



**MUNICIPAL SERVICES,
FACILITIES AND
INFRASTRUCTURE COMMITTEE
AGENDA**

Council Chambers B
April 13, 2016
6:00 PM

City of Keene
New Hampshire

Janis O. Manwaring
Randy L. Filiault
Robert J. O'Connor
Stephen L. Hooper
Gary P. Lamoureux

-
- | | |
|------------------|--|
| 1. COMMUNICATION | Donald Alex – Driveway Curb Cut - Appeal of Planning Board Decision |
| 2. MEMORANDUM | City Engineer – Appeal of Planning Board Decision – Exemption from Sec. 70-135 (c) (4) 27 Baker Street |
| 3. MEMORANDUM | City Engineer – Road Rehabilitation – 2016 and Beyond |
| 4. REFERRED BACK | Removal of Granite Curbing – West Side of Central Square |

MORE TIME ITEMS:

- A. Reconstruction of the City Roadways and the Addition of Sidewalk Construction to Reconstruction Projects - Council Policy

Possible Non-Public Session

Letter of Appeal

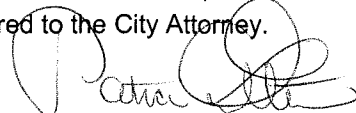
In City Council March 3, 2016.

Referred to the City Attorney.

February 18, 2016

2C

Mayor Kendall Lane
Keene City Council



City Clerk

I am writing this letter to appeal the decision by the city planning board on January 25, 2016 to deny my request for an additional curb cut to add one parking space.

I would like to start by stating that I was not fully prepared for the board meeting on January 25, 2016. I was totally caught off guard by the whole proceeding. Having never attended a city meeting and given no information before hand as to what to expect I feel like I was blindsided. That being said I would like to move forward and state my reasons for requesting the additional curb cut for an additional parking space.

My wife and I own a single family 3 bedroom home at 27 Baker St. in Keene, NH. We have 3 licensed drivers with vehicles that reside at this location 365 days out of the year.

In addition to this our youngest daughter comes home from college every other weekend with her vehicle. Resulting in 4 vehicles with only room to park 3 (during good weather). That is one reason, although not the primary, for needing the additional parking space.

Our driveway runs the length of the house on the right hand side ending at the garage. In the winter we can only park two vehicles in the driveway due to ice and snow falling from the roof. There is enough room in the driveway to the rear of the house to the garage for one vehicle and enough room in the driveway at the the front of the house to the sidewalk for the second.

Any vehicle that is parked directly next to the house is subject to damage from the falling ice and snow. We learned this the hard way one winter when both my wife's car and my truck were extensively damaged. This is the primary reason for the request.

Since the meeting and lack of snow this winter we have been parking all 3 vehicles in the driveway. We are all on very different schedules and come and go at different times. This has resulted in my daughter having to move her vehicle to the side of the road at 4:30am so that my wife can get her car out when she is ready to leave at 4:50am for work. Because of this we had a police officer knocking on our door at 6:15am. She stated that even though it was legal to park on the side of the road she had some safety concerns with the vehicle being there. Her main concern was that the vehicle was black and it was hard to see until you were right up on it. And the amount of cars that would soon be going by as the morning traffic picked up. We said we appreciated her concern and explained our situation and that our hands were tied and we parked there out of necessity. She had never heard of the parking on the lawn ordinance and was very surprised by it. Now the public safety has been identified as an issue due to the lack of an additional parking space.

Our parking on the side of the road has resulted in more than one case of road rage. There have been numerous times when we hear screeching tires and blowing horns in front of the house as cars try to beat each other around the vehicle that is parked out front. My wife has physically witnessed drivers yelling obscenities at each other as they both try to pass at the same time.

We have had a car damaged by parking on the side of the road when the neighbor across the street backed out of their driveway directly into the drivers side door of my wife's car. Resulting in a few thousand dollars worth of damage.

The board suggested widening the driveway. This is not possible as our property line

is the edge of our driveway.

The board suggested an ice dam or heating strips. We contacted W.E. Brown roofing who replaced our roof about 3 years ago. He said the flashing is doing what it is supposed to do. The snow/ice comes off in large sheets. He said heating elements are a waste of money. They become cracked and brittle within a couple of years resulting in a severe fire hazard.

