need to continue to monitor the issue and participate in the public process if and when there is one.

Vice-Chair Jones clarified we would be taking a position on something that doesn't exist; Mayor Lane agreed.

Councilor Clark of Ward 3 held up a document which he said is a response to a petition sent to the PUC by Eversource on February 18, 2016. Disagreeing with Mayor Lane, Councilor Clark said there is a petition before the PUC (NH PUC Docket No. 16-241). Mayor Lane commented that just started the legal process to determine whether or not they'd accept that petition; they haven't decided to accept that petition yet. After reiterating earlier comments Councilor Clark again disagreed with the Mayor. Councilor Clark continued we're talking about public outrage here and we need to let them know we don't support this. Vice-Chair Jones said he strongly agrees with Councilor Clark but not with the timing.

Councilor Sutherland noted his concern with what is called "scope creep"; when what was initially requested was for us to take a position with Federal Energy Regulator Commission (FERC) on the NED Pipeline. Vice-Chair Jones agreed with Councilor Sutherlands comments; he added it was the City Council who brought it back to what affects the Keene citizens, and the petitioner had every right to include all the other information.

Councilor Chadbourne said this is an important issue with far reaching consequences; she noted she received a couple of calls from residents angry with the County Commissioner's letter. Councilor Chadbourne feels it is premature to respond now because the NED Pipeline has been suspended. Councilor Chadbourne continued she would like to see us wait to respond.

Vice-Chair Jones said the way he sees it the Committee has two choices, 1) to accept as informational, or 2) to take action.

There being no further questions/comments from the public or Committee Vice-Chair Jones asked for a motion.

Councilor Hansel made the following motion which was seconded by Councilor Sutherland.

On a vote of 4-0, the Planning, Licenses and Development Committee recommends this Communication be accepted as informational.

Vice-Chair Jones wanted it made clear in the background notes this doesn't mean we can't come back to the pipeline issue once the public process has begun. Councilor Hansel agreed with Vice-Chair Jones, noting he would also continue to monitor this process. Councilor Hansel also noted he learned a lot during this process; he added he just doesn't see us having an effect on a legal process like this.

3A6

City of Keene
NEW HAMPSHIRE

April 27, 2016

TO: Mayor and City Council

FROM: Planning, Licenses and Development Committee

SUBJECT: **MEMORANDUM: Police Captain - Large Gathering Ordinances**

On a vote of 4-0, the Planning, Licenses and Development Committee recommends that the City Council accept this Memorandum as informational.

Philip M Jones
Chairman/Designee

Background:

Steve Stewart, Police Captain referred to the March 9, 2016 meeting where City staff was directed to look at other municipalities that had Ordinances in place that addressed the issue of large gatherings; specifically North Hampton and Sutton.

Captain Stewart reported he spoke with officials in both towns noting neither is really comparable to what we have here in Keene. Captain Stewart said Sutton considers their Ordinance to be unenforceable; they did try to redraft it but there was no public support for the ordinance. Sutton's Ordinance was basically born out of concerns their Police Department had over athletic events and the like at a regional High School (parking and crowd issues).

Continuing, Captain Stewart reported North Hampton's Ordinance came about because a group of people or one person purchased a local farm in North Hampton within the residential area. It was the owner (s) intention to hold weekly music/art festivals that would draw a lot of attention to the neighborhood. The North Hampton Ordinance has gone through a lot of confusion but they seem to have ordinance hammered out now; the number they have placed on the number of people is 200. The types of events they have approved in their Ordinance are car shows, cross country meets held on a closed golf course, charity benefits at private establishments, and bars. Captain Stewart noted most of the things they were concerned with would have already been handled through our City protocols.

Captain Stewart reported he also spoke with Officials in Durham and Hanover, neither Durham or Hanover has an Ordinance dealing with outdoor gatherings. Hanover does have an Outdoor Event Permit with no number attached to people. Captain Stewart concluded reiterating his comments from the previous meeting; he believes we have some great strategies in place and the College has had a shift in their ideology and the way they're handling off-campus student behavior. He noted the reduction in noise complaints along with a reduction in alcohol and open container complaints. Noting there is no statistical data for the spring yet, Captain Stewart reported there was nothing out of hand during the past two weekends. Captain Stewart said he feels we have the right tools, strategies, and partnerships in place right now to help us improve the quality of life for the citizens of Keene.

Vice-Chair Jones clarified we feel we have the tools to handle the issue raised by Mr. Zinn. Captain Stewart replied we are making good progress.

There being no questions/comments from the Committee Vice-Chair Jones asked for public comments.

Tim Zinn 49 Grove Street acknowledged there has been a lot of improvement. Mr. Zinn said he still sees a gap suggesting another tool for the toolbox as he mentioned at the March 9, 2016 meeting. Mr. Zinn questioned if the things that have caused these improvements are permanent; is it subject to the College kicking in extra money throughout the year. Mr. Zinn noted he is unable to identify the permanent piece of the tool. Mr. Zinn raised the issue of the 2014 riots stating, as a resident, it felt like the bad guys got away with one. Agreeing with Captain Stewart the last two weekends were quiet; Mr. Zinn raised the issue of a confrontation with a citizen. After additional comments Mr. Zinn suggested he would like to see the City formulate some kind of language that advises if you're going to hold large gatherings you will be held responsible to the taxpayers of Keene.

