



# City of Concord

## City Council

### Meeting Minutes - Draft

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Monday, April 9, 2018

7:00 PM

City Council Chambers  
37 Green Street  
Concord, NH 03301

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*Non-public session in accordance with RSA 91-A: 3, II (d) to discuss property acquisition and RSA 91-A: 3, II (a) to discuss the City Manager's evaluation to be held at 6:00 p.m.*

Present: Councilor Bouchard, Mayor Bouley, Councilors Champlin, Coen, Herschlag, Keach, Kenison, Kretovic, Nyhan, Shurtleff and Councilor Todd were present. Councilor Matson arrived late. Councilors Grady-Sexton, St. Hilaire and Werner were excused.

City Manager Tom Aspell, Deputy City Manager Carlos Baia and City Clerk Janice Bonenfant were also present.

Mayor Bouley called the meeting to order at 6:05 p.m.

Councilor Champlin moved to enter non-public session in accordance with RSA 91-A: 3, II (d) to discuss property acquisition and RSA 91-A: 3, II (a) to discuss the City Manager's evaluation. The motion was duly seconded by Councilor Nyhan and passed unanimously with no dissenting votes.

At 6:56 p.m. Councilor Kretovic voted to recess the non-public session and reconvene in non-public after the City Council meeting. The motion was duly seconded by Councilor Champlin and passed unanimously with no dissenting votes.

1. Call to Order.

Mayor Bouley called the regular meeting to order at 7:11 p.m.

2. Invocation by the Reverend Jerry McCann from the United Church of Penacook.
3. Pledge of Allegiance.

## 4. Roll Call.

**Present:** 12 - Councilor Candace Bouchard, Mayor Jim Bouley, Councilor Byron Champlin, Councilor Mark Coen, Councilor Allan Herschlag, Councilor Fred Keach, Councilor Linda Kenison, Councilor Jennifer Kretovic, Councilor Gail Matson, Councilor Keith Nyhan, Councilor Stephen Shurtleff, and Councilor Brent Todd

**Excused:** 3 - Councilor Amanda Grady Sexton, Councilor Dan St. Hilaire, and Councilor Robert Werner

## 5. Approval of the Meeting Minutes.

March 5, 2018 City Council Meeting and CIP Work Session Minutes.

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

March 12, 2018 City Council Meeting Minutes.

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

## 5 1/2. Presentation by the Black Ice Hockey Association.

Chris Brown, Black Ice Pond Hockey Association, recapped this year's tournament and presented a check to the city in the amount of \$20,000. He highlighted the handout distributed to Council noting that, over the last eight years, they have donated over \$375,000 back to the community. (*Handout on file in the City Clerk's Office*)

Councilor Champlin thanked the association for their sensitivity and their responsiveness to the Ward Four neighborhood.

Mayor Bouley thanked members of the association for all their work. He highlighted the first line on the handout noting that, with this evening's contribution, the total of \$100,000 has been brought forth to the city for a skate house project which is listed within the city's CIP. He explained that a portion of the money for this project would come from the community. The Mayor announced the kick off of the public portion of the fundraising effort with the co-chairs of this campaign being Jennifer Frizzell and Chris Brown. He introduced Tom Champagne, Councilor Champlin, Kristyn Van Ostern, Laura Simoes and Luke Bonner noting that they have agreed to volunteer their time and effort to see this project through. He recognized HL Turner for donating over \$40,000 of free labor to put the

designs and planning together.

Jennifer Frizzell feels that this is a great opportunity for the Concord skating community and the White Park neighborhood community to do some outreach and bring some support to revitalizing and bringing back the use of this facility.

6. Agenda overview by the Mayor.

***\*\*Consent Agenda Items\*\****

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

*Approval of the Consent Agenda*

**Action:** Councilor Nyhan moved approval of the consent agenda with items 11 and 18 removed to the end of the agenda for discussion. Mayor Bouley and Councilor Kretovic took Rule 6 on item 25. The motion was duly seconded and passed with Mayor Bouley and Councilor Kretovic recusing themselves from voting.

City Manager Tom Aspell introduced Stefanie Phillips as the new Public Information Officer for the city.

