



City of Concord

City Council

Meeting Minutes - Final

Monday, August 14, 2023

7:00 PM

City Council Chambers
37 Green Street
Concord, NH 03301

Non meeting to discuss collective bargaining negotiations in accordance with RSA 91-A:2, I (a) followed by a non-public session in accordance with RSA 91-A: 3, II (d) to discuss property acquisition to begin at 5:30 PM.

Present: 13 - Councilor Candace Bouchard, Mayor Jim Bouley, Councilor Stacey Brown, Councilor Byron Champlin, Councilor Amanda Grady Sexton, Councilor Jennifer Kretovic, Councilor Paula McLaughlin, Councilor Karen McNamara, Councilor Keith Nyhan, Councilor Erle Pierce, Councilor Brent Todd, and Councilor Zandra Rice Hawkins

Excused: 2 Councilor Fred Keach and Councilor Gail Matson

Late: 1 Councilor Nathan Fennessy

Staff members present: City Manager Tom Aspell, Deputy City Manager - Development Matt Walsh, Deputy City Manager - Finance Brian LeBrun, City Solicitor Jim Kennedy, and City Clerk Janice Bonenfant.

Mayor Bouley called the meeting to order at 5:30 PM

Councilor Kretovic moved to enter a non-meeting to discuss collective bargaining negotiations in accordance with RSA 91-A:2, I (a) followed by a non-public session in accordance with RSA 91-A: 3, II (d) to discuss property acquisition. The motion was duly seconded and passed with no dissenting votes. City Clerk Janice Bonenfant and Councilor Stacey Brown left the non-meeting. They were not present during collective bargaining discussions. The non-meeting to discuss collective bargaining negotiations ended at 6:32 PM. City Clerk Janice Bonenfant and Councilor Stacey Brown rejoined the meeting.

At 6:57 PM. Councilor Bouchard moved to exit the non-public session. The motion was duly seconded and passed with no dissenting votes. In public session, Councilor Kretovic moved to seal the minutes of the non-public session. The motion was duly seconded and passed with no dissenting votes.

There being no additional Council business, Councilor Kretovic moved to adjourn the non-public session. The motion was duly seconded and passed with no dissenting votes.

1. Call to Order.

Action: Mayor Bouley called the meeting to order at 7:04 PM.

2. Invocation.

3. Pledge of Allegiance.

4. Roll Call.

Present: 13 - Councilor Candace Bouchard, Mayor Jim Bouley, Councilor Stacey Brown, Councilor Byron Champlin, Councilor Nathan Fennessy, Councilor Amanda Grady Sexton, Councilor Jennifer Kretovic, Councilor Paula McLaughlin, Councilor Karen McNamara, Councilor Keith Nyhan, Councilor Erle Pierce, Councilor Zandra Rice Hawkins, and Councilor Brent Todd

Excused: 2 - Councilor Fred Keach, and Councilor Gail Matson

5. Approval of the Meeting Minutes.

June 5, 2023 Draft Finance Committee Meeting Minutes.

Action: Councilor Nyhan moved approval of the June 5, 2023 Finance Committee Meeting Minutes. The motion was duly seconded and passed with no dissenting votes. Councilors Rice Hawkins and McNamara abstained.

July 10, 2023 City Council Draft Meeting Minutes

Action: Councilor Grady Sexton moved approval of the July 10, 2023 City Council Meeting Minutes. The motion was duly seconded and passed with no dissenting votes.

6. Agenda overview by the Mayor.

Action: Councilor Bouchard moved approval of the consent agenda. The motion was duly seconded and passed with no dissenting votes. Agenda item number 17 was pulled from the consent agenda by Councilor Brown for discussion. Agenda item number 18 was pulled from the consent agenda by Councilors Kretovic, Brown, and Fennessy for discussion.

****Consent Agenda Items****

Note: Items listed as pulled from the consent agenda will be discussed at the end of the meeting.

Referral to the Golf Course Advisory Committee

7. Request from SkiTheBeav Inc. to locate a ski storage trailer at the Beaver Meadow Golf Course.

Action: This communication was referred to the Golf Course Advisory Committee.

Items Tabled for September 11, 2023 Public Hearings

8. Ordinance amending the Code of Ordinances; Title II, Traffic Code; Chapter 18, Parking, Article 18-1, Stopping, Standing and Parking, Section 18-1-8, Parking Time is Limited in Designated Places, Schedule III and Section 18-1-16, Handicap Parking, Schedule XVIII; together with a report from the Deputy City Manager - Development.

