



City of Concord

City Council

Meeting Agenda

Monday, April 13, 2020

7:00 PM

Zoom Meeting Link:

<https://zoom.us/j/703776553>

Telephone Dial: US: +1 929 205 6099 -

Webinar ID#: 703 776 553

COVID-19 - Public Meeting Procedures Notice

Due to the Covid 19/Corona Virus crisis and in accordance with Governor Sununu's Emergency Order #12 pursuant to Executive Order 2020-04, City Council is authorized to meet electronically. The City of Concord will be utilizing the Zoom platform for this electronic meeting.

Please note that there is no physical location to observe and listen contemporaneously to the meeting, which was authorized pursuant to Governor Sununu's Emergency Order #12 pursuant to Executive Order 2020-04.

*All members of City Council have the ability to communicate contemporaneously during this meeting through the Zoom platform, and the public has access to contemporaneously listen and, if necessary, participate in this meeting by following the link below, or dialing the number below and entering the ID number at the prompt. For those who want to provide public testimony in the Public Hearing portion of the meeting, and you are connected to the Zoom website, you may click on the Raise Hand icon in the Attendees Section of Zoom to make the request. When the time is appropriate, you will be recognized so you can provide your testimony. For those calling in who want to provide public testimony, dial *9 to alert the host that you wish to speak. The host will unmute you at the appropriate time/during the public hearing portion of the meeting. All participants please keep your phones and computers on mute unless speaking.*

Website address: <https://zoom.us/j/703776553>.

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Members of the public can also email questions or other public testimony to citycouncilmeeting@concordnh.gov. Staff will read the testimony or question into the record during the meeting.

Any member of the public can also call the City of Concord at 603-230-4619 or email: citycouncilmeeting@concordnh.gov if they are unable to access the meeting and assistance connecting is needed.

1. Call to Order.
2. Invocation.
3. Pledge of Allegiance.
4. Roll Call.
5. Approval of the Meeting Minutes.
March 9, 2020 Meeting Minutes.
Attachments: [March 9, 2020](#)
6. Agenda overview by the Mayor.

****Consent Agenda Items****

Referral to the Legal Department

7. Application from Attorney Mark Dunn, on behalf of his client, Troy Burke, for restoration of involuntarily merged lots pursuant to RSA 674:39-aa.
Attachments: [Application for Restoration of Involuntarily Merged Lots](#)

Referral to the Fiscal Policy Advisory Committee

8. Report from the Deputy City Manager - Finance regarding the Governor's Emergency Order #25 Pursuant to Executive Order 2020-04 temporary modification of interest penalty for late payment of property taxes.
Attachments: [Report](#)
[Emergency Order 25](#)

Items Tabled for May 11, 2020 Public Hearings

9. Ordinance amending the Code of Ordinances; Title II, Traffic Code; Chapter 18, Parking, Article 18-3, Parking Meters, Schedule X, to convert certain metered parking spaces from 3 hours to 10 hours near 60-62 Pleasant Street, together with report from the Director of Redevelopment, Downtown Services, and Special

Projects.

Attachments: [Ordinance](#)

[Report](#)

[Email Hinxhia re Meters @ 60-62 Pleasant January 10, 2020](#)

[Map - 3HR Meter Parking 60-62 Pleasant St.pdf](#)

10. 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 Limited in Designated Places, Schedule III (Two Hours between the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday), by removing the two hour time limit on School Street between Liberty Street and Pine Street; together with report from the Director of Redevelopment, Downtown Services, and Special Projects.

Attachments: [Ordinance](#)

[Report](#)

11. Ordinance amending the Code of Ordinances Title II, Traffic Code; Chapter 18, Parking, Article 18-1, Stopping, Standing and Parking, Section 18-1-6, Parking Prohibited at All Times in Designated Places, Schedule I (Parking Prohibited at All Times), by amending Schedule I by creating a no parking zone at the westerly end of District 5 Road; together with report from the Director of Redevelopment, Downtown Services, and Special Projects.

Attachments: [Ordinance](#)

[Report](#)

[Map](#)

12. Ordinance amendment the Code of Ordinances; Title II, Traffic Code; Chapter 18, Parking, to re-establish law enforcement only parking near the Federal complex on Pleasant Street; together with report from Director of Redevelopment, Downtown Services, and Special Projects.

Attachments: [Ordinance](#)

[Report](#)

[Map](#)

13. Resolution appropriating the sum of \$5,500 from Arena Fund Balance for the procurement of outside services to develop a detailed cost estimate of an existing conceptual design for an Arena addition; together with report from the General Services Director.