Vice-Chair Jones commented as you know we have no control over FinnaRage; they do have a constitutional right to organize. Vice-Chair Jones noted his agreement with Mr. Zinn's comments and also noted we can't stop them (FinnaRage). Vice-Chair Jones also said he thinks there isn't one large tool but many small tools which is why things are getting better. Vice-Chair Jones noted the work of the College/City Commission along with the College, Fire Department, and the Police Department. Vice-Chair Jones also reiterated the goal of the SEED District. Mr. Zinn agreed with Vice-Chair Jones' comments adding he still feels we're vulnerable, and that he is worried. Mr. Zinn noted he feels the Music Festival will become the next big party thing. Vice-Chair Jones suggested staff is aware and there are preventive measures in place. .

Councilor Sutherland reported work is being done on some of the Ordinances for the Eastside redevelopment and a lot of these issues are being taken into consideration.

Noting Robin Picard was in the audience Councilor Chadbourne suggested perhaps she could speak to some of the initiatives the College has taken.

Robin Picard of 64 West Surry Road and Coordinator of Student and Community Relations at KSC echoed the tributes to the great work that has happened. Ms. Picard continued we have seen great improvements both on the part of the City, Police, and Fire involvement along with new policies at the College. Ms. Picard noted her confusion; she hasn't heard what the obstacle is to lowering the number from 100 people to 50 people. Ms. Picard suggested we would have better control if the Ordinance said 50 people; it would also take a little time for that message to get out to students. Referring to Councilor Chadbourne's request Ms. Picard reported 640 students went through the Off-Campus Orientation, only about 40 students have not attended. Ms. Picard addressed the College's more strict and expedient process with student conduct. Ms. Picard reported on the monthly meetings with herself, Code Enforcement, along with the Police and Fire Departments. She follows up weekly on houses that have been in the Police Logs for noise complaints. Ms. Picard stated that both UNH and Plymouth College have a limit of 50 people.

Councilor Sutherland noted we have also seen porch collapses at some of these parties; he asked if we have anything on the books to address this. Ms. Picard replied there are two houses that are a concern; she suggested this was a question for the City to answer. The City Manager advised when talking about the limitation (number of people), you are talking about a permit from the Fire Department for assemblies (inside a building). He also noted the Fire Code could be amended to reduce that number to 50. The City Manager also indicated most of the issues tend to be overcrowding both in the unit and the exterior. The City Manager continued stating that what is going on outside the building and the back and forth traffic is usually what bugs people in the neighborhood. He suggested some of the foot traffic needs to come to the front and be addressed in some manner. Addressing another issue to keep in the back of our minds, the City Manager noted a lot of these properties are not proactively managed. Also problems with some of the properties are repetitive even though they may have different individuals renting annually. Although this is a systemic problem what happens is the taxpayer is absorbing the costs for managing that piece of property, and the landlord is reaping the benefit. Addressing the porches, the City Manager noted this is a complaint driven process for both the Fire Department and Code Enforcement. He noted the inspection program for those wishing to rent to KSC students; advising there are a couple of those properties under repair today.

Brian Costa, Police Chief noted there is accuracy in everything that was said tonight. He added he wanted to offer his Department's philosophy on a couple of things. Reporting that he and Councilor Manwaring attended the last Southeast Neighborhood Group meeting where he heard in Mr. Zinn's opening remarks that he was looking for that one concrete thing that would end these quality of life issues. There was also a question regarding what that changed the previous 10 years (prior to 2014) and what caused the positive results following in 2015. Chief Costa noted he wrote down strengthened relationships as the answer to the second question. Addressing the sledgehammer Mr. Zinn is looking for Chief Costa said if there was one we'd be the first in line to sign-up for it. Chief Costa thanked Captain Stewart and the Fire Department staff for taking the time to look into this.

Vice-Chair Jones noted we were addressing the same issues in 1998; at that time we were reactive not proactive. He continued today we're communicating and doing a much better job. Vice-Chair Jones also thanked staff and the Council for all they have done.

Mr. Zinn commented he wasn't trying to indicate this was the only tool, but that it was a tool. Mr. Zinn also asked as a City why didn't we go after FinnaRage and those other people for the expenses they imposed in 2014. He asked if we could do it should this happen again.

Mark Howard, Fire Chief provided clarification regarding the FinnaRage issue on the weekend of the riots. There was a Task Force established of multiple agencies that was deployed before anything occurred. A positive outcome of this Task Force was that FinnaRage was intercepted at a gathering on Pearl Street and they left. Chief Howard outlined the actions that took place and the outcomes. Chief Howard clarified there was never a FinnaRage activity the day of the riot. In response to Vice-Chair Jones both Chief Costa and Chief Howard reported they have not heard of any FinnaRage plans to come back to Keene.

Councilor Chadbourne referred to Ms. Picard's comments regarding Plymouth State and UNH having limits. Ms. Picard responded the way she understands it from her colleagues is it is the Ordinance in the town that has drastically improved their control of gatherings in the town. Councilor Chadbourne asked Mr. Zinn if this is what he was looking for. Mr. Zinn replied in the affirmative; adding or at least some language letting people know the City will go after them. Noting that he spoke with the Durham Police Chief, Captain Stewart reported the Chief is unaware of an Ordinance that prohibits more than 50 people at a party.

There being no questions/comments from the Committee Vice-Chair Jones asked for a motion.

Councilor Sutherland made the following motion which was seconded by Councilor Chadbourne.