Action: This ordinance was moved to set for a public hearing.

9. Ordinance amending the Code of Ordinances; Title II, Traffic Code; Chapter 18, Parking, Article 18-1, Stopping, Standing and Parking, Section 18-1-7.1, Parking Prohibited During Certain Hours and Months in Designated Places, Schedule IX; to remove certain school zone related parking restrictions on the west side of South Street (Conant Drive to Coolidge Avenue); together with a report from the Deputy City Manager - Development.

Action: This ordinance was moved to set for a public hearing.

10. Ordinance amending the Code of Ordinances; Title II, Traffic Code; Chapter 18, Parking, Article 18-1, Stopping, Standing and Parking, Schedule III; to remove the three-hour time limit on Washington Street (Concord) between North Main Street and Rollins Street); together with a report from the Deputy City Manager - Development.

Action: This ordinance was moved to set for a public hearing.

11. Ordinance amending the Code of Ordinances, Title V, Administrative Code; Chapter 35, Classification and Compensation Plan, Schedule D of Article 35-2, Compensation Plan, to establish the following positions: Cemetery Crew Leader and Cemetery Maintenance Specialist; together with a report from the Parks and Recreation Director and the Human Resources and Labor Relations Director.

Action: This ordinance was moved to set for a public hearing.

12. Resolution appropriating the sum of \$705,000 for the Merrimack River Greenway Trail project (CIP #543), authorizing the issuance of bonds and notes in the sum of \$130,000, accepting the sum of \$275,000 in Land and Water Conservation Fund grant funds, and accepting the sum of \$300,000 as a donation from Friends of Merrimack River Greenway Trail for this purpose; together with a report from the Parks & Recreation Director. (Public testimony submitted.)

Action: This resolution was moved to set for a public hearing.

From the City Manager

13. Positive Citizen Comments.

Action: These positive comments were received and filed.

Consent Reports

14. Diminimus gifts and donations report from the Library Director requesting authorization to accept monetary gifts totaling \$2,642.60, as provided under the pre-authorization granted by City Council.

Action: This consent report was approved.

15. Diminimus gifts and donations report from the Fire Chief requesting authorization to accept monetary gifts totaling \$300 as provided for under the pre-authorization granted by City Council. Retroactive to June 30, 2023.

Action: This consent report was approved.

16. Diminimus gifts and donations report from the Parks and Recreation Director requesting authorization to accept monetary gifts totaling \$2,618.57 as provided for under the pre-authorization granted by City Council.

Action: This consent report was approved.

17. Status report from the City Manager on the City Council's 2022-2023 Priorities.
(Pulled from consent by Councilor Brown)

Action: This consent report was pulled from consent to be discussed at the end of the meeting.

18. Report from Deputy City Manager - Finance recommending approval of the proposed 2024 Membership, Daily Fee, Simulator and Outing Rates for the Beaver Meadow Golf Course as recommended by the Golf Course Advisory Committee.
(Pulled from consent by Councilors Kretovic, Brown and Fennessy)

Action: This consent report was pulled from consent to be discussed at the end of the meeting.

19. Report from the Parks & Recreation Director recommending the acceptance of Hockey Rink Boards valued at \$15,000 from the Black Ice Pond Hockey Association.

Action: This consent report was approved.

20. Report from the City Solicitor Regarding a Request to Discontinue a Portion of Stickney Avenue, Concord, NH

Action: This consent report was approved.

21. Report to Council from the City Solicitor's Office regarding a lot line adjustment for 211 Bog Road, Concord, NH

Action: This consent report was approved.

Consent Resolutions

22. Resolution authorizing the City Manager to enter into a License Agreement with ZV Investments L.L.C. for the installation of a parking lot and related improvements on City owned property located at 89-91 Loudon Road in conjunction with a real estate development project located at 5 Thomas Street; together with a report from the Deputy City Manager - Development.

Action: This consent resolution was approved.

23. Resolution authorizing the City Manager to enter into a License Agreement with the Pierce Brigade for installation of off-site signage on City owned property known as Bradley Park, or within public highway rights-of-way adjacent thereto, for the Pierce Manse located at 14 Horseshoe Pond Lane; together with a report from the Deputy City Manager - Development.

Action: This consent resolution was approved.

