



Facilities Naming Committee
April 10, 2019
Minutes
City Hall, 2nd Floor Conference Room
12:00 p.m.

1. Councilor Nyhan called the meeting to order at 12:10 p.m.

Committee members present: Councilors Nyhan, Coen and Matson. Staff members present: City Manager Tom Aspell, City Solicitor Jim Kennedy and Deputy City Clerk Michelle Mulholland.

2. Councilor Nyhan indicated that this meeting was to discuss the naming of the White Park Skate House.
3. City Solicitor Jim Kennedy provided an overview of the fund raising efforts for the construction of the skate house. He explained that the city was provided a donation agreement from Merrimack County Savings Bank. He noted that the agreement is not signed or executed; it's a draft agreement for them to consider. He stated that the agreement states that Merrimack County Savings Bank will provide the City of Concord \$80,000 - \$20,000 now and \$20,000 payments over the next three years for naming rights for the skate house for a fifteen year period with an additional ten year right of first refusal period following that first fifteen year period. He stated that they want it to be named the Merrimack County Savings Bank Skate House for ten years. He pointed out that the total cost of the skate house is \$1,150,000 and \$80,000 is approximately seven percent of that amount.

Councilor Nyhan inquired whether the \$80,000 is above and beyond what they have pledged or whether this is the \$80,000. Mr. Kennedy responded that this \$80,000 is the amount pointing out that the agreement doesn't include who pays for the sign.

City Manager Tom Aspell indicated that the reason he is in attendance at this meeting is because this is the first time the city is doing something in regards to naming rights. They need to consider whether the name is appropriate, what the signage will look like, and whether it is going to blend into the park. He stated that this is an effort from the fundraising committee in which they made a deal with the bank with both of them understanding that neither one has control over this; this is a City Council decision. He feels that there has to be a gentle handling of this and pointed out is that it struck him that \$80,000 is a nice sum of money but fifteen years seems like a long time.

Councilor Coen, referencing the Facilities Naming Committee guidelines, pointed out that the amount doesn't meet the requirements. Mr. Aspell replied that this is for a naming right and is not permanent.

Councilor Nyhan understands that this doesn't meet the requirements for naming however he realizes that this is a naming rights situation rather than a permanent naming of a facility.

Councilor Coen questioned the total years. Councilor Nyhan noted that it's a total of twenty five years. Mr. Kennedy clarified that, per the proposed agreement, Merrimack County Savings Bank would have the first right of refusal - after the fifteen year agreement they would have to, within sixty days, offer them the right to continue with the price in which they affix to it. He noted that there are a lot of elements involved.

Councilor Nyhan noted that \$80,000 has been raised so far and committed to this project by this organization but feels that the whole idea of fifteen years is far too long. He doesn't like the way it's being presented. He stated that he feels that it's in their best interest to cooperate and find a resolution. He is not comfortable with the current proposed arrangement. His thought is \$100,000 - \$10,000 over ten years and then, after ten years, they are done with the naming and it would go back out to bid. He noted that after the ten years, they can maybe give them the first right of refusal or a first option to bid on it.

Councilor Coen feels that this is a completely different proposal than the committee's policy. He feels that this is a marketing piece for a company noting that this is getting into a different area than normal for the city – it's more of a business deal.

Mr. Aspell pointed out some key points that can be addressed with them such as: the amount donated doesn't commensurate with the number of years asked; the name shouldn't be an off premise sign – there can be something such as a logo or plaque to make the connection to Merrimack County Savings Bank but not naming a facility

after a business entity; that there is a name that works for all; get rid of all the extensions.

Councilor Coen noted that he feels that what this committee does is name city items in which is considered more historical or legacy type of naming. This is not that; this is more of a marketing effort.

Councilor Nyhan inquired whether the right place to discuss this would be at a Fiscal Policy Advisory Committee meeting. Mr. Aspell responded that one of the issues is timing explaining that the fundraising committee wants to hold a gala event for those donations in possibly May. Councilor Nyhan noted that while it doesn't meet what the committee is charged to do which is naming a permanent facility, this is the naming of a facility relative to a marketing agreement. No matter what they do, he stated that this still has to go to the City Council for approval. He stated that the committee will ultimately need to change their policy/charge or develop some sort of process for naming rights moving forward.

Committee and staff members agreed that they are not comfortable with the name and discussed options for signage to advertise/recognize Merrimack County Savings Bank such as a location or area within the building or erecting a plaque in place of naming the skate house after them.

Mr. Aspell indicated that staff could go back and express the committee's concerns in regards to the naming and terms of the agreement brought forth.

Councilor Matson noted that she is uncomfortable with the first naming rights within the agreement. She likes the idea of a plaque inside maybe somewhere prominent.

Councilor Coen stressed the committee's guidelines.

Following additional discussion in regards to the proposed agreement, committee members unanimously agreed that they are not comfortable with naming the building based upon the donation agreement and asked staff to work with the donor to look at a different agreement for a fixed term for no more than ten years. It was also agreed that they will need to include that they will pay for the sign subject to committee approval.

Councilor Nyhan stated that the city needs a policy relative to naming rights.

Councilor Matson pointed out that the Facilities Naming Committee is a permanent naming facility committee and feels that they need to add a section that adds

temporary naming rights moving forward to set up perimeters and guidelines for the committee to consider these.

4. The time being 1:02 p.m., the meeting was adjourned.

*A true copy; I attest:
Michelle Mulholland
Deputy City Clerk*