On a vote of 4-0, the Planning, Licenses and Development Committee recommends that the City Council accept this Memorandum as informational.

3A7

City of Keene
NEW HAMPSHIRE

April 28, 2016

TO: Mayor and City Council

FROM: Finance, Organization and Personnel Committee

SUBJECT: **DISCUSSION:** **Police Chief - NH Department of Justice Case #20155117214**

On a vote of 4-0, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept forfeiture funds awarded to the Keene Police Department by the State of New Hampshire Department of Justice.

Chairman/Designee

Background:

Police Chief Brian Costa stated the Keene Police Department is in receipt of forfeiture funds from the State of New Hampshire Department of Justice.

Chief Costa explained in October 2015 the department concluded an investigation on a case involving the sale of controlled substances in the City where US currency of $1,085 was seized. The department receives 45% ($488.25) a formula set by the State. The balance of the money will be retained by the State. The case of reference is State of New Hampshire v. Eddie Johnson, a resident of Springfield, Massachusetts.

Councilor Clark made the following motion which was seconded by Councilor Powers.

On a vote of 4-0, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept forfeiture funds awarded to the Keene Police Department by the State of New Hampshire Department of Justice.

3A8

City of Keene
NEW HAMPSHIRE

April 28, 2016

TO: Mayor and City Council

FROM: Finance, Organization and Personnel Committee

SUBJECT: **MEMORANDUM: Parks, Recreation and Facilities Director – SCA Trails Crew**

On a vote of 4-0, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to execute an agreement between the City of Keene and the Student Conservation Association for $33,097.18 funded through the Rachel Marshal Trust Fund and the Recreational Trails Grant program.

Chairman/Designee

Background:

Parks, Recreation and Facilities Director Andrew Bohannon stated this memo is in reference to a grant through the Recreational Trails Program of the State for an amount of $33,097.18. This is for a contract with the Student Conservation Association which was done back in 2014 and at that time it was funded by the Rachel Marshal Trust Fund. Last year the City applied through the Recreational Trails Grant program to offset the funds so that it would be an 80/20 split between the Rachel Marshal Trust Fund and the Recreational Trails Grant. However, the Recreational Trails Grant was not funded until late in the year.

Now that the Trails program has been approved by the Governor and Council, the money is in place and the city needs to sign an updated contract with the Student Conservation Association for their services. There will still be the 80/20 split and the 20% will come out of the Rachel Marshal Trust Fund in the amount of $6,619.

Chair Greenwald clarified this work will be completed by this summer and the funding split would be the same as it would have been last year. Mr. Bohannon stated it would be but the contract is $1,000 less than it would have been last year.

Councilor Jacobs clarified no tax dollars are being spent on this project. Mr. Bohannon answered in the affirmative.

Councilor Jacobs made the following motion which was seconded by Councilor Powers.

On a vote of 4-0, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to execute an agreement between the City of Keene and the Student Conservation Association for $33,097.18 funded through the Rachel Marshal Trust Fund and the Recreational Trails Grant program.

3D1

City of Keene
NEW HAMPSHIRE

April 27, 2016

TO: Mayor and City Council

FROM: Municipal Services, Facilities and Infrastructure Committee

SUBJECT: **COMMUNICATION – Councilor Jones – Street Lighting – Ralston Street**

On a vote of 5-0, the Municipal Services, Facilities, and Infrastructure Committee recommends the communication regarding street lights on Ralston Street be placed on more time, to give staff time to return with information within two cycles.

Chairman/Designee

Background:

Councilor Jones stated that he is a member of the City/College Special Commission; it was brought to the Committee's attention that there is no lighting on Ralston Street. That area used to have businesses that closed down at 5:00 PM. Councilor Jones named some businesses that used to be there. He continued that since these businesses closed early, no one noticed that there was no lighting on that street.

Councilor Jones continued that the City introduced the SEED district, put incentives in, and was successful in locating student housing on Ralston Street. Now, there is a lot of pedestrian traffic at night. He recommends that the MSFI Committee recommend asking for options for street lighting. He noted that he was not directly asking for lights. When he chaired the MSFI Committee he would always go to the Public Works Director to ask for reasons for lighting and what the policy was. The reasons were more for drivers than pedestrians and the policy was to have a street light every 400 feet. This is different in that the City created the pedestrian traffic. The Councilor remarked that Ralston Street is not a great pedestrian road and it seems like there is no room for a sidewalk on the east side. The west side currently has a narrow sidewalk. The City might have a longer term plan to make Ralston Street look better, but right now the lighting is most important.

Public Works Director Kürt Blomquist stated that when he drove down Ralston Street he was surprised to see that there really are not any lights. He continued that as Councilor Jones spoke about, the businesses previously in this area were closed in the evening and there was not a lot of activity after they closed. Many of the current businesses are right up on the street. This presents challenges. The City built the sidewalk on the west side about 10 years ago because there was no room on the east side. On the east side, businesses (such as New England Fabrics) and their driveways are right up on the right-of-way line. The corner of the restaurant sits on the right-of-way. When the City rehabilitated the street last summer they widened the shoulder on the west side, painted it, and installed a section of concrete sidewalk up towards the intersection with Emerald Street to provide something on that east side. Even though there is a sidewalk on the west side, there is a tendency for foot traffic, especially from the housing projects, to stay on the east side.