24. Resolution authorizing the City Manager to enter into a License Agreement, or other similar legal instrument with the Duprey Company L.L.C., or other related party, relative to construction of a structure for the display of an Abbot-Downing Company Concord Coach within the City's highway rights-of-way located between 45 and 49 South Main Street, as well as City financial support of said project in the amount of \$100,000 as appropriated in the FY2024 Budget; together with a report from the Deputy City Manager - Development.

Action: This consent resolution was approved.

25. Resolution rescinding an appropriation in the sum of \$50 from the Existing Conditions Report and Park Master Plan for the Memorial Field Complex Project (CIP #557) and reducing the general obligation bonds and notes amount by \$50 for the same project; together with a report from the Deputy City Manager - Finance.

Action: This consent resolution was approved.

Appointments

26. Mayor Bouley's proposed appointment to the Energy & Environment Advisory Committee: Allen M. Desbiens.

Action: This appointment was approved.

End of Consent Agenda

Public Hearings

- 27A. Resolution determining the proposed project has a public benefit and approving an application by First Church Holdings LLC for a seven-year RSA 79-e Community Revitalization Tax Relief Incentive for the renovation of real estate located at 177 North Main Street City Assessor's Parcel Map 55 Block 3 Lot 14 and 16; together with a report from the Deputy City Manager - Development. (Supplemental resolution and report submitted.)

Action: Deputy City Manager - Development Matt Walsh provided an overview of this item in which local developers plan to acquire the former First Church located at 177 North Main Street for the purpose of preserving and renovating the building into 33 units of market rate rental housing.

Mayor Bouley opened the public hearing.

Roy Schweiker declared his opinion on the valuation and potential rental rates of the property located at 177 North Main Street. Mr. Schweiker further discussed his belief that the developers should present their information to Council rather than City staff. He also discussed the use of parking at the property.

Developer Jon Chorlian informed the Council he is present to answer any questions.

- 27B. Ordinance amending the Code of Ordinances, Title V, Administrative Code; Chapter 35, Classification and Compensation Plan, Schedule D of Article 35-2, Class Specification Index; together with a report from the Director of Human Resources and Labor Relations.

Action: City Manager Aspell provided a brief overview of this item in which the new positions and labor grade modifications were approved as part of Fiscal Year Budget 2024.

Mayor Bouley opened the public hearing. There being no public testimony, Mayor Bouley declared the hearing closed.

Public Hearing Action

28. Resolution determining the proposed project has a public benefit and approving an application by First Church Holdings LLC for a seven-year RSA 79-e Community Revitalization Tax Relief Incentive for the renovation of real estate located at 177 North Main Street City Assessor's Parcel Map 55 Block 3 Lot 14 and 16; together with a report from the Deputy City Manager - Development. (Supplemental resolution and report submitted.)

Action: Councilor Kretovic moved approval. The motion was duly seconded.

Deputy City Manager - Development Matt Walsh provided an overview of the process of reviewing RSA 79-e Community Revitalization Tax Relief Incentive applications and informed Council that the City's Assessing Department reviews the submitted information.

General discussion followed regarding parking in the area of the discussed property.

After general discussion, Councilor Kretovic's motion passed with no dissenting votes.

29. Ordinance amending the Code of Ordinances, Title V, Administrative Code; Chapter 35, Classification and Compensation Plan, Schedule D of Article 35-2, Class Specification Index; together with a report from the Director of Human Resources and Labor Relations.

Action: Councilor Bouchard moved approval. The motion was duly seconded and passed with no dissenting votes.

Reports

New Business

Unfinished Business

Consideration of items pulled from the Consent Agenda

17. Status report from the City Manager on the City Council's 2022-2023 Priorities. (Pulled from consent by Councilor Brown)

Action: Councilor Brown requested the addition of more descriptive language in the first goal outlined in City Manager Aspell's 2022-2023 City Council Priorities report. General discussion followed regarding this request.

Councilor Brown moved approval. The motion was duly seconded and passed with no dissenting votes.

18. Report from Deputy City Manager - Finance recommending approval of the proposed 2024 Membership, Daily Fee, Simulator and Outing Rates for the Beaver Meadow Golf Course as recommended by the Golf Course Advisory Committee. (Pulled from consent by Councilors Kretovic, Brown and Fennessy)

Action: This item was pulled from consent for discussion by Councilors Kretovic, Brown, and Fennessy.