Attachments: [Resolution](#)

[Report](#)

14. Resolution appropriating the sum of \$60,000 for the purpose of off-setting personnel costs for the Police Department to assign an officer to the Drug Task Force and accepting the sum of \$60,000 from the State of New Hampshire Attorney General's

Drug Task Force for this purpose; together with report from the Police Department.

Attachments: [Resolution](#)
[Report](#)

15. Resolution appropriating the sum of \$74,315 for equipment, professional development, and overtime, and accepting the sum of \$74,315 in United States Department of Justice FY2020 Coronavirus Emergency Supplemental Funding for this purpose; together with report from the Police Department.

Attachments: [Resolution](#)
[Report](#)

16. Resolution appropriating the sum of \$187,467 in the Annual Highway Improvement Program Project (CIP #78) and accepting and authorizing the use of revenue received for departmental services completed in conjunction with the capital project; together with report from the General Services Director.

Attachments: [Resolution](#)
[Report](#)

Consent Reports

17. Diminimus gifts and donations report from the Library Director requesting authorization to accept monetary gifts totaling \$1,028.31, as provided for under the pre-authorization granted by City Council.

Attachments: [Report](#)

18. Diminimus gifts and donations report from the Parks and Recreation Director requesting authorization to accept monetary gifts totaling \$5,503.28, as provided for under the pre-authorization granted by City Council.

Attachments: [Report](#)

19. Report from Deputy City Manager - Finance recommending the FY2021 Finance Committee budget review Schedule and Guidelines.

Attachments: [Report](#)
[Proposed Schedule](#)
[FY 2021 Finance Committee Guidelines](#)

20. Report and recommendations from the Ad Hoc Council Committee on the Business use of City Property.

Attachments: [Report](#)

21. April 2020 Economic Development Report from the Economic Development Director.

Attachments: [Report](#)

22. Quarterly Current Use Tax Report from the Director of Real Estate Assessments.

Attachments: [Report](#)

23. Report from the City Solicitor's Office regarding a tentative agreement between the City of Concord and the Concord Police Patrolmen's Association.

Attachments: [Report](#)

24. Report from the City Solicitor's Office regarding a tentative agreement between the City of Concord and Local 2322, International Union - United Automobile, Aerospace and Agricultural Implement Workers of America (“UAW”).

Attachments: [Report](#)

25. Report from the Assistant City Planner providing an update on the Request for Proposal for solar development on three municipal properties.

Attachments: [Report](#)
[Supplemental](#)

26. Report from the Code Administrator requesting authorization for the City Manager to apply for a Moose License Plate Conservation Grant to facilitate securing of archives in the Code Administration Office.

Attachments: [Report](#)

Consent Resolutions

27. Resolution re-adopting the Beneflex Plan and authorizing the City Manager to execute Beneflex Plan documents.

Attachments: [Resolution](#)

28. Resolution authorizing the City Manager to submit an application to the US Department of Justice FY2020 Coronavirus Emergency Supplemental Funding Grant Program; together with report from the Police Department.

Attachments: [Resolution](#)
[Report](#)

29. Resolution authorizing the City Manager to enter into an agreement with Bull Meadow RE Holdings, LLC., to allow site and utility improvements across an easement at 63 Bog Road, Tax Map 312Z, Lot 6; together with report from the Assistant City Planner.

Attachments: [Resolution](#)
[Report](#)
[Plan](#)

30. Resolution repurposing the sum of \$37,872.10 from the 2019 Walking Trail subproject (CIP #52) for use on the 2020 Greenway Trail Improvements subproject (CIP #59); together with report from the Parks and Recreation Director.

Attachments: [Resolution](#)
[Report](#)

31. Resolution rescinding the appropriation of \$100,000 in Land and Water Conservation Fund Grant Funds for use on the Merrimack River Greenway Trail 2016 Trail and Boardwalk Construction subproject (CIP #543) and affirming the appropriation of \$100,000 in Land and Water Conservation Fund Grant Funds for use on the Terrill Park 2020 Trail Improvements subproject (CIP #59); together with report from the Parks and Recreation Director.

Attachments: [Resolution](#)
[Report](#)

Appointments

32. Proposed appointment of Michelle "Ray" Conner to the Library Board of Trustees.

Attachments: [Report](#)
[Resume](#)

33. Proposed Appointments to the Zoning Board of Adjustment.

Attachments: [Report](#)

End of Consent Agenda

Public Hearings

- 34A. 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, Engineering Position Class Specification Title Change; together with report from the Director of Human Resources and Labor Relations.