It was suggested that as the third vehicle was my daughters that this would most likely be a temporary situation. With all due respect that is a rather presumptuous assumption. She has lived with us for 8 years and is not any better financially now then she was then.

The board had concerns about pedestrians and traffic. The amount of vehicles backing out is still the same. Whether it is on the left of the house or the right.

There was also a concern about the location of the driveway in relation to the house across the street. Our current driveway is more in line with the home across the street than the purposed parking space and that is actually in line with the front porch at the right front side of the house. Hence the car backing into the driver's side as mentioned above. We want to add a space to the left side which would clearly not be in line with anyone's driveway across the street.

One board member voiced a concern about the amount of curb cuts already in existence on Baker St. Yet the single family home at the top of Baker hill has two curb cuts of which the additional one was just paved within the last year. With their additional curb cut being located below the crest of the hill, any car that comes from the Marlborough street end of Baker St. is currently unable to see a car backing out, making it a blind driveway. Our requested space is in plain view from both directions and poses no such safety issue.

So it is clear to see that all the concerns about safety from adding an additional parking space are not valid. However the safety of pedestrians, drivers and property are clearly in jeopardy from having to park on the side of the road for lack of an additional parking space.

Please feel free to contact me if you have further questions.

Sincerely, 

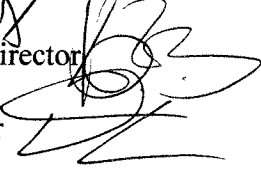
Donald J. Alex
27 Baker St
Keene, NH 03431
(603) 499-2387

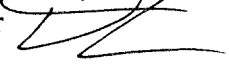
CITY OF KEENE
NEW HAMPSHIRE

Public Works Department

Date: April 11, 2016

To: Municipal Services, Facilities and Infrastructure Committee

Through: Elizabeth Fox, Acting City Manager 
Kurt Blomquist, P.E., Public Works Director 

From: Donald R. Lussier, P.E., City Engineer 

Subject: Appeal of Planning Board Decision
Exemption from Sec. 70-135(c)(4) – 27 Baker Street

Recommendation:

Move that the Municipal Services, Facilities and Infrastructure Committee recommend that the City Council deny an application for a second driveway at 27 Baker Street.

Background:

On January 25, 2016, the Keene Planning Board reviewed an application for an exemption from the City's driveway standards. Specifically, the applicant requested an exemption from Sec. 70-135(c)(4).

"Sec. 70-135(c)(4) There shall be no more than one driveway access for each residential lot."

The City Engineer reviewed this application at the request of the City Attorney. Sec. 70-136(a) provides the criteria to be evaluated by the planning board when considering whether to approve or deny an exception to this standard. They are:

(1) Issuance of the exception will not reduce the safety of pedestrians, bicyclists and vehicles using adjacent streets and intersections.

The proposed driveway will add additional points of conflict between vehicles and users of the public way. Although the applicant has proposed extending the driveway so that the parked vehicle will be rearward of the front setback line (as required by Sec. 102-794(a)(5)), it is possible that a vehicle will park close to the sidewalk. In such a situation vehicles using the existing driveways at 27 Baker or 33 Baker will have very poor visibility of road users.

(2) Issuance of the exception does not adversely affect the efficiency and capacity of the street or intersection.

The proximity of the adjacent driveway at 33 Baker Street presents a potential to adversely affect the efficiency of Baker Street. Curb cuts in such close proximity are not generally considered good engineering practice.

(3) There are unique characteristics of the land or property which present a physical hardship to the requestor.

The Applicant has expressed concerns related to snow and ice falling from the roof onto parked cars in the existing driveway. The City Engineer's opinion is that this concern amounts to an inconvenience, but not a "unique characteristic of the land or property".

(4) In no case shall financial hardship be used to justify the granting of the exception.

The Applicant has not cited financial hardship as justification.

Sec. 70-136(b) provides that the Planning Board shall grant the requested exception "after a finding that the **all of the criteria** in subsection (a) have been met" (emphasis added). It is my opinion that the application does not meet all criteria, and the Planning Board ruled correctly.

