



**FINANCE, ORGANIZATION AND
PERSONNEL COMMITTEE
AGENDA**

Council Chambers A
June 23, 2016
6:30 PM

City of Keene
New Hampshire

Mitchell H. Greenwald
Carl B. Jacobs
Terry M. Clark
Thomas F. Powers
Jay V. Kahn

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- | | |
|------------------|---|
| 1. COMMUNICATION | Councilor Hansel – Proposed Amendment to City Charter – Council Compensation |
| 2. COMMUNICATION | Councilor Kahn – Encouraging a Discussion Regarding Level of Service – Television, Internet and Voice – Spectrum Cable TV Provider |
| 3. REPORT | Removal of Granite Curbing – West Side of Central Square |
| 4. DISCUSSION | UPDATE OF MORE TIME ITEMS <ul style="list-style-type: none">• Donation of Land – Off Pearl Street• Relinquishment of Easement to Parking Spaces on Railroad Property on Behalf of Monadnock Food Co-op |
| 5. RESOLUTION | R-2016-22: Appropriation for the Flashing Crosswalk System on West Street |

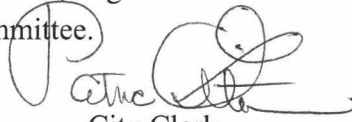
MORE TIME ITEMS:

- A. Relinquishment of Easement to Parking Spaces on Railroad Property on Behalf of Monadnock Food Co-op
- B. Michael Kapiloff – Donation of Property – Off Pearl Street
- C. Charter Employee Evaluation Process

Possible Non-Public Session

In City Council June 16, 2016.
Referred to the Finance, Organization
and Personnel Committee.

June 7, 2016


City Clerk

2E

TO: Mayor Kendall Lane, Keene City Council, and City Manager

FROM: George S. Hansel, Councilor At-Large

RE: Proposed amendment to City Charter

I request that the City Council consider the following amendment to the Keene City Charter. New proposed language is underlined below.

SECTION 24. COMPENSATION. The members of the City Council shall be compensated, not to exceed in aggregate a sum fixed by Ordinance. Any increase or decrease in City Council compensation shall not become effective until the first secular day of January following the next regular municipal election.

While this proposed amendment would not effect the most recent pay increase, it allows any future pay rises to be voted on without the involvement of personal interest. This proposed amendment mirrors both the City Charter in Rochester, NH and the 27th amendment to the US Constitution.

I understand from conversations with city staff that the state will not allow the official process for a Charter amendment to take place during a presidential election year. I'd also request that the Council direct staff to move forward with the amendment process at a specified time after the November 2016 election.

Best regards,



George S. Hansel, Councilor At-Large

In City Council June 16, 2016.

Referred to the Finance, Organization
and Personnel Committee.

2F

Date: June 14, 2016

To: Mayor Lane and City Councilors

City Clerk

From: Jay Kahn, At-large Councilor

Subject: Spectrum

Background:

As a Time Warner Cable subscriber, I recently received notification of a change of service provider to Spectrum. A web search for further information shows that Spectrum is a name used by Charter Communications, the firm that states it has recently completed a transaction with Time Warner Cable. Below is an excerpt from the Spectrum website.

Charter Communications has completed the transactions with Time Warner Cable and Bright House Networks, and soon you'll get to know us by the name, Spectrum. We are proud to be the fastest growing TV, Internet, and Voice provider in the United States and are committed to bringing you the most advanced products and services for your home and business.

Exciting changes are in the works, but for now, Time Warner Cable, Bright House Networks and Charter Spectrum will continue offering their current suite of services to customers in their markets. In the coming months you'll hear more from us as it relates to network, product and service improvements. Whether it is new ways to enjoy more shows with unrivaled picture quality, better service, or faster internet speeds, we cannot wait to show you what's next.

Request:

I would like for the City to be more proactive about the level of service Spectrum offers currently and envisions providing to the Monadnock Region in the near future. This would include a discussion of level of services envisioned for television, Internet and voice services.