Attachments: [Ordinance](#)
[Report](#)

- 34B. Ordinance amending the Code of Ordinances, Title I, General Code; Chapter 1, Government Organization, Article 1-5, Fees, Fines, and Penalties; together with non-ordinance fees and a report from the Deputy City Manager - Finance. (Supplemental report, revised ordinance and revised fee schedule submitted.)

Attachments: [Ordinance](#)
[Proposed Ordinance and Non-Ordinance Fee Changes](#)
[Report](#)
[Revised Ordinance](#)
[Supplemental Report](#)
[Revised Proposed Ordinance and Non-Ordinance Fee Changes](#)

- 34C. Resolution approving the acquisition of land south of District No. 5 Road for conservation purposes and authorizing the expenditure of up to \$12,000 from the

Conservation Fund for this purpose, as recommended by the Conservation Commission; together with report from the Assistant City Planner on behalf of the Conservation Commission.

Attachments: [Resolution](#)
[Report](#)
[Plan](#)

- 34D. Resolution approving the acquisition of land north of Currier Road for conservation purposes and authorizing the expenditure of up to \$35,500 from the Conservation Fund for this purpose, as recommended by the Conservation Commission; together with report from the Assistant City Planner on behalf of the Conservation Commission.

Attachments: [Resolution](#)
[Report](#)
[Plan](#)

- 34E. Resolution modifying the Elderly Exemption for the City of Concord pursuant to the provisions of RSA 72:27-a; together with report from the Director of Real Estate Assessments.

Attachments: [Resolution](#)
[Report](#)
[2019 Final Exemption and Credit Comparison by Town](#)
[Public Testimony](#)

Public Hearing Action

35. Resolution authorizing the Annual Appraisal of Real Estate at Market Value per RSA 75:8-b; together with report from the Director of Real Estate Assessments. (Public Hearings to be held in February and March with action taken in April.)

Attachments: [Resolution](#)
[Report](#)

36. 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, Engineering Position Class Specification Title Change; together with report from the Director of Human Resources and Labor Relations.

Attachments: [Ordinance](#)
[Report](#)

37. Ordinance amending the Code of Ordinances, Title I, General Code; Chapter 1, Government Organization, Article 1-5, Fees, Fines, and Penalties; together with non-ordinance fees and a report from the Deputy City Manager - Finance. (Supplemental report, revised ordinance and revised fee schedule submitted.)

Attachments: [Ordinance](#)
[Proposed Ordinance and Non-Ordinance Fee Changes](#)
[Report](#)
[Revised Ordinance](#)
[Supplemental Report](#)
[Revised Proposed Ordinance and Non-Ordinance Fee Changes](#)

38. Resolution approving the acquisition of land south of District No. 5 Road for conservation purposes and authorizing the expenditure of up to \$12,000 from the Conservation Fund for this purpose, as recommended by the Conservation Commission; together with report from the Assistant City Planner on behalf of the Conservation Commission.

Attachments: [Resolution](#)
[Report](#)
[Plan](#)

39. Resolution approving the acquisition of land north of Currier Road for conservation purposes and authorizing the expenditure of up to \$35,500 from the Conservation Fund for this purpose, as recommended by the Conservation Commission; together with report from the Assistant City Planner on behalf of the Conservation Commission.

Attachments: [Resolution](#)
[Report](#)
[Plan](#)

40. Resolution modifying the Elderly Exemption for the City of Concord pursuant to the provisions of RSA 72:27-a; together with report from the Director of Real Estate Assessments.

Attachments: [Resolution](#)
[Report](#)
[2019 Final Exemption and Credit Comparison by Town](#)
[Public Testimony](#)

Reports

41. Borough Road Sidewalk Project report from the General Services Director and the City Engineer.

Attachments: [Report](#)

New Business

Unfinished Business

42. Ordinance amending the Code of Ordinances, Title IV, Zoning Code; Chapter 28,

Zoning Ordinance; Article 28-5, Supplemental Standards; Section 28-5-50, Keeping of Chickens as Pets Accessory to a Residential Use; together with a report from the City Planner. (Ordinance referred to the Public Safety Advisory Board at the October 15, 2019 City Council meeting.)