Mayor Bouley recognized Ashlyn Fogg in the audience indicating that she was present for a class assignment which is to attend a public city or state governmental meeting.

**Items Tabled for May 14, 2018 Public Hearings**

7. Ordinance amending the Code of Ordinances; Title II, Traffic Code; Chapter 17, Vehicles and Traffic; Article 17-4, Operation of Motor Vehicles; Section 17-4-1, Stop Required Before Entering a Through Street; Schedule V, Stop Intersections, Willard Street at Manor Road; together with a report from the Traffic Engineer.

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

8. Ordinance amending the Code of Ordinances; Title II, Traffic Code; Chapter 18, Parking, by establishing Article 18-5, Permit Parking; together with report from the Director of Redevelopment, Downtown Services & Special Projects.

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

9. Resolution accepting and appropriating the sum of \$47,770 from Liberty Utilities

for the purpose of reimbursing the City for funds expended on behalf of Liberty Utilities on CIP#36 Manchester Street/Airport Road intersection improvement project; together with report from the Associate Engineer.

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

10. Resolution accepting and appropriating the sum of \$108,119 for compensation and fringe benefits to be funded by Federal Emergency Management Agency (\$107,335) and Homeland Security Grant Program (\$784) revenues; together with report from the Fire Chief.

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

11. Resolution adopting a goal of 100% renewable energy for the City of Concord. (Pulled from consent by Councilor Coen)

**Action:** This item removed to the end of the agenda for discussion.

### **From the City Manager**

12. Positive Citizen Comments.

**Action:** This positive comments was received and filed.

### **Consent Reports**

13. Diminimus gifts and donations report from the Library Director requesting authorization to accept monetary gifts totaling \$991.40 as provided for under the pre-authorization granted by City Council.

**Action:** This consent report was approved.

14. Diminimus gifts and donations report from the Fire Department Emergency Medical Services Officer requesting authorization to accept a proposed donation for an ACR-4 Child Safety Restraint as provided for under the pre-authorization granted by the City Council.

**Action:** This consent report was approved.

15. Diminimus gifts and donations report from the Fire Chief requesting authorization to accept grant funding for an Emergency Operations Center workshop training.

**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 \$7,588.78 as provided for

under the pre-authorization granted by City Council.

**Action:** This consent report was approved.

17. Report from the City Engineer recommending that the City Manager be authorized to accept two public turnaround easement deeds, one from Jean K. Lantz, 7 Putney Avenue, and one from Lawrence W. Yearke, 12 Putney Avenue.

**Action:** This consent report was approved.

18. Report from the Transportation Policy Advisory Committee regarding NHDOT's Preferred Alternative for the I-93 Bow-Concord (I-93 widening) Project. (Pulled from consent by Councilor Todd)

**Action:** This item removed to the end of the agenda for discussion.

19. 2018 - 2021 Economic Development Plan from the Economic Development Director.

**Action:** This consent report was approved.

### **Consent Resolutions**

20. Resolution in recognition of the services of Douglas B. Ross. (For presentation in May)

**Action:** This consent resolution was approved.

21. Resolution in recognition of the services of Firefighter Paramedic Stephen Lorenze. (For presentation in May)

**Action:** This consent resolution was approved.

22. Resolution authorizing the City Manager, by way of the Police Department, to submit an application to the United States Department of Justice, Bulletproof Vest Partnership Program, to receive funding for the purchase of ballistic vests; together with report from the Police Department.

**Action:** This consent resolution was approved.

23. Resolution authorizing the City Manager, by way of the Police Department, to submit an application to the Department of Safety, State Homeland Security and Emergency Management Exercise and Evaluation Program, for grant funding of a Homeland Security exercise in conjunction with the Concord School District; together with report from the Police Department.

**Action:** This consent resolution was approved.

24. Resolution authorizing the City Manager to apply for a grant for up to \$2,850,000 with the New Hampshire Department of Transportation (NHDOT), Bureau of Aeronautics, for the purpose of constructing Phase I & II Rehabilitation of 5000 feet of Taxiway A, crack sealing and marking Runways 17/35 and 12/30 and obstruction removal; together with report from the Associate Engineer.