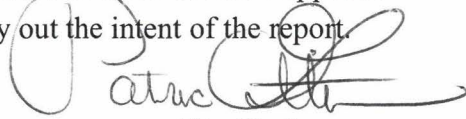
Rational:

There is a significant interest in the City and region for improved data and telecommunications services. A discussion with Spectrum representatives early in the development of their business plan could help shape their plans as well as future City planning. I hope Spectrum representatives would see this request for a discussion with the City Council as a priority for the near future.

Cc: Med Kopczynski, City Manager

In City Council June 2, 2016.

Voted with 11 in favor and 4 opposed
to carry out the intent of the report.



City Clerk

City of Keene
NEW HAMPSHIRE

3A3

May 25, 2016

TO: Mayor and City Council

FROM: Municipal Services, Facilities and Infrastructure Committee

SUBJECT: **ORAL UPDATE: Removal of Granite Curbing – West Side of Central Square**

On a vote of 3-2, the Municipal Services, Facilities, and Infrastructure Committee recommend the approval of the request for curbing improvements on the west side of Central Square. Chair Manwaring and Councilor Lamoureux were opposed.



Chairman/Designee

Background:

Mr. Blomquist distributed copies of drawings depicting the area of Central Square. Mr. Lussier stated that two cycles ago the MSFI Committee directed staff to meet with the property owner regarding her request to determine what could be done at the least cost to accommodate her request and return with a different option than the options they presented previously. He continued that the graphic that he brought shows existing and proposed conditions for the 'least cost option.' He met with the property owner, Dorrie O'Meara. They went down the block looking at what they could do and where they could save some money. He thinks they came up with an option that allows the outdoor seating for the least cost. The option will replace the existing vegetative island with concrete in front of the Ingenuity storefront and the Pour House and Pedraza's with an exception of a 15 to 20 foot section where the existing tree and irrigation control system is located, to eliminate the cost of removing the tree. He had a chance to meet again this week with Ms. O'Meara to go over the plan and they made some minor revisions. He

thinks this plan represents what she is looking for to accommodate the seating. They estimate that the cost for this plan would be about \$16,600.

Chair Manwaring invited Ms. O'Meara to speak. Dorrie O'Meara, of 326 Matthews Road in Swanzey, stated that staff members were out there several times. She continued that they measured, documented, and worked with her to come up with something that would work for the proposed tenant for the Ingenuity space and for her storefront. She thinks it is a great plan and is less expensive.

Chair Manwaring asked how much money Ms. O'Meara is contributing to this. Ms. O'Meara replied that she owns millions of dollars' worth of real estate in the City and she pays taxes and should not have to pay for the sidewalk. She continued that she does her share for the City. She takes great pride in her properties and she does what is best for the City and herself.

Councilor Lamoureux stated that the last time they spoke one thing the City Attorney brought up was that utilizing funds acquired through payment of a property tax had to be shown to be for the public good. They understand that she is looking for extra seating for her businesses. How is this for the public good?

Ms. O'Meara replied that part of the Comprehensive Master Plan (CMP) states that the City would like more outdoor seating and dining. She continued that it is not just for her, it is what the community wants. Pedraza's is not asking for additional seating. Pedraza's has nothing to do with this. The Pour House has no outdoor seating. The Ingenuity space would have potential for a fantastic restaurant tenant if there was outdoor seating. She guesses that it would be about \$300,000 or \$400,000 of renovations. They will pay taxes, have employees, and bring income to the City. She could rent this space to a retail store with only two employees. There is a difference between that and having the opportunity to bring in a restaurant business with 20 to 25 employees. She could come up with 25 businesses that have left Keene in recent years. The City needs to do something to get businesses here. If \$16,000 in cement does it, she is all for it, and thinks the City Council should be, too.

Councilor Jacobs asked why Ms. O'Meara wants the granite curbing removed in front of Pedraza's if they do not need additional seating. Ms. O'Meara replied that she has expressed concerns before about the green area/walkway being a complete hazard. She continued saying on May 25, 2016, she videotaped a person with a disability trying to make it over that green area. It is in the way and completely useless. The bark is dead. She sweeps and leaf blows the sidewalk. She put plants there. She wants the restaurant to look beautiful. The green area looks horrible there and adds nothing. If they make it flat, the Pour House could get seating. If you just take out a little piece in front of the Pour House it will be a hazard again. People will need to go over the hump to get to Pedraza's. Making the sidewalk flat will make it symmetrical on both sides.