Attachments: [Ordinance](#)
[Report](#)
[Request](#)
[Public Testimony](#)
[Additional Public Testimony](#)
[Additional Public Testimony 2](#)

43. Report from the Deputy City Manager - Development recommending that the City include fees for outdoor seating and sandwich board sign use of the public sidewalk in the upcoming revision to the City's ordinance based fee schedule. (Action on this item tabled at the February 10, 2020 Council meeting.)

Attachments: [Report](#)

44. Report from the Associate Engineer approving the design of the "Welcome to East Concord" gateway sign and directing staff to return with an appropriating resolution accepting a \$1,500 donation from the East Concord Garden Club (ECGC) and allocating additional sign installation funds. (Action on this item tabled at the February 10, 2020 Council meeting.)

Attachments: [Report](#)
[Graphic Rendering of Sign](#)
[Letter from East Concord Garden Club](#)

Comments, Requests by Mayor, City Councilors

Comments, Requests by the City Manager

Consideration of Suspense Items

- Sus1 Diminimus gifts and donations report from the Fire Department requesting authorization to accept grant funding from the Department of Safety Emergency Management Performance Grant Program in the amount of \$6,000 as provided for under the pre-authorization granted by City Council.

Attachments: [Report](#)

- Sus2 Resolution appropriating the sum of \$117,000 for equipment and overtime, and accepting the sum of \$117,000 in Department of Justice FY2020 Coronavirus Emergency Supplemental Funding for this purpose; together with report from the Interim Fire Chief.

Attachments: [Resolution](#)
[Report](#)

Adjournment

Information

- Inf1 November 21, 2019 Transportation Policy Advisory Committee Meeting Minutes.
Attachments: [Minutes](#)
- Inf2 December 17, 2019 Traffic Operations Committee Meeting Minutes.
Attachments: [Minutes](#)
- Inf3 December 17, 2019 Transportation Policy Advisory Committee, Public Transportation Subcommittee Meeting Minutes.
Attachments: [Minutes](#)
- Inf4 January 7, 2020 Architectural Design Review Committee Meeting Minutes.
Attachments: [Minutes](#)
- Inf5 January 8, 2020 Conservation Commission Meeting Minutes.
Attachments: [Minutes](#)
- Inf6 January 15, 2020 Planning Board Meeting Minutes.
Attachments: [Minutes](#)
- Inf7 January 23, 2020 Transportation Policy Advisory Committee Meeting Minutes.
Attachments: [Minutes](#)
- Inf8 January 28, 2020 Traffic Operations Committee Meeting Minutes.
Attachments: [Minutes](#)
- Inf9 February 4, 2020 Architectural Design Review Committee Meeting Minutes.
Attachments: [Minutes](#)
- Inf10 February 12, 2020 Conservation Commission Meeting Minutes.
Attachments: [Minutes](#)
- Inf11 February 13, 2020 Golf Course Advisory Committee Draft Meeting Minutes.
Attachments: [Minutes](#)
- Inf12 March 2, 2020 Ad Hoc Committee on Business Encumbrances of Public Property Draft Meeting Minutes.
Attachments: [Minutes](#)
- Inf13 March 2, 2020 Concord Public Library Board of Trustee Meeting Minutes.
Attachments: [Minutes](#)
- Inf14 March 12, 2020 Golf Course Advisory Committee Draft Meeting Minutes.
Attachments: [Minutes](#)
- Inf15 March 16, 2020 Fiscal Policy Advisory Committee Draft Meeting Minutes.
Attachments: [Minutes](#)

- Inf16 May 28, 2019 Transportation Policy Advisory Committee, Public Transportation Subcommittee Meeting Minutes.
Attachments: [Minutes](#)
- Inf17 Notice of Prescribed Burns from the NH Army National Guard.
Attachments: [Notice](#)
- Inf18 Communication from the New Hampshire Law Enforcement Officers Memorial Association notifying City Council that due to the nationwide COVID-19 pandemic, the 2020 New Hampshire Fallen Law Enforcement Officers Memorial Ceremony has been cancelled.
Attachments: [Communication](#)
- Inf19 Communication from Comcast notifying City Council of upcoming changes in service.
Attachments: [Comcast Communication](#)
- Inf20 Communication from the New Hampshire Department of Environmental Services regarding the Concord Wastewater Treatment Facility.
Attachments: [NHDES Communication](#)
- Inf21 March 4, 2020 Energy & Environment Advisory Committee Meeting Minutes.
Attachments: [Minutes](#)
- Inf22 March 20, 2020 Weatherize Concord 2020 Planning Meeting Minutes.
Attachments: [Minutes](#)