**Action:** This consent resolution was approved.

### **Consent Communications**

25. Communication from the volunteer group, Building on Hope, asking that consideration be given to allow the closure of Blake Street from 7:00 a.m. to 7:00 p.m. from May 4, 2018 through May 20, 2018 while they undertake a renovation project at the Crisis Center of New Hampshire as well as consideration be given to allow the bagging of 10 to 15 parking spaces on State and Green Streets for the duration of the project.

**Action:** This consent communication was approved.

### **Appointments**

26. Mayor Bouley's proposed reappointment to the Upper Merrimack River Local Advisory Committee. Gary Lemay

**Action:** This appointment was approved.

*\*\*End of Consent Agenda\*\**

### **Public Hearings**

- 27A. 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 March and April with final action in May)

**Action:** Mayor Bouley explained that this item is a continuation of the public hearing from last month.

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

- 27B. Ordinance amending the Code of Ordinances, Title IV, Zoning Code; Chapter 28, Zoning Ordinance; Article 28-2, Zoning Districts and Allowable Uses; Section 28-2-3, The Zoning Map; together with a report from the City Planner.

(Supplemental information submitted)

**Action:** City Manager Tom Aspell provided a brief overview.

Mayor Bouley opened the public hearing.

### **Public Testimony**

Laurie Rauseo explained that together with her husband David they represent Interchange Development LLC with regards to the zoning request before the Council. She indicated that in November of last year, the City Council voted to lift covenants on a 10 acre parcel at the corner of Route 4 and Whitney Road. She explained that in order to have enough room for a medium sized supermarket and complementary retail uses, they requested consideration of expanding the urban commercial zone at the corner from approximately 10 acres to 14.5 acres; the entire parcel is 42 acres and was mostly zoned industrial. At the recommendation of the Planning Board, the Council did not vote to rezone any additional land until they had returned with a master plan for the site generated with participation and input from the community. Ms. Rauseo noted that they moved forward with that recommendation by holding a charette on December 2nd - meeting included a full site walk, planning exercises led by a consultant, and was taped and available on Concord TV. She stated that the primary output of the meeting were plans developed by the participants for the 42 acre site. After the meeting, they prepared a report which included a history of the site, the neighborhood, zoning analysis, tax impact analysis and a complete summary of the meeting and plans that were developed. Based on the public input and all the analysis within the report, the zoning request was revised to a gateway performance district of approximately 28.5 acres with the remaining 13.5 acres to remain as industrial.

Ms. Rauseo noted that full development of plans could generate around \$39 million in property tax assessments representing a 10 percent increase to the Penacook tax base. She indicated that the concept plan presented was not meant to be considered a site plan nor a comprehensive development plan which is required in the gateway performance district; there are many more steps they need to take before they can develop a detailed site plan and, most noticeably, they need to secure end users such as a supermarket. She noted that once the rezoning is completed, they are looking forward to working with city staff to develop the plan even further. She stated that the primary goal of the rezoning effort is to attract a supermarket to the location along with other high quality mixed uses which will help the tax base of Penacook while bringing services and employment to the area.

Eric Crane, Penacook resident, indicated that himself and his neighbors would like to have a shopping center to include a grocery store at the Whitney Road site; it would benefit Penacook, Boscawen, east Concord and towns further up Route 4. He would like to see the tax base in Penacook expanded and see the city work with these developers to make something like this happen.

There being no further public testimony, the Mayor closed the hearing.

- 27C. Resolution appropriating the sum of \$30,000 for improvements to the State Street Parking Garage, CIP #432, and authorizing the issuance of bonds and notes in the amount of up to \$30,000; together with report from the Director of Redevelopment, Special Projects and Downtown Services.

**Action:** City Manager Tom Aspell provided a brief overview.

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

- 27D. Resolution authorizing and appropriating the sum of \$5,000 in the Parking Fund as a transfer to Capital and authorizing and appropriating said funds in the Parking Capital Fund to reprogram parking meters and kiosks in accordance with implementation of the Parking Strategic Plan (CIP #577); together with report from the Director of Redevelopment, Downtown Services and Special Projects.