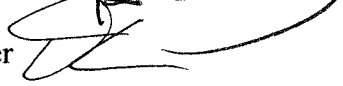
CITY OF KEENE
NEW HAMPSHIRE

Public Works Department

Date: April 11, 2016

To: Municipal Services, Facilities and Infrastructure Committee

Through: Elizabeth Fox, Acting City Manager 
Kurt Blomquist, P.E., Public Works Director 

From: Donald R. Lussier, P.E., City Engineer 

Subject: Finding the "Sweet Spot"
Roadway Rehabilitation – 2016 and beyond

Recommendation:

Accept as Informational

Background:

This memorandum is to provide the City Council with an introduction to the Public Works Department's plan for roadway rehabilitation; now and in the future.

As described in the recently approved FY17 – FY22 Capital Improvement Program (CIP), the City is continuing to focus on maintenance and repair instead of reconstruction. We are exploring repair alternatives that will allow the City to get the most mileage out of our road rehabilitation dollars. In the near term this will manifest in lower-cost repair methods being selected for low volume roadways in order to free up budget for the most urgent needs. In future CIP's we will propose a mix of repair and preservation projects with an eye toward keeping our good roads in good condition. This follows a growing understanding within the Public Work community that the "Right Repair," performed at the "Right Time" on the "Right Asset" will yield lower lifetime costs and better overall system performance. This is the "Sweet Spot."

Preservation Alternatives – Public works is evaluating several methods for extending the service life of good condition pavement at relatively low cost. The simplest and most familiar example of preservation is the City's ongoing crack sealing program. Other examples include spray-applied seal coats and penetrating asphalt rejuvenating treatments. More aggressive surface treatments are available to correct minor defects in "middle aged" pavement.

While these treatments offer a cost-effective method of adding years to a roadway life, they must be applied when the road is still in good condition. The casual observer may wonder why a particular road is being "repaired" while others are in more obvious need of work.

Rehabilitation Alternatives – In recent years, the majority of our rehabilitation projects have consisted of a construction method referred to as “Mill, Shim & Overlay.” This method will be the default choice in many circumstances. It allows us to correct many of the defects we typically see on our roads (e.g., delamination, wheel ruts, moderate cracking, etc.). It also allows the new pavement to match existing driveways. Despite these advantages, other construction methods are worth exploring in some circumstances.

Hot In-place Recycling (HIR) is a pavement rehabilitation method that offers many of the same benefits as Mill, Shim & Overlay, but costs less and is more sustainable. HIR construction heats and grinds the roadway, then adds asphalt binder and re-lays the material in one operation. This saves the cost of new asphalt and the energy impact of trucking old material out and new material in. With this method, the restored material is overlaid with a wearing course of some type. HIR was used on Main Street (between Winchester St. and Rt. 101) in 2000, and has performed quite well.

Road Condition Survey – Accurate data regarding the types and severity of pavement defects, overall roadway condition, daily traffic volumes, etc. is key to selecting the “Right Repair.” It allows for the determination of an appropriate preservation or rehabilitation method for a specific roadway. The City’s last road condition survey was performed in 2013 and was based on visual inspection and manual note-taking.

Recently, the development of automated, vehicle mounted and GPS-enabled pavement inspection systems has dramatically lowered the cost of road condition surveys. In addition, the anticipated migration of our database system to the new Cartegraph OMS platform in July presents us with an opportunity to use the advanced planning tools that are already built into that software. The Department will use a portion of the Roadway Rehabilitation CIP budget (i.e., <\$25,000) to complete pavement condition survey. It is anticipated that these surveys will be repeated every four to five years.

The Future of Road Rehabilitation Program – Maintaining and improving the condition of our roadway network with current funding levels will require creativity and innovative approaches. We will continue to explore new options and methods for achieving better results at lower cost. This will include testing some newer products and construction methods that seem promising, but have not yet been widely adopted.

Ultimately, our goal is to be allocating a larger portion of road money to preservation. We believe that this will provide the best road condition for the greatest number of road users. It will also yield the lowest total life-cycle cost for our road network.

In City Council April 7, 2016.

Voted with 13 in favor and two opposed
to refer the item back to Committee for
further discussion.