Councilor Kretovic discussed the proposed fees recommended by the Golf Course Advisory Committee and the committee's deliberations regarding the financial impact if a residential discount was made available within the greens fees. Councilor Kretovic further discussed the committee's support of City Manager Aspell's recommendation to implement a resident discount during the slow time of play in next year's golf season so that data may be captured to highlight resident versus non-resident play.

Councilor Kretovic moved approval. The motion was duly seconded.

Councilor Brown recommended waiting one month as to review 2024 rates from competitor courses.

Councilor Fennessy discussed his experience with rates of public courses across the country and suggested a Council discussion of whether a discount for Concord residents is appropriate.

General discussion followed regarding the golf course's management, revenue, possibility of data collection, and possibility of resident versus non-resident greens fees.

Councilor Brown moved to amend the motion and table the report for one month. Councilor Brown's motion was duly seconded and failed.

Councilor Brown called for a roll call vote for Councilor Kretovic's motion. The motion passed in a roll call vote.

Yes: 10 - Councilor Bouchard, Mayor Bouley, Councilor Champlin, Councilor Grady Sexton, Councilor Kretovic, Councilor McLaughlin, Councilor McNamara, Councilor Nyhan, Councilor Pierce, and Councilor Todd

No: 3 - Councilor Brown, Councilor Fennessy, and Councilor Rice Hawkins

Excused: 2 - Councilor Keach, and Councilor Matson

Consideration of Suspense Items

Sus1 Communication from Adolphe Bernotas and James McConaha requesting City Council hold a public hearing on a request to the Commissioner of the Department of Natural & Cultural Resources regarding State Highway Historical Marker #278, the Elizabeth Gurley Flynn marker.

Action: Councilor Bouchard moved to suspend the rules to discuss suspense item number one. The motion was duly seconded and passed with no dissenting votes.

City Clerk Bonefant noted that the agenda should state that the item be referred to the Heritage Commission.

Mayor Bouley noted that suspense item number one should be referred to the City Solicitor's Office.

City Solicitor Kennedy provided a brief overview of the topic including that the State of New Hampshire and plaintiffs are litigating this matter in Merrimack County Superior Court. City Solicitor Kennedy generally discussed state statute outlining the relationship between City and the State of New Hampshire regarding signage.

Councilor Champlin moved to refer suspense item number one to the City Solicitor's Office. The motion was duly seconded and passed two dissenting votes.

Comments, Requests by Mayor, City Councilors

Councilor Brown discussed her desire for the joint City Council and School Board Committee to explore All Kids Bike and the opening of school facilities to marginalized community members. Councilor Brown announced a Wednesday night concert and the Sunflower Festival ending August 20 on Loudon Road.

General discussion followed regarding National Night Out and the Concord Police Department's procurement of bicycle helmets which were then dispersed by Councilors Brown and Rice Hawkins.

Councilor Champlin announced the Greater Concord Chamber of Commerce's Young Professional event occurring Wednesday night.

Mayor Bouley shared that Election Day is Tuesday, November 7. Mayor Bouley

shared the dates of filing for office which are September 8 - 18, 2023 for a cost of \$5 for the offices of Mayor or Council and \$1 for Ward Officials. The date by which one can file for office by petition is September 22, 2023 which avoids the filing fee of \$5 or \$1.

Mayor Bouley shared his decision to not run for re-election. He shared his personal sentiments on serving the City of Concord as the 56th Mayor of Concord and serving the City of Concord for a total of 26 years, first as Ward 10 Councilor then as Mayor.

Comments, Requests by the City Manager

Adjournment

Action: At 8:21PM, there being no additional Council business, Councilor Champlin moved approval to adjourn. The motion was duly seconded and passed with no dissenting votes.

Information

Inf1 July 12, 2023 Ad Hoc Beaver Meadow Building Committee Draft Meeting Minutes.

Action: This Information item was received and filed.

Inf2 July 19, 2023 Golf Course Advisory Committee Draft Meeting Minutes.

Action: This Information item was received and filed.

Inf3 July 26, 2023 Golf Course Advisory Committee Draft Meeting Minutes.

Action: This Information item was received and filed.

Inf4 June 26, 2023 Concord Public Library Board of Trustee Meeting Minutes.

Action: This Information item was received and filed.

Inf5 July 24, 2023 DEIJB Committee Draft Meeting Minutes.

Action: This Information item was received and filed.

A true copy, I attest:

*Elisabeth Harrington
Deputy City Clerk*