Mr. Blomquist continued that Councilor Jones was looking for options, and his suggestion is for staff to look at this area, but he is concerned that there are no lights there today. The City's street utility standards are to have lights every 400 feet. They would contract with Eversource Energy, as that is how almost all of the street lights are handled in that Eversource owns the lights, and the City rents them. They could get something installed in 90 days. The committee could recommend that this be placed on more time and staff would come back with the cost for this interim solution. As Councilor Jones said, they could have a longer term plan for revitalizing that area.

Chair Manwaring asked if committee members had questions or comments. Hearing none, she asked for public comment. Hearing none, she asked for a motion.

Councilor Lamoureux made the following motion, which was seconded by Councilor Filiault.

On a vote of 5-0, the Municipal Services, Facilities, and Infrastructure Committee recommends the communication regarding street lights on Ralston Street be placed on more time, to give staff time to return with information within two cycles.

3D2

City of Keene
NEW HAMPSHIRE

April 27, 2016

TO: Mayor and City Council

FROM: Municipal Services, Facilities and Infrastructure Committee

SUBJECT: **REFERRAL FROM COUNCIL – City Code Section 70-136 – Driveway Permit Exceptions**

On a vote of 5-0, the Municipal Services, Facilities, and Infrastructure Committee recommends the discussion on the driveway exception ordinance on more time, for at least two cycles, to allow City staff, including the City Attorney, time to review City Code Section 70-136.

Chairman/Designee

Background:

Mayor Kendall Lane stated that he referred this matter back to the MSFI Committee. He continued that this was the first appeal the City Council ever had related to this ordinance. The appeal brought up a number of issues with this section of the code, which the committee might want to consider. Councilor Filiault was correct that most people's circumstances have changed. It is now relatively normal for adult children to be at home, and for a household to have multiple cars. Provisions need to be made for different circumstances that developed over time. The ordinance as currently written, both the driveway permit exceptions and the underlying ordinance, do not provide for that. There is no mechanism other than granting a second curb cut in perpetuity to deal with changing circumstances. There are options for the City Council to consider. They could issue temporary driveway permits, the need for which arise in a number of circumstances. It would allow, for example, the Alexs to have the curb cut for the period of time that the Alexs' own the property or have their adult children at home. Then it could expire when the circumstances expire. The answer is not to require everyone to appeal to the Planning Board appeal to the Planning Board or City Council but to change the ordinance. He recommends that the committee seriously consider reviewing and perhaps changing the ordinance with the Planning Director and the City Attorney so there are other options available.

Mayor Lane continued that the second issue to address is a procedural issue about how appeals are conducted. It is not clear from the ordinance how to conduct an appeal. There is no provision for notifying abutters. The appeals are a quasi-judicial consideration by the committee, not a legislative matter, and the standards the committee uses should be very different than they should be under a legislative matter. It is not clear from the ordinance that that is clearly the intent. The ordinance makes it clear that the requestor must demonstrate compliance with the criteria. The MSFI Committee does not have a legal procedure to conduct their own investigation and doing so is an improper procedure under this ordinance. The procedure needs to be clarified and rewritten as well as the substance of the issue relating to driveway permits. Mayor Lane concluded that he asks the committee to work with the City Attorney and the Planning Director to address the deficiencies of this ordinance.

Councilor Filiault stated that he applauds the Mayor for sending the topic back to the committee for discussion. He continued that this is just a matter of changing times. As the Mayor said, this is the first time someone has appealed to the City Council. As people get wind of this, and with all of the illegal second curb cuts out there, this will have to be addressed. Yes, they should look at both issues. He looks forward to working with staff to update this.

Councilor Hooper stated that he agrees fully. He continued that he felt a little uneasy going to that residence and speaking with the Alexs directly.

The Mayor replied that the ordinance did not make clear what they could or could not do and what the process should be needs to be spelled out. He continued that members of the City Council normally handle things in a legislative manner. This is one of the few instances where they have to take off their legislative hats and put on their quasi-judicial hats. The Planning Board considered the matter quasi-judicially but the MSFI Committee did not, but that is because nothing said the MSFI Committee had to. This is not meant as a criticism of the committee. When it came to the City Council he let the appeal go forward. It highlighted that they have to clarify this for everyone, what the City Council is supposed to be doing when they consider these matters. When this first came up, he talked with the City Attorney and asked him if this should be handled by the committee or the full City Council. There are questions that are not really answered in the ordinance and it needs to be rewritten to take all of those into account.

Chair Manwaring asked the City Attorney how he envisions this process unfolding.

The City Attorney replied that the Mayor is right. He continued that when they looked at this their reaction was, "What do we do with this?" As the committee knows, the City has reestablished procedures in the past about appeals and they are pretty thought out. His suggestion is to place this topic on more time for a couple cycles so he can meet with the Mayor and staff and rough out in more detail the specifics that the Mayor has identified, and work with the Planning staff to see what other issues they want to identify in the ordinance, too. They would bring that back as a report to the committee about what they want to see in the ordinance and the committee can talk about it.

Chair Manwaring stated that she likes the idea of staff talking about it, but the committee has talked about this issue as well and has feedback to offer. They agree with the Mayor that there need to be changes, and they have ideas, and also want to hear from the public.

Councilor Filiault stated that there are obviously many of these situations in the City. He continued that he wants to hear back first from staff and the City Attorney. Any feedback that the committee offers tonight might not match with the City Attorney's guidance. He will wait to hear what is legal and what is not legal.