Deputy City Clerk

City of Keene
NEW HAMPSHIRE

3A2

March 23, 2016

TO: Mayor and City Council

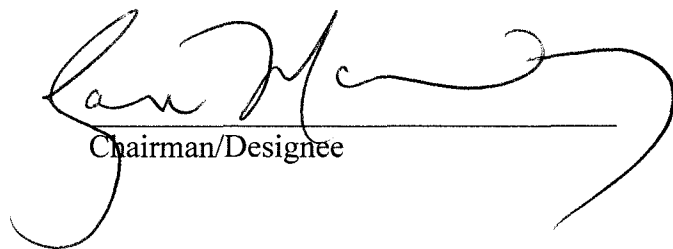
FROM: Municipal Services, Facilities and Infrastructure Committee

SUBJECT: **COMMUNICATION** – Phil Suter/Greater Keene Chamber of Commerce –
Granite Curbing – West Side of Central Square; MEMORANDUM – City Engineer –
Granite Curbing – West Side of Central Square – Options for Removal; AND MORE
TIME REPORT – Dorrie O'Meara – Request to Remove Granite Curbing – West Side of
Central Square

On a vote of 5-0, the Municipal Services, Facilities, and Infrastructure Committee accepted Phil Suter's communication as informational.

On a vote of 5-0, the Municipal Services, Facilities, and Infrastructure Committee accepted the City Engineer's communication as informational.

On a vote of 3-2, the Municipal Services, Facilities, and Infrastructure Committee recommended that the request for the removal of granite curbing on the west side of Central Square be denied. Councilor Filiault and Councilor Hooper were opposed.


Chairman/Designee

Background:

Phil Suter, Executive Director of the Greater Keene Chamber of Commerce, stated that he thinks they have all read his letter and he wants to make two points. First, there is a specific interest that the Chamber has regarding this proposal: accessibility to their office by visitors to Keene, especially from May to October when they have a steady stream of people coming in. He continued that having it be easily accessible from the sidewalk is important to them. That said, they are not open on the weekends so it is less of an issue then. The Chamber owns the building

and it is a visitor center for the city and region and they want it to be as welcoming as possible. There is a handicapped accessible ramp that goes to their office and to the entrance to the Public Defender.

Mr. Suter continued that there is an important larger issue. He wants to be clear that the Chamber is not opposed to outdoor dining, either here or elsewhere in town. He commends the City for looking at this issue comprehensively in the downtown. Many parts of the sidewalk on Main Street are not really designed for outdoor dining. Some are wider or narrower; there are a lot of different configurations. He understands that the City is looking at this in a broader way, updating the downtown, which has broader implications than tables and chairs on sidewalks, like sewer line implications and other things that will come up. He is totally in favor of that effort and looking at the value of outdoor dining as something that makes this a unique, fun place to be. The Chamber could help market it and tell a story about it as one of the many reasons people want to come here.

Councilor Richards stated that with the public information kiosk it is a little tight in front of their building and inquired whether removing the curbing would give the chamber more room. Mr. Suter replied this would create more space, but his first choice of what to put in the increased space would not be tables. Maybe the Chamber would want to add benches for visitors who need to sit with a map and figure out where they are going.

At this point the Committee took up the memorandum from the City Engineer relative to granite curbing on the west side of Central Square.

Duncan Watson, Public Works Assistant Director, stated that a brief synopsis is that about four weeks ago the Public Works Department was here responding to a request from Dorrie O'Meara of Moxie Realty to remove the granite curb on the west side of Central Square. He continued that they explained that the City had a process, through the CIP, to look comprehensively at the downtown area, and not just this one situation. This was driven in part by identifying some drainage issues that would necessitate digging up big portions of the downtown. Because it has been almost 30 years since downtown was looked at, they thought it appropriate to start a public process of determining what Main Street should look like. It would be looked at from an aesthetic as well as a public benefit standpoint, and holistically, not on a case by case basis.

Mr. Watson continued there are a number of configurations downtown similar to this one. For example, on the west side from Winter Street to Gilbo Avenue, the sidewalk is hemmed in a little by raised curbs there as well. Also, on the east side from Roxbury Street down to Railroad Street, a similar configuration exists. Staff's concern is: if they address this one situation, how does it affect other requests of this nature without taking into account the comprehensive nature of what they would be proposing? That said, the MSFI Committee tasked staff to come back with a couple of options that would address this situation. They have two alternatives that the City Engineer will explain.

City Engineer Don Lussier stated that they were tasked specifically with options and costs that address the request from Ms. O'Meara. He continued that these were developed internally with staff, coming up with what they thought addressed the concern. They did not do public outreach

or communicate with neighbors like they would typically do with a more comprehensive design process.