Councilor Hooper stated that from the get-go he wants this to happen. He continued that his initial vote was to keep this moving forward to come up with plans that would work for Ms. O'Meara and the City. He continued that there is one caveat that he is hearing from constituents – even though Ms. O'Meara pays a good portion of taxes, from a public relations

standpoint, if the City is putting forward money to get this done and it is indeed for the public good and would revitalize that part of town and bring in business, it might be good for her to offer a little contribution to the plan. He knows she probably does not agree with that suggestion but it might be worthy. There needs to be a balance between what the City does to support business owners and what a business owner does. That would help move away from the feeling that it benefits the business owner more than the public.

Councilor Filiault stated that he thinks they are getting close and thanked everyone involved. He continued stating that his comment at the beginning was that what the City proposed was massive overkill and not what Ms. O'Meara was asking for. There are many areas of Keene with plenty of room for outdoor seating with no request needed. The City helped other businesses have outdoor seating. The City put the curbing there. It has not always been there. Now it has become cumbersome. The curbing was installed when the downtown area was more retail than social. There used to be no outdoor seating and then the City spent money to put curbing up. In hindsight, that was a mistake. All that is being requested is removing curbing. This is not a complex project. He wants to remind the City Council that in this time in the City's history, there are more vacancies on Main Street than he can ever remember. New businesses are not coming in. The Toadstool Bookstore will fill a huge hole in the downtown, but its departure will leave a big hole in the Colony Mill. It is like they are getting shuffleboard but not getting new businesses in. If someone comes in two weeks and wants to put a restaurant where the Kitchen Store was but needs the curbing removed, the City should do it. Downtown has become a social downtown. All that is being request is moving some curbing and dirt and putting down a little concrete. . The City could get another request from a downtown business and the City should be prepared to help. Elected officials should think about what they can do to make this happen, rather than just saying no. This request is just reversing something that does not work.

Chair Manwaring asked if any members of the public had questions or comments.

Ms. O'Meara stated that regarding Councilor Jacobs's question about why to put cement in front of Pedraza's. She does not want to be misunderstood. She will not ask for more tables at Pedraza's, but will ask for those tables to be pushed back so there is more room to walk.

Councilor Hooper stated that he thinks when they weigh what is happening downtown, with some businesses moving out, it is important to the public good to keep downtown business vital. He is leaning towards what Councilor Filiault said, wanting to try to help business owners so they can bring in more business to revitalize the Central Square area and the downtown in general. He supports this move but still asks Ms. O'Meara to reconsider making a donation to this project as a good faith gesture as to having this move forward with a lot of planning and work by the City. He thinks her donating would go over better in the long run for her as a business owner.

Councilor Filiault stated that he wonders if relocating the electric pedestal, which is stated in the plan, is necessary. He continued that The Stage has tables that go right around meters and trees and the electrical pedestal. Are there items like this in the proposed plan that they could eliminate to save even more money?

Mr. Lussier replied that what they are showing on the plan is really what they think is the least cost option. He continued that the ground is getting dug up there. That pedestal will be relocated as part of this plan. Whether it gets relocated horizontally or vertically, it will be disturbed as part of this work. They can put it closer to the light to make more room for tables. In a more broad way of answering the question: there are many items in this plan that in order to cut costs have been they eliminated. For example, they will not touch the lighting. They will see the 6 or 8 inches sticking out of the concrete. The previous plan had addressed aesthetic concerns more. This plan does not address trees at all. The tree in the center will remain in place. Previously they had talked about rounding off the ends of the vegetative islands to keep it more consistent, whereas this plan calls for square granite curbing, cut flush.

Councilor Lamoureux stated that he understands the importance of the downtown, as he was a liaison to the downtown merchants for two years. He continued saying that the downtown business owners work very hard and he understands that. He has heard comments about the area not being up to snuff. City staff works hard downtown to keep the area maintained and looking good. Working with the City staff for two years, they upgraded the downtown, correcting safety issues and improving aesthetics. He has not heard how this work would benefit more than the three businesses. When he got elected to the City Council he understood that it was their responsibility to use City money to benefit the whole community. He is having a hard time differentiating between the private entity and the public good. He sticks with the fact that they have a plan in place to revitalize the whole of downtown and he will vote against this project.