Chair Manwaring stated that other than what the Mayor suggested, part of what was problematic, for her, in making a decision, was that there was no on street parking in that area. There are probably lots of areas like that in the city. On the street she lives on, if her son came home, he could park on the street. She hopes that that is thought about as well. She asked for Mr. Lamb's comments.

Planning Director/Assistant City Manager Rhett Lamb stated that this is a great opportunity to look at the Code. He continued that it had minor changes in 2008 and was changed more significantly in 2006. Those changes in 2006 were meant to fix problems related to process. The City had a process that gave separate, independent authority, one to the Planning Board and one to the City Council. The City Council had authority for granting waivers to the driveway code, and the Planning Board had the responsibility of issuing a permit. So it left applicants with the potential problem of getting one approval but not the other. The attempt was made then to establish in the first instance, a Planning Board review, and then for the appeal circumstance, the City Council review. The intent was good. But it probably did not put enough meat on the bones of the process or talk about what standards ought to apply in the review process of the appeal. He is in favor of correcting those. There may be other aspects, like standards that Chair Manwaring brought up, to revisit as well. This is a good time to revisit it and he is in favor of the recommendation to set them on the path to define the scope and bring it back.

Chair Manwaring asked if it is just driveways that have to go to the Planning Board. Why is it not just a Code Enforcement issue? Mr. Lamb replied that under the driveway code, all the City Council or Planning Board is doing is issuing a curb cut approval. Regarding the driveway, once it goes onto the private property it is defined by standards in the zoning code, and in some cases, the building code. They have to separate those two and staff will help the committee understand this. This group of appeals or permits which the City Council has some appeal authority for is very small. Almost all single family driveways are issued by the Engineering Division and they do a great job. When there is an exception from the standards, the exception and waiver process goes to the Planning Board.. The Planning Board deals with about three or four of those a year and they do not usually end up with appeals, which to him say that the Planning Board is doing a fine job of applying the standards and granting permits. So it is a fairly limited number that are appealed. Anything involving a residence with over three families goes through a site plan review process by the Planning Board, which is not directly or exclusively through the driveway code. The City Council would probably never be involved in the review process for those bigger projects because it is all done through site plan review. It is only the small slice of projects that need the exception and for which the individual seeks relief through the way the Code is written.

Chair Manwaring asked for public comment. Councilor Jones stated that he hopes they consider abutter notification as part of it; he thinks that is important. He continued that it is not just the ordinance that the City Council has to work with, for the appeal process, they also have to look at the somewhat antiquated Code that the Planning Board uses. Their hands were tied when they went through the process. When the appeal came to the City Council he looked at it and thought, the requestors will have to keep parking on their front lawn and take the occasional complaint driven fine, and if they have to keep pulling in anyway, they might as well have their driveway. The most important part is if some of the abutters knew they might want to have input.

Councilor O'Connor made the following motion, which was seconded by Councilor Filiault.

On a vote of 5-0, the Municipal Services, Facilities, and Infrastructure Committee recommends the discussion on the driveway exception ordinance on more time, for at least two cycles, to allow City staff, including the City Attorney, time to review City Code Section 70-136.

3D3

City of Keene
NEW HAMPSHIRE

April 27, 2016

TO: Mayor and City Council

FROM: Municipal Services, Facilities and Infrastructure Committee

SUBJECT: **MORE TIME REPORT – Removal of Granite Curbing – West Side of Central Square**

On a vote of 4-1, the Municipal Services, Facilities, and Infrastructure Committee recommends more time on the removal of granite curbing on the West Side of Central Square to allow staff and the petitioner to come back with a plan they can discuss. Councilor Lamoureux was opposed.

Chairman/Designee

Background:

Chair Manwaring asked if Dorrie O'Meara wanted to speak.

Dorrie O'Meara, of 326 Matthews Road, Swanzey, stated that this topic came back to the MSFI Committee for their reconsideration. She continued that she asks that they place this on more time so she and the City Engineer can work on the plan, which is much smaller than the ones previously proposed.

Chair Manwaring asked if anyone had questions. Hearing none, she asked the City Engineer to speak.

Mr. Blomquist stated that he will speak to this. He continued that the Public Works Department does not have any plan. It was their understanding that the business owner would have a proposal, and it sounds like she does. Staff will sit down and look at the proposed changes to the area. He suggests at least two cycles. Then the petitioner can bring that back to the committee. He continued that he assumes the committee wants the Public Works Department to do some type of sketches so they are familiar with what the proposal is, and to come up with some estimates. The City Council would have to decide if this project serves a public purpose or not for expenditure of funds.

Councilor Lamoureux stated that they have heard here and at City Council meetings about the "public good." He asked how they go about deciding whether or not something is for the public good. The City Attorney replied that there is no magic line. He continued that the committee needs to decide. There are spectrums. For example, if someone wants a driveway on their property to benefit them, clearly that is not for the public good. That is a clear line. Another clear line, for example, would be the TIF district that the City created – the City spent money to put in water, sewer, roads, and so on and so forth, which resulted in the creation of a corporate industrial park that provided jobs; that is clearly in the public good. When staff and Ms. O'Meara return with a presentation, the MSFI Committee and the City Council will need to decide, based on the facts presented, whether it looks like something that would benefit the general public, or not. That becomes a legislative decision for the City Council to make. He cannot give them the line, but those are examples of the two ends of the spectrum.