Mr. Lussier continued that for option one, they tried to come up with the least amount of work they could do that specifically addresses the request for outdoor seating in front of the three buildings. Option one would remove 135 feet of the granite curbing that is there now, from the southern-most edge of Pedraza's to the northern-most wall of the Ingenuity Country Store. It leaves the remaining portions at the northern and southern ends of the block. It also re-sets the existing lighting, and restores two of the trees that would need to be replaced as part of that work. There is ancillary work that goes along with it – drainage correction, rerouting the existing irrigation system, resetting the parking meters, etc.

Mr. Lussier continued that option two is more extensive. It gives the entire city block the same treatment. It would include the complete removal of the granite curbing, and replacement of all four trees with new trees in cast iron planter boxes. The planter grates would be flush-mounted, ADA-compliant, and accessible so that tables and chairs could go on top of them. The ancillary work with option two would be the same as with option one.

Mr. Lussier continued that to preface his comments about costs, they have not done a design. These are concept sketches looking at the big ticket items. The estimates are from \$36,000 to \$57,000, and those presume that the City would do the design in-house to expedite the process and then contract the project out under a construction contract.

Councilor Filiault stated that he knows the request is to keep it as simple as possible, but he wonders why they would need to reset light poles and replace trees at this point. One person's opinion is that removing trees and not replacing them opens up the space and makes it better. In front of the Stage, there are trees with dirt around them. Could option one be even simpler? There are potential plans for improvements down the road, but that might not happen.

Mr. Lussier replied that the existing light poles are on 18" diameter concrete bases. He continued that they are set based on the height of the landscaped islands. If not reset, the concrete would be sticking out of the ground about eight inches. This would be an aesthetic issue and they would be tripping hazards. Regarding the trees, this has not been designed yet, and yes, they could look at omitting the trees. That would give that side of Central Square a very different feel than the whole rest of the Square, but that would be a detail to work out during the design process.

Councilor Lamoureux stated that he knows this is a basic look. He asked if anyone has reviewed what is under the sidewalk. They might have to do work here again when downtown is looked at more comprehensively. Mr. Lussier replied that they took a basic look via GIS mapping. Most utilities are in the street, except electric and irrigation lines, which they know would be disturbed and need to be reset. That cost is included. It is unclear where the gas lines are. There is more that needs to be developed.

Councilor Hooper stated that he wants to echo Councilor Lamoureux's remarks. He continued that his major concern is that while this is great, and it brings a more social, lively, downtown for people sitting outside, he wants to make sure during the design and research process that they do

not need to dig things up twice and that they do not have extra costs they have not accounted for by not digging up the ground to see what is under there. Before going further he wants to make sure they are not spending more money doing it twice. He thinks they should move forward with that assessment. Mr. Lussier stated that he agrees and reiterates that this is concept level. Before they start digging they would need to go through a proper design process where all that detail gets flushed out.

Councilor O'Connor asked for a basic construction timeframe. Mr. Lussier replied that they did not look at that, but off the cuff, he thinks about it would take about 6-8 weeks.

Councilor Lamoureux stated that as part of his previous work with the City they were working on putting kiosks in for parking. He continued that it would be advantageous to look at that instead of resetting the meter poles in the concrete. Second, he knows that downtown merchants work hard to keep downtown vibrant. He supports the downtown area. He knows that City processes and things take time, but they have money put aside for a study and he wants them to do the work once in the downtown. The work may end up being done in phases. Central Square needs attention, especially based on drainage. He thinks Central Square could be looked at as a phase 1 project. He thinks they should start the study, talk to the community, and see what the downtown merchants need. If the project will take a long time, they could try to accommodate some of those things in the downtown in the meantime. It would be better for the entire downtown, and fair to everyone, to address the whole thing at once.

Mr. Lussier stated that to amend his answer, that estimate for time would be with the presumption that there are no utility complications. If the gas main runs through there, for example, that would slow the process down.

Chair Manwaring asked for public comment.

Councilor Carl Jacobs stated that he recalls that the drainage needs to be addressed in this area. He continued that he heard mention of other pipes. Do they know what the problem is and how to address it? He sensed the need for planning. Mr. Lussier replied that the issue with drainage is a large diameter drainage utility that runs under the streets. It would not directly be affected by this project, in the sense that they would not be working on top of it. The drainage for this project would be just to drain the sidewalk, regardless of what is happening in the street.