**Action:** There being no Council objection, the City Clerk read the titles of both public hearing D and E.

City Manager Tom Aspell provided a brief overview of items D and E.

Mayor Bouley opened the public hearing for both items D and E. There being no public testimony, the Mayor closed both the hearings.

- 27E. Resolution appropriating the sum of \$30,000 for signage and other improvements for the implementation of the Parking Strategic Plan (CIP #577) and authorizing the issuance of Bonds and Notes in the amount of up to \$30,000.

**Action:** Public hearing for this item taken with item D.

- 27F. Resolution repurposing the sum of \$10,253.12 from the Handgun Replacement Project (CIP #555) to the Communications System Upgrade Project (CIP #368); together with report from the Police Department.

**Action:** City Manager Tom Aspell provided a brief overview.

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

- 27G. 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.

**Action:** City Manager Tom Aspell provided a brief overview.

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

- 27H. Ordinance amending the Code of Ordinances, Title IV, Zoning Code; Chapter 28, Zoning Ordinance, Article 28-2, Zoning Districts and Allowable Uses, Article 28-5, Supplemental Standards and the Glossary; together with report from Assistant City Planner. (Public testimony submitted) (Revised ordinance submitted)

**Action:** Assistant Planner Beth Fenstermacher and Zoning Administrator Craig Walker provided an overview of the proposed ordinance.

Councilor Herschlag questioned whether the line is clear between Code and the Planning Board when someone comes in to get a permit and when someone has to appear before the Planning Board for a conditional use permit. Mr. Walker responded that he believes the line is fairly clear. He stated that for years activities have been going on at various agricultural locations and the city has no intention of requiring permits for those. He clarified that if someone is having entertainment in addition to their apple picking weekend, the Health Department has traditionally issued an entertainment permit which can be obtained on an annual basis or per activity. He pointed out that even in these situations, they are not charging a separate fee for admission; it's generally accompanying another activity. They are focusing on things in which somebody is charging a fee for, they're going to be renting the property, selling tickets, etc.

Councilor Herschlag inquired whether there is any anticipation that there will be more cases appearing before the Zoning Board of Adjustment because of this. His concern is whether they are going to create more exceptions that will need to go before the ZBA while, at the same time, they are looking to relieve the ZBA of some of their cases. Mr. Walker responded that there shouldn't be any additional cases coming to the ZBA as long as the proposals are within the guidelines under

the ordinance criteria. He explained that if someone needs a variance from a buffer zone, a set back or wants to build a new building related to this then, yes, they would need to come before the ZBA. He doesn't feel that there is any intent or expectation of additional ZBA action in these cases.

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

- 27I. Ordinance amending the Code of Ordinances, Title V, Administrative Code; Chapter 30, Administrative Code, Article 30-3, Boards and Commissions, Parking Committee; together with report from Mayor Bouley.

**Action:** City Manager Tom Aspell provided a brief overview.

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

- 27J. Ordinance amending the Code of Ordinances, Title V, Administrative Code; Chapter 30, Administrative Code, Article 30-3, Boards and Commissions, Municipal Housing Commission; together with report from the City Solicitor.

**Action:** City Manager Tom Aspell provided a brief overview.

Councilor Bouchard inquired as to where in the city do they still look to have and encourage development that's diverse and affordable. Mr. Aspell responded that this is something that they will be looking at as part of the form based code changes that come on. He stated that it would not only be with city staff but also with the Planning Board to make sure that the ordinances and regulations are in place to accomplish this.

Councilor Bouchard noted that her concern is that they don't lose sight of this.

Councilor Herschlag indicated that he had been appointed to this committee two years ago in which time they had never met.

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

### **Public Hearing Action**

28. Ordinance amending the Code of Ordinances, Title IV, Zoning Code; Chapter 28, Zoning Ordinance; Article 28-2, Zoning Districts and Allowable Uses; Section

28-2-3, The Zoning Map; together with a report from the City Planner.  
(Supplemental information submitted)

**Action:** Councilor Nyhan moved approval. The motion was duly seconded.  
Councilor Kretovic took Rule Six on this item.