Councilor Hooper asked if a proposal like this went forth and there was a good faith effort by both the City and the property owner to collaborate with the funding, would this ease any legal concerns? The City Attorney replied that the first component is whether it is possible for these partnerships to work for the public good and the answer is yes. He continued that both the City and the private entity would contribute resources to achieve the goal. But if the partnership is determined to be benefitting the individual and not the public, even though the private entity says they will contribute resources, the answer is no, it would still not be appropriate. So it really depends on what the project is and the determination that it is really for the public benefit.

Councilor Filiault stated that the committee does not have the proposal before them tonight, so they are getting ahead of themselves. He continued that what the City Engineer proposed was not what Ms. O'Meara was looking for – it seems like it was "massive overkill." He suggests they not put the cart before the horse. They need to allow time for the petitioner and staff to get together to see if this is a reasonable request. He thinks it will be. They have done work of this scope at other City-owned facilities for the public good but it was for someone renting space with the City. The airport was the most recent example, where they shared costs.

Councilor Filiault made the following motion, which was seconded by Councilor Hooper.

Move that the Municipal Services, Facilities, and Infrastructure Committee recommends more time on the removal of granite curbing on the West Side of Central Square to allow staff and the petitioner to come back with a plan they can discuss.

Finance Director/Assistant City Manager Elizabeth Fox asked for the time frame. Councilor Filiault replied that he will amend his motion to say two cycles. He continued that he would prefer one cycle since everything else is on two cycles.

Mr. Blomquist replied that one cycle would be a concern. The Public Works Department is in the middle of construction. He continued that one cycle would mean they would have to be ready by next Friday, to get it on the committee's agenda. Two cycles is reasonable. Councilor Filiault replied that two cycles is the motion.

Councilor Lamoureux stated that last time there was a vote on this topic, he was one of the votes to decline. He continued that one reason was because the City has money put aside for July 1 for a discussion about a revitalization of downtown. He does not disagree but he will be voting against this because he thinks the study needs to take place.

On a vote of 4-1, the Municipal Services, Facilities, and Infrastructure Committee recommends more time on the removal of granite curbing on the West Side of Central Square to allow staff and the petitioner to come back with a plan they can discuss. Councilor Lamoureux was opposed.

3D4

City of Keene
NEW HAMPSHIRE

April 28, 2016

TO: Mayor and City Council

FROM: Finance, Organization and Personnel Committee

SUBJECT: **<u>COMMUNICATION:</u> Michael Kapiloff - Donation of Property – Off Pearl Street**

On a vote of 4-0, the Finance, Organization and Personnel Committee recommends putting this item on more time.

Chairman/Designee

Background:

Mr. Michael Kapiloff stated this property was in his mother's estate and is not a buildable lot and is not worth much to the family anymore. He stated he tried giving this land away to a neighbor who did not seem interested; hence he is coming before the City.

Asst. City Manager, Rebecca Landry stated she would recommend putting this item on more time for one cycle. She stated they had heard back from the Assessing Department but staff would like the opportunity to hear from the Public Works Department on things like water on the property or connection to any other projects going on in the Lee Street area. Chair Greenwald asked whether Mr. Kapiloff had contacted all abutters to this property. Mr. Kapiloff stated he had contacted one abutter and added the assessment is very low on this property. He stated it would cost him more in legal fees trying to sell the property and divide it among the four heirs.

It was indicated this matter would come back before the Committee in two weeks. Mr. Kapiloff asked whether it was necessary for him to be present at that meeting. The Committee didn't think so.

Councilor Clark asked where this property was located. Mr. Kapiloff stated it was hard to access it – it is located in the back of Lee Street. The Councilor asked why Mr. Kapiloff's mother purchased this property. Mr. Kapiloff stated it was in exchange for a bad debt from a family member.

Councilor Clark made the following motion which was seconded by Councilor Powers.

On a vote of 4-0, the Finance, Organization and Personnel Committee recommends putting this item on more time.

305

City of Keene
NEW HAMPSHIRE

April 27, 2016

TO: Mayor and City Council

FROM: Planning, Licenses and Development Committee

SUBJECT: **COMMUNICATION: Clarence DeMar Marathon - Request to Use City Property - Community Event**

On a vote of 4-0, the Planning, Licenses and Development Committee recommends the request be put on more time to allow protocol meetings with City staff.

Philip M. Jones
Chairman/Designee

Background:

Vice-Chair Jones reported staff has recommended this item be placed on "more time" to allow for one more protocol meeting to be held.

There being no questions or comments from the Committee or public, Vice-Chair Jones asked for a motion.

Councilor Hansel made the following motion which was seconded by Councilor Chadbourne.

On a vote of 4-0, the Planning, Licenses and Development Committee recommends the request be put on more time to allow protocol meetings with City staff.

6A1

City of Keene
NEW HAMPSHIRE

April 28, 2016

TO: Mayor and City Council

FROM: Finance, Organization and Personnel Committee

SUBJECT: **RESOLUTION: R-2016-16: City Council Policy- Oaths of Office**

On a vote of 4-0, the Finance, Organization and Personnel Committee recommends adoption of R-2016-16.

Chairman/Designee

Background:

City Clerk Patty Little stated this is a new Council policy dealing with how the Clerk's office administers oath of office. Ms. Little stated recording of an oath of office is considered a permanent record and the Clerk's office has volumes of these handwritten records. She stated there are about 200 members who serve on different Boards and Commissions and about a third are up for nomination each year. The Clerk's office would typically send out a communication asking people to come in and take the oath and on many occasion they have to be followed up on.