Councilor Jacobs stated that regarding just digging once, if they did this, they would not need to dig it up again to work on the drainage issue. Mr. Lussier replied that they would not need to dig this sidewalk up to fix this pipe, but whether they would have to re-dig to do the downtown features that come out of a broader planning study is another question.

The Committee went on to discuss the letter submitted previously by Ms. O'Meara.

Dorrie O'Meara stated that she assures Mr. Suter that if this project occurs, the plan is not to put tables in front of the Chamber of Commerce. Previous years, the restaurant was allowed to, but now they want to push the tables back and have them be completely out of everyone's way to make more room for traffic going by. She stated she appreciates Mr. Suter's support.

Ms. O'Meara continued that she heard Councilor Lamoureux's comments that he does not want to do something today for fear of having to re-do it if there is a plan in the future. Last time she was here there was no date or timeframe for that plan and yet there is money set aside for the study. Chair Manwaring replied that the CIP passed last week so they now know the study will begin July 2016, for the first phase.

Ms. O'Meara stated that in that case, they are going to deny a project today that they know for sure will help a business to come in and provide jobs and be a boost to the local economy, for a plan they do not know the results of and which might take years to complete. It seems unreasonable to punish her as the landlord or the prospective tenant. She continued that she would be fine with either option one or two, since she came here mostly for the Pour House and Ingenuity Country Store. The Mon Amie Jewelry person does not care to have the island in front of her store. The first option, which allows an island for the kiosk for the Chamber, if that is where the kiosk goes, might need a little thought. Handicapped people cannot step up to read it. Maybe they could put it back on the sidewalk or eliminate the island to help people who have a hard time.

Ms. O'Meara asked for a reminder about Councilor O'Connor's comments. He replied that he had asked about the timeframe. Chair Manwaring stated that that was a good point. She continued that Ms. O'Meara is basically asking to not have a sidewalk during the summer. Ms. O'Meara replied that she would suffer either way – if Pedraza's does not take a hit by not having the patio space, she could lose a really good tenant. There is no way to win unless they do this project in the late fall.

Ms. O'Meara continued that she encourages the MSFI Committee to reconsider their position about "doing things twice." They all know there could be delays. Her request has been put off for four weeks to do a study. It would be a shame to lose this tenant. It would really add to the downtown. It would create jobs and bring in money for the city. Having this tenant there would look nicer than having an empty storefront downtown.

Councilor Hooper stated that he was the one who expressed concern about doing things twice. He continued that he agrees it is important to revitalize downtown and bring in more businesses. He still has a concern about doing things one step at a time instead of coming up with a design for the entire downtown area. They did that in 1988 and brought everything together, thinking of the entire area, not just one location. That is pulling him one way. The other way he is being pulled is, trying to get the downtown business.

Councilor Hooper asked if there is a precedent for the owner of a building assisting with the cost of a project like this. He continued that this is a general question and he is not suggesting Ms. O'Meara do this. He is new, and wonders what has happened in the past.

The City Attorney stated that he does not recall any, but there was a recent public/private partnership to install crossing lights by the Grange. He continued that there was a broad public benefit to this project. He asked if other staff recall other instances.

Chair Manwaring asked Mayor Lane. Mayor Lane stated that he knows that there were patios laid in front of Scores on City property and the City did not pay. He continued that the Piazza also had work done that the Piazza owner paid for, not the City. Regarding the question of whether there is any example of the City spending significant money to benefit one property owner, he thinks the answer is no, but he could be wrong.

Public Works Director Kürt Blomquist stated that he concurs with the Mayor. He continued that Scores got permission and the patio was the business's responsibility. The Piazza requested permission to lay the bricks themselves. He is unaware of the City spending funds for one property owner.

The City Attorney stated that he does not have any particular interest in Ms. O'Meara's request. He continued that he loves downtown and eating outside, but based on those comments, it is important to remember there is a matter of law. The City Council cannot spend public dollars for a private benefit. He is not saying that is what is happening. They would have to find a broader, public benefit. There is economic development, and access and ADA compliance, yes, but he cautions them – if they spend the money just for a private benefit it would be problematic.