Mayor Bouley indicated that he supports this but, as they move forward, encouraged the developer to develop a master plan and work closely with the Planning Department. He noted that this project has some significant challenges with the Whitney Road and Hoit Road intersection which is a state road and not in the state's ten year highway plan. He encouraged everyone to talk to their state representatives and Senator to get this in the highway plan. Lastly, he pointed out that this property is close to Exit 17 and hopes that they are reaching out to their federal delegation in case they need any federal input because it's so close to an interchange.

The motion to approve passed with no dissenting votes. Councilor Kretovic recused herself from voting.

29. Resolution appropriating the sum of \$30,000 for improvements to the State Street Parking Garage, CIP #432, and authorizing the issuance of bonds and notes in the amount of up to \$30,000; together with report from the Director of Redevelopment, Special Projects and Downtown Services.

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

30. Resolution authorizing and appropriating the sum of \$5,000 in the Parking Fund as a transfer to Capital and authorizing and appropriating said funds in the Parking Capital Fund to reprogram parking meters and kiosks in accordance with implementation of the Parking Strategic Plan (CIP #577); together with report from the Director of Redevelopment, Downtown Services and Special Projects.

**Action:** Councilor Nyhan moved approval. The motion was duly seconded and passed with one dissenting vote by Councilor Herschlag.

31. Resolution appropriating the sum of \$30,000 for signage and other improvements for the implementation of the Parking Strategic Plan (CIP #577) and authorizing the issuance of Bonds and Notes in the amount of up to \$30,000.

**Action:** Councilor Coen moved approval. The motion was duly seconded and passed with one dissenting vote by Councilor Herschlag.

32. Resolution repurposing the sum of \$10,253.12 from the Handgun Replacement Project (CIP #555) to the Communications System Upgrade Project (CIP #368); together with report from the Police Department.

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

33. 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.

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

34. Ordinance amending the Code of Ordinances, Title IV, Zoning Code; Chapter 28, Zoning Ordinance, Article 28-2, Zoning Districts and Allowable Uses, Article 28-5, Supplemental Standards and the Glossary; together with report from Assistant City Planner. (Public testimony submitted) (Revised ordinance submitted)

**Action:** Councilor Nyhan moved approval of the revised ordinance. The motion was duly seconded and passed with no dissenting votes.

35. Ordinance amending the Code of Ordinances, Title V, Administrative Code; Chapter 30, Administrative Code, Article 30-3, Boards and Commissions, Parking Committee; together with report from Mayor Bouley.

**Action:** Councilor Coen moved approval. The motion was duly seconded.

Councillor Herschlag understands the reason to try to streamline this and change the composition of it but, having attended many of the Parking Committee meetings for the recent change in structure in downtown, he felt that it would be helpful to have some permanent members of the committee from the community. He understands the concerns on the other side that sometimes they are only catering to special interests but would like to err on the side of having additional public comment. For this reason, he will not be supporting this ordinance.

Councilor Coen noted that, as a Parking Committee member one, of the things that he has witnessed is that they had made a tremendous effort to get out and receive public comment from stakeholders and residents. He will be supporting the motion on this item.

Councilor Todd reminded everyone that all of the committee meetings are open to

the public.

Mayor Bouley added that if one believes in transparency, open government and getting the most input from the public they would support this change. He was very satisfied and happy with the process in by which the Parking Committee took on its recent responsibilities; not only did they go out and seek input but with narrow streets the committee had broken Wards 4, 5, and 6 into four different quadrants. He noted that the committee will be seeking input directly within those neighborhoods to talk about what the impacts are. He feels that, by revising this so that they are not simply limited to downtown, they broaden the way they think about parking and that they put people on this who are accountable to the taxpayers and voters of this city. He strongly encouraged Council to support this proposed ordinance.

The motion to approve passed with one dissenting vote by Councilor Herschlag.

36. Ordinance amending the Code of Ordinances, Title V, Administrative Code; Chapter 30, Administrative Code, Article 30-3, Boards and Commissions, Municipal Housing Commission; together with report from the City Solicitor.

**Action:** Councilor Nyhan moved approval. The motion was duly seconded.

Mayor Bouley addressed Councilor Bouchard's concern noting that its important to recognize that this Council does support all different types of housing and doesn't feel that by eliminating this that they are taking their eyes off of various types of housing.