Ms. Little stated staff has been in conversation with the City Attorney's office and have been discussing as to whether they have gone a little too far with this. The Attorney researched State law and the City Charter and does agree with staff. One of the things is the City was exceeding the statutory requirement of who they were asking to take this oath and secondly the City was not following the State law in terms of a written oath.

Staff as a result has developed a scaled back Council Policy which acknowledges who is authorized to give an oath, it provides that oaths are a permanent written record, and narrows the scope of who should take an oath to statutory boards. Those statutory boards are as follows: Planning Board, Zoning Board of Adjustment, Building Board of Appeals, Housing Standards Board of Appeals, Conservation Commission, Heritage Commission, Historic District Commission, Trustees of Trust Funds and Cemetery Trustees, Board of Assessors.

Ms. Little stated under this new Policy the City will no longer be administering oaths for legislative bodies, advisory bodies or ad-hoc committees. This policy does make an exception for a Councilor who is serving on one of these Boards as the Council oath will be considered an umbrella for all the Boards and Commissions a Councilor serves on.

Councilor Clark made the following motion which was seconded by Councilor Powers.

On a vote of 4-0, the Finance, Organization and Personnel Committee recommends adoption of R-2016-16.

CITY OF KEENE

R-2016-16

6A2

In the Year of Our Lord Two Thousand and Sixteen

A RESOLUTION COUNCIL POLICY: RELATING TO OATHS OF OFFICE

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

WHEREAS: Oaths of Office shall be administered by those so authorized by State Statute; and

WHEREAS: Oaths of Office for the Mayor and City Council members shall be administered by an official chosen by the Mayor-elect and duly authorized by Statute to administer such an oath. Officials taking an oath to serve on the governing body shall do so at the Inauguration ceremony held on the first secular day of the year these officials take office, and shall subscribe to the oath in writing; and

WHEREAS: The Office of the Keene City Clerk is authorized to administer and record oaths of office to elected or appointed officials required to take such oath pursuant to State statute; and

WHEREAS: The Keene City Council has determined that service on certain other public bodies shall be subject to an oath of office:

NOW THEREFORE BE IT RESOLVED, that the Keene City Council stipulates that members serving on the following public bodies, with the exception of sitting members of the Keene City Council already having taken such oath, shall be required to take an oath of office and subscribe to said oath in writing before a duly authorized employee of the Office of the City Clerk prior to commencing their service on the body or upon reappointment:

1. Statutory Boards including: Planning Board, Zoning Board of Adjustment, Building Board of Appeals, Housing Standards Board of Appeals, Conservation Commission, Heritage Commission, Historic District Commission, Trustees of Trust Funds and Cemetery Trustees, Board of Assessors.

Kendall W. Lane, Mayor

PASSED

In City Council April 21, 2016.
Referred to the Finance, Organization and Personnel Committee.

City Clerk

CITY OF KEENE
NEW HAMPSHIRE

CB1

DATE: **May 1, 2016**

MEMO TO: **Mayor & City Council**

FROM: **Medard Kopczynski, City Manager**

RE: **Resolution R-2016-17 relating to the 2016/2017 fiscal year budget**

RECOMMENDATION:
That Resolution R-2016-17 relating to the 2016/2017 fiscal year budget be referred to the Finance, Organization & Personnel Committee for their review and recommendation, and that a public hearing be scheduled for Thursday, May 19, 2016.

BACKGROUND:
Resolution R-2016-17 summarizes the budget document that has been prepared for the 2016/2017 fiscal year. The detailed document was transmitted to the Mayor and City Council on April 29, 2016. The document, in its entirety has been posted on the City's website, and printed copies are available for review at the Keene Public Library. A Citizen's Budget has also been prepared and is available that summarizes the General Fund Proposed Budget, and explains the City Budget process, and the role of the Comprehensive Master Plan in that effort.

Any bond resolutions associated with projects recommended for funding in the next fiscal year will be presented under separate cover memos.

The remaining steps in the budget process are outlined below:

Monday, May 9, 2016 *5:30 PM*	Finance, Organization & Personnel Committee review City Manager introduction Review: General Fund Revenues, Elected & Appointed Officials, Administrative Services - all, PC Replacement
Tuesday, May 10, 2016 *5:30 PM*	Finance, Organization & Personnel Committee review Review: Community Services – all *(Parking- Parking Lots & Meters)*
Monday, May 16, 2016 *5:30 PM*	Finance, Organization & Personnel Committee review Review: Municipal Development Services *Airport, Health & Code Enforcement, Planning, Parking(maintenance), PW-Engineering & Highway, PW-Solid Waste, PW-Sewer, PW-Water, PW-Fleet*
Thursday, May 19, 2016	Public Hearing at regular City Council meeting
Thursday, May 26, 2016	Finance, Organization & Personnel Committee formulates budget recommendation
Thursday, June 2, 2016	Council vote on budget at regular City Council Meeting

CITY OF KEENE

GB2

R-2016-17

In the Year of Our Lord Two Thousand and Sixteen

A RESOLUTION Relating to the 2016/2017 fiscal year budget

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

That the sum of $24,656,685 be raised by taxation during the current year which together with $38,629,055 for estimated operating revenues aggregating $63,285,740 is hereby appropriated for the use of the several departments of the City Government, and further that the sum of $5,532,648 be appropriated for capital expenditures and capital reserve appropriations in the city proprietary funds, funded by the use of capital reserves, fund balance and current revenues, for the fiscal year beginning July 1, 2016, as attached hereto and made a party thereof.