Chair Manwaring stated that Ms. O'Meara has mentioned problems with ADA, and the needs of folks with strollers, and so on and so forth. Ms. O'Meara replied that the idea that this is being perceived as benefitting one property owner is off. She continued that it is not just for her. There have been many times when the City has made exceptions for big companies who are coming to Keene, because they want them here. This project is not for her benefit. All she would get out of it is rent. The city will get a wonderful business, about 20 more jobs, more money in the local economy, and people using services from other vendors. The Chamber's job is to help bring businesses to Keene. The City helps businesses all the time – usually big companies that can offer a lot more.

Ms. O'Meara continued that she is not paying for this project. The new tenants would laugh at her if she asked them to pay for it. Regarding the examples City staff gave, of local businesses participating in paying for improvements, Scores only went from grass to brick, and the Piazza only put in some bricks. They did not need to do all that needs to be done on the west side of Central Square. Cobblestone (Ale House) had grass removed, and the City took on that whole thing. She does not think her request is outrageous. They should not be saying that they do not want to do it now so they do not have to do the work twice, because they do not even know what that second work will be. Not doing this project now will punish the public by not having this restaurant here today. She asked the MSFI Committee to please consider approving one of the options to go to the next level. Everyone is worried about the unknown, and she asks that they concentrate on what they know tonight, and on the plans presented, which are both great.

Councilor O'Connor asked if the Liquor Commission would need to approve an outside seating area. Ms. O'Meara replied if they serve alcohol, yes.

Chair Manwaring asked for public comment.

Connor Havron stated that he is a Keene State College student. He asked: when the City takes out light posts and installs new lights, do they look at it from an environmental perspective (e.g. considering solar panels) or just an economic one? The City Engineer replied that specifically for these options they looked at removing the existing lights and resetting them in the same location but at the correct elevation. He continued that they did not look at replacing the fixtures. The existing ones are very efficient LED ones. Reusing what can be reused impacts the environment less. Regarding the environmental impact of the project, staff looks at issues such as having a low-impact design and trying to reduce storm water as part of the design process. The existing trees on Main St. have had problems with outgrowing their boundaries. They plan on installing larger grates to give them more room.

Councilor Filiault stated that he agrees with the City Attorney that if a request is only for an individual's benefit, the City Council does not consider it. He continued that he considers this a request for infrastructure work. He can give other examples of infrastructure work - at the airport, the City "bent over backwards" to make sure C&S stayed in town. They did Black Brook Corporate Park. They laid the infrastructure for Railroad Square and for Keene ICE. They went in together with the Grange to spend money on crosswalks. So yes, the City does this. This request is for infrastructure that needs to be worked on so a business will come to town. He thinks they should open their minds and think about why they should do this, not talk so much about why they cannot. Maybe the scope can be a little smaller. Down the road, yes, they will redo downtown. Old photos of Keene show that it has been changed many times. He sees no reason to not do a small project like this and maybe scale it down.

Councilor Filiault continued that there is question of whether the "down the road" project will happen. The current City Council members will not be here then. The future City Council members might say no to that project. As the current elected officials they need to look at what they have now. They should say yes or no to tonight's request and not use the excuse of needing to push this down the road because of what *might* happen.

He continued that they can look at Optical Avenue, in the years before most of today's City Council members were involved, when the administration laid down infrastructure. Some people said it was a boondoggle then. That was a much bigger project. Tonight's request is for infrastructure to help an incoming business. The islands in the sidewalks now do not work. They were set up for a reason other than tables. The City does their best to maintain it. The woodchips were put there because the grass was not working but neither are the woodchips. As a bigger project comes along in in years to come, they will work on that then. The City Council needs to be more optimistic and forthcoming, more positive, when there are taxpayers saying they want to bring jobs in.

Councilor Chadbourne stated that they just approved the CIP. She asked if there are funds available to cover this. Two approximate costs for the options were given. If they look at how much Ms. O'Meara spends on taxes and her businesses and how much that brings into the City, they could consider that. She has concerns that these projects and looking at downtown does take a long time. Yes, they do make exceptions. That is the beauty of having a City Council to go to and having flexibility. She remembers when Councilor Venezia spoke for Frank's Barber Shop when it needed a handicap space. Many times the City Council has accommodated a

request. This project has more money and impact, but this is in keeping with the idea of change that improves downtown.