Councilor O'Connor asked where the \$16,000 would be coming from. Mr. Lussier replied that there is nothing currently allocated or designated for this work. If it is approved the next step is for the Finance, Organization, and Personnel Committee to choose where money will be allocated.

Councilor Filiault replied that they would go through the FOP Committee and let them determine the funding source. He continued that he appreciates Councilor Lamoureux's perspective as a former staff member. His perspective is as a former downtown business owner. They need to look at this from the business owner's perspective, too. He does not take \$16,000 for granted but he has seen other funds allocated easily for other projects. He does not think it requires a \$70,000 study. The holes downtown will not be filled by retail.

Ms. O'Meara stated that she thinks the MSFI Committee would want to be part of the growth in Keene. She continued that if you were to walk out of City Hall and see a beautiful, vibrant restaurant across the street, with people sitting outside and spending money and tipping servers and cooks, it would be great for downtown. She still does not understand why this has gone this far. She owns the majority of that side of Central Square, and she takes care of the whole block. It would benefit the City and give 20+ local people jobs. It would bring in visitors who spend money, buy gas here, and stay in hotels. What we all want is more people downtown.

Councilor Hooper stated that he saw her wonderful decorations for Halloween and thought they were fantastic. He continued that they have to think in terms of the bigger picture and bringing businesses to Keene and the passion of business owners who are invested in improving Keene. Putting up those decorations shows that Ms. O'Meara has the best interest of the City and public

in mind. Now that they are down to \$16,000, he thinks it is important to make these changes now. The revitalization plan is coming up but there is critical work to do now to maintain the vitality. This is a short term measure. If Ms. O'Meara contributes financially to the project that gesture would be wonderful.

Councilor Filiault stated that at the airport the City spent thousands of dollars for one business owner. Downtown probably affects more people than the Airport does. That project just went through without a whisper. Why is this different? Chair Manwaring replied that that is different because the Flight Deck (restaurant at the airport) will be paying rent to the City.

Ms. O'Meara stated that the City paid for work in front of Luca's (market/restaurant). She asked if that was because they pay rent to the City. Chair Manwaring replied that her understanding is that there were safety concerns that prompted the work.

Mr. Blomquist stated the recent work outside of City Hall did not remove any curbing. He continued that the steps were deteriorating and the Code Enforcement Department determined that it was a safety issue. They also replaced the concrete because it was a safety issue. All of that was maintenance, not a reconfiguration.

Councilor Filiault stated that he has a technical question. He asked if this goes through, they need to find out where the funds are coming from, so should a motion be made to approve this or should they put it on more time to determine where the funding would come from? The City Attorney replied that the MSFI Committee has jurisdiction with whether or not to recommend that the work be performed, and to refer the matter to the City Council/FOP Committee for funding consideration. Councilor Filiault asked if the motion would go to the City Council or the FOP Committee. The City Attorney replied to the full City Council and if the recommendation is approved it then goes to the FOP Committee.

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

On a vote of 3-2, the Municipal Services, Facilities, and Infrastructure Committee recommend the approval of the request for curbing improvements on the west side of Central Square. Chair Manwaring and Councilor Lamoureux were opposed.



CITY OF KEENE

R-2016-22

In the Year of Our Lord Two Thousand andSixteen.....

A RESOLUTION Related to an appropriation for the Flashing Crosswalk System on West Street.....

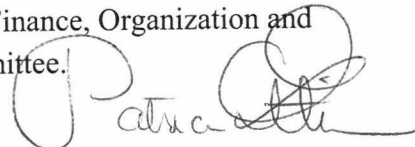
Resolved by the City Council of the City of Keene, as follows:

That the sum of fifteen thousand dollars (\$15,000) is hereby appropriated from the General Fund unallocated fund balance for the West Street Flashing Crosswalk system.

Kendall W. Lane, Mayor

In City Council June 16, 2016.

Referred to the Finance, Organization and
Personnel Committee.


City Clerk