Kendall W. Lane, Mayor

PASSED

CITY OF KEENE, NEW HAMPSHIRE

2016/2017 Annual Operating Budget

General Fund Revenue & Other Financing Sources:	*Adopted*	General Fund Appropriations:	*Adopted*
Property Tax Revenue	$24,656,685	Elected & Appointed Officials	$2,588,346
Use of Surplus	825,000	Capital Projects	8,758,696
Other Taxes	416,000	Administrative Services	8,323,182
Tax Increment Financing	66,109	Community Services	18,701,235
Licenses, Permits & Fees	3,421,780	Municipal Development Services	6,294,688
Intergovernmental	2,604,070		
Charges for Services	1,710,895		
Fines & Forfeits	103,736		
Miscellaneous	1,376,118		
Other Financing Sources	9,485,754		
NET GENERAL FUND OPERATING REVENUES	**$44,666,147**	**NET GENERAL FUND OPERATING APPROPRIATIONS**	**$44,666,147**
TOTAL PARKING METER FUND REVENUES	**$2,276,163**	**TOTAL PARKING METER FUND APPROPRIATION**	**$2,276,163**
TOTAL PC REPLACEMENT FUND REVENUES	**$188,175**	**TOTAL PC REPLACEMENT FUND APPROPRIATIONS**	**$188,175**
TOTAL SOLID WASTE FUND REVENUES	**$4,499,245**	**SOLID WASTE FUND APPROPRIATIONS**	**$4,499,245**
TOTAL SEWER FUND REVENUES	**$5,704,278**	**TOTAL SEWER FUND APPROPRIATIONS**	**$5,704,278**
TOTAL WATER FUND REVENUES	**$3,721,631**	**TOTAL WATER FUND APPROPRIATIONS**	**$3,721,631**
TOTAL EQUIPMENT FUND REVENUES	**$2,230,101**	**EQUIPMENT FUND**	**$2,230,101**
TOTAL OPERATING REVENUES - ALL FUNDS	**$63,285,740**	**TOTAL OPERATING APPROPRIATIONS - ALL FUNDS**	**$63,285,740**
CAPITAL:			
SEWER FUND CAPITAL FUNDING	**$2,191,203**	SEWER FUND CAPITAL APPROPRIATIONS	**$2,191,203**
WATER FUND CAPITAL FUNDING	**$1,872,994**	WATER FUND CAPITAL APPROPRIATIONS	**$1,872,994**
EQUIPMENT FUND CAPITAL FUNDING	**$1,468,451**	EQUIPMENT FUND CAPITAL APPROPRIATIONS	**$1,468,451**
TOTAL CAPITAL FUNDING - ALL FUNDS	**$5,532,648**	**TOTAL CAPITAL APPROPRIATIONS - ALL FUNDS**	**$5,532,648**

R-2016-18

CITY OF KEENE

6C1

In the Year of Our Lord Two Thousand and Sixteen

A RESOLUTION In Appreciation of Robert F. Collinsworth Upon His Retirement

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

WHEREAS: Robert F. Collinsworth began employment with the Keene Police Department as a Patrol Officer 5 April 1987 and spent the majority of his career as an integral member of the Bureau of Criminal Investigation, never seeking the opportunity to lead formally; and

WHEREAS: Bob has demonstrated the aptitude and determination to successfully investigate virtually any crime that comes his way—through his superior skills of immediately identifying problems in their earliest stages; gathering and analyzing complex information from multiple sources; researching all options to develop the best alternative solutions; prioritizing and planning time and resources for maximum efficiency; smoothly integrating changes into existing plans; making sound judgments for even the most complicated issues; ensuring appropriate people are included in the decision-making process; and retaining and recalling information—thus closing a number of serious cases every year; and

WHEREAS: Bob's ability to relate to all manner of people has allowed him to develop an intelligence program—collecting valuable information through sources who continued to contribute even after their initial reason for doing so was fulfilled—as well as to overcome obstacles to gain cooperation from those reluctant or deceitful; and

WHEREAS: He has served as a Field Training Officer and a mentor to the Bureau of Patrol's cases and has developed an internal curriculum to train fellow officers in interview and interrogation techniques; and his contributions during group discussions have put forth alternative approaches and investigative avenues that have assisted team members to consider all facets of a matter; and

WHEREAS: Bob's strong working knowledge of the criminal code and the criminal justice system, systematic case management, evidence gathering and analysis, interviewing, interrogation, suspect development, report writing, property management, and eventual court case preparation all have allowed him to prevail in court; and the prosecutors' offices has had high praise for his work; and

WHEREAS: Other hallmarks of his significant career with the Keene Police Department include his having rescued a woman trapped in a house fire with his partner, resulting in a department citation, and his being the first certified polygraph operator employed by KPD; and

WHEREAS: Bob Collinsworth retires from the City of Keene effective 31 May with over 29 years of honorable service;

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Keene hereby extends its sincere thanks to Robert F. Collinsworth for his dedication to the City of Keene and wishes him the very best through all his retirement years; and

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

PASSED

Kendall W. Lane, Mayor