Assistant City Manager/Human Resources Director Elizabeth Fox replied that there are no budgeted funds for this. Councilor Chadbourne replied that her question is whether there is money available in some fund for things that come up. They borrow from this fund or that fund. Ms. Fox replied that there is no contingency fund, if that is what she is referring to. Maybe Mr. Blomquist can talk about PWD funds. They have talked about the leftover snow plowing funds.

Mr. Blomquist stated that in the past, the City Council has taken money from an unallocated fund balance, or looked through the CIP to see what had been closed out or completed, to see if there were any funds left in those projects. He continued that regarding his operational budget, yes, they had a light winter. He hesitates to give a number now, but it is probably about \$25,000 to \$50,000 in the winter budget. That is all personnel overtime costs. They would have to convert that over if they were to do it. There would be action required to take the funds from somewhere. There is no designated funding area for this project.

Ms. O'Meara stated that she wants to remind everyone that by doing this project, they would save money in the long run. She continued that it would mean no longer having the sprinkler system, or the cost of the bark mulch, or the voluminous mounds of plants put in there, or the maintenance of the area.

Councilor Hooper asked what motion they would vote on. He continued that Councilor Filiault has mentioned that there could be further study on whether they have problems in the infrastructure and perhaps downsizing the cost. He is not in favor of option two but would potentially be in favor of option one with more details.

Chair Manwaring asked for motions to accept Mr. Suter's and the City Engineer's communications as information. Then they can make a motion about Ms. O'Meara's request.

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

On a vote of 5-0, the Municipal Services, Facilities, and Infrastructure Committee accepted Phil Suter's communication as informational.

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

On a vote of 5-0, the Municipal Services, Facilities, and Infrastructure Committee accepted the City Engineer's communication as informational.

Chair Manwaring asked what they should do regarding Ms. O'Meara's request. Councilor Filiault replied that he wants this to be on more time. He appreciates what staff has brought them tonight, but he thinks there could be more options. He continued that this is a do-able project. He wants to minimize the cost.

Chair Manwaring stated that she agrees, and she wonders if they can place this on more time with an encouragement to staff to make it simpler. Councilor Filiault replied that that leaves it wide open – they need to give them a date to report back.

Councilor O'Connor stated that it is almost another two-step process. They were given two options. He wants to see what the cost would be to have those options done or scaled back. He does not know how that works because they have to put it out to bid. He wants more of a concrete figure.

Councilor Hooper stated that he too wants this placed on more time. He continued that he needs more information in order to make a final decision about whether this is something worth doing in a small project, as opposed to waiting and trying to do the whole downtown at once. He currently does not support it but does not want to close the door.

Councilor Lamoureux stated that what the City Attorney told them about utilizing public money for a private entity bothers him a little. If they put a plan together they know it will be a minimum of \$36,000 for option one to \$57,000 for option two. To him it is difficult to move forward with anything, regarding this project, when they have a study to do. If the study goes nowhere they can have Ms. O'Meara bring this back for discussion. He is concerned about moving forward now no matter what the cost is, above and beyond the estimates they have already been given. He hears Councilor Filiault about downsizing the project. But it is still public money for a private entity. If they say this is an ADA issue, they have ADA issues throughout the whole downtown and they would have to fix them all. He has not personally seen ADA issues in the area in question but he knows Ms. O'Meara lives there and thus sees more than he does. He thinks instead of moving forward with this project they need to move forward with the study.

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

Move for the Municipal Services, Facilities, and Infrastructure Committee place Dorrie O'Meara's request for the granite curbing to be removed on the west side of Central Square on more time, and to have staff come back in four weeks with alternate plans, and to expand on option one and option two, to see if there is an option that is less expensive.

Chair Manwaring asked if any members of the public had questions or comments. Hearing none, she asked for a vote. The motion failed with a vote of 2-3. Chair Manwaring, Councilor O'Connor, and Councilor Lamoureux were opposed.

The City Attorney stated that this means the MSFI Committee has no recommendation to the City Council regarding this matter. He suggested they make another motion.

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

On a vote of 3-2, the Municipal Services, Facilities, and Infrastructure Committee recommended that the request for the removal of granite curbing on the west side of Central Square be denied. Councilor Filiault and Councilor Hooper were opposed.