The motion to approve passed with no dissenting votes.

## **Reports**

## **New Business**

## **Unfinished Business**

## **Comments, Requests by Mayor, City Councilors**

Councilor Todd announced that the Penacook Village Association is going to hold its annual meeting on Tuesday, May 8th, at 6:00 p.m. at the Rolfe House located at 11 Penacook Street in Penacook. He indicated that the guest speaker will be Todd Fabian, Library Director, who will provide a presentation and discussion on the future of the Penacook Branch Library.

Councilor Kretovic announced that the Beaver Meadow Golf Course is now open for the season.

Councilor Champlin indicated that there will be a Ward Four meeting in the Carriage House at the Kimball Jenkins Estate on Tuesday, May 1st. He hopes that they will have some information available in regards to landscaping plans for the court house. He reminded everyone that the Friends of White Park are having their annual White Park clean up day on May 12th from 9:00 a.m. to 1:00 p.m.

### **Comments, Requests by the City Manager**

#### **Consideration of items pulled from the consent agenda for discussion.**

*\* Items 11 and 18 have been pulled from the consent agenda for discussion.*

11. Resolution adopting a goal of 100% renewable energy for the City of Concord.  
(Pulled from consent by Councilor Coen)

**Action:** Councilor Coen indicated that he feels that this is one of the most challenging and dynamic processes. He pointed out that the city wants to achieve a citywide transition to 100 percent renewable energy by 2030 which is 12 years from now. He noted that the importance of this, to achieve this in 12 years, means that they have to look at every phase of city government including zoning, economic development, building construction, planning, etc. To him this is an incredible task to be taken in 12 years and shouldn't be taken lightly; it's going to be a lot of work and a lot of effort by everyone. He strongly advised the citizens to attend next month's meeting for this hearing to hear what the proposals are and for Council to take a real serious look at to what they are committing to as a Council and a city moving forward.

He moved to set this resolution for a public hearing to be held at the May Council meeting. The motion was duly seconded and passed with no dissenting votes.

18. Report from the Transportation Policy Advisory Committee regarding NHDOT's Preferred Alternative for the I-93 Bow-Concord (I-93 widening) Project. (Pulled from consent by Councilor Todd)

**Action:** Councilor Todd commended Rob Mack, Traffic Engineer, for his report noting that its clear as to what it states and was done for the benefit of the Council. He wants to give credit to the members of the Transportation Policy Advisory Committee who spent several meetings drafting the report content. He indicated that the Department of Transportation's plans, as scoped out by architects McFarland Johnson, are available online at [I93bowconcord.com](http://I93bowconcord.com). Referencing the

second chart within the report, Councilor Todd pointed out that it analyzes the opportunity corridor master plan as evaluated by the DOT and shows the comparison to DOT's preferred alternative. He stated that the intent was that TPAC realizes that the project is fairly last on the state's funding list but felt obligated to pass this information on to Council.

Councilor Todd moved acceptance of the report. The motion was duly seconded and passed with no dissenting votes.

### **Adjournment**

At 8:16 p.m. following their regular monthly Council meeting, members of City Council took a brief break. At 8:21 p.m. members of City Council returned to non-public session in accordance with RSA 91-A: 3, II (d) to discuss property acquisition and RSA 91-A: 3, II (a) to discuss the City Manager's evaluation that had been recessed earlier in the evening.

At 8:25 p.m. Councilor Nyhan moved to exit non-public session. The motion was duly seconded by Councilor Matson and passed unanimously with no dissenting votes.

In public session, at 8:25 p.m., Councilor Champlin moved to seal the minutes. The motion was duly seconded by Councilor Nyhan passing unanimously with no dissenting votes.

At 8:27 p.m. in accordance with RSA 91-A: 2, I (b) members of City Council met with legal counsel.

There being no additional business, Councilor Nyhan moved to adjourn the meeting at 8:33 p.m. The motion was duly seconded and passed with no dissenting votes.

*A true copy; I attest:*

*Michelle Mulholland  
Deputy City Clerk*