



City of Concord

City Council

Meeting Agenda

Monday, April 12, 2021

7:00 PM

Zoom Meeting Link:

<https://us02web.zoom.us/j/81204172709>

Telephone Dial: US + 1 929 205 6099

Landline: 877 853 5257

Webinar ID#: 812 0417 2709

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://us02web.zoom.us/j/81204172709>.

Telephone Dial: US: +1 929 205 6099. If dialing from a landline, you may call in toll-free at 877 853 5257. Webinar ID#: 812 0417 2709.

Members of the public can also email questions or other public testimony to concordcitycouncilmeeting@gmail.com.

Any member of the public can also call the City of Concord at 603-230-3718 or email: concordcitycouncilmeeting@gmail.com if they are unable to access the meeting and assistance connecting is needed.

Non-public session in accordance with RSA 91-A:3, II (d), to discuss the acquisition, sale or lease of property to be held at 6:00 p.m.

1. Mayor Bouley called the meeting to order at 7:00 P.M.
2. Invocation.
3. The Pledge of Allegiance was done.
4. Roll Call.
5. Approval of the Meeting Minutes.

March 8, 2021 City Council Draft Meeting Minutes.

Attachments: [Minutes](#)

6. Agenda overview by the Mayor.

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

Referral to the Regional Utility Utilization Committee

7. Communication from Amoskeag Beverages LLC requesting consideration be given to allowing their facilities, including those within their plans for expansion, to connect into the City of Concord municipal water system for fire suppression purposes.

Attachments: [Communication](#)

Items Tabled for May 10, 2021 Public Hearings

8. 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(a), Stop Required Before Entering a Through Street, Schedule V and Schedule Va, converting the intersection of Bog Road, Carter Hill Road, Horse Hill Road and River Road from a 2-way stop to a 4-way stop; together with report from the Transportation Engineer.

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

9. Discretionary Preservation Easement renewal request, per RSA 79-D, for property located at 84 Stickney Hill Road owned by the Pierce Lorraine V Revocable Trust.

Attachments: [Report](#)
[Discretionary Easement Application](#)
[March 4, 2021 Heritage Commission Agenda](#)
[Heritage Commission Evaluation](#)
[Assessment Card and Sketch of Farm Buildings](#)
[2011 List of Future Work](#)
[Record of Maintenance](#)
[Pictures of Improvements](#)
[Photos](#)

10. 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.

Attachments: [Ordinance](#)
[Proposed Ordinance & Non-Ordinance Fee Changes](#)
[Report](#)

11. Ordinance amending the Code of Ordinances, Title I, General Code; Chapter 9, Water, Article 9-4 Water and Sewer Investment Fee, Section 9-4-4 Special Water Investment Fee Calculation and Section 9-4-5 Special Sewer Investment Fee Calculation; together with report from the Deputy City Manager for Development.

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

12. Ordinance amending the Code of Ordinance, 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 report from the City Planner. (Revised ordinance, revised report and revised map submitted.)

Attachments: [Ordinance](#)
[Report](#)
[Map](#)
[Request](#)
[Revised Ordinance](#)
[Revised Report](#)
[Revised Map](#)

13. Ordinance amending the Code of Ordinances, Title V, Administrative Code, Chapter 30, Administrative Code, Article 30-2, Municipal Departments; together with report from the Deputy City Manager for Development.

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

14. Resolution appropriating the sum of \$360,000 for the purpose of supplementing the construction phase of the North Pembroke Road Bridge Replacement Project (CIP #478), and accepting \$288,000 in New Hampshire State Bridge Aid Program funds and \$65,520 in donations from the Town of Pembroke, NH as the local agency match, and appropriating \$6,480 for this project; together with report from the City Engineer.

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

From the City Manager

Consent Reports

15. Diminimus gifts and donations report from the Library Director requesting authorization to accept monetary gifts totaling \$180.42, as provided for under the pre-authorization granted by City Council.
Attachments: [Report](#)
16. City Council 2020-2021 Quarterly Priorities Report from the City Manager.
Attachments: [Report](#)
17. Report from the Deputy City Manager for Development recommending the City Manager be authorized to apply for the State of New Hampshire's Economic Revitalization Zone (ERZ) designation for a 55 acre vacant parcel at 15 Integra Drive.
Attachments: [Report](#)
[Aerial Map](#)
18. Report from the Deputy City Manager for Development recommending the City Manager be authorized to enter into a Memorandum of Understanding (MOU) with Liberty Utilities and the New Hampshire Preservation Alliance toward the

preservation of the former Gas Holder Building. (Pulled from consent by Councilor Fennessy.)

Attachments: [Report](#)
[Memorandum of Understanding](#)

19. Report from Deputy City Manager - Finance recommending the FY22 Budget Schedule and Guidelines as recommended but the Fiscal Policy Advisory Committee.

Attachments: [Report](#)
[FY 2022 Finance Committee Schedule](#)
[FY 2022 Finance Committee Guidelines](#)

20. February 28, 2021 Fiscal Year to Date Financial Statements report from the Deputy City Manager - Finance.

Attachments: [Report](#)

21. Fiscal Year 2019 Comprehensive Annual Financial Report Award notification from the Deputy City Manager-Finance and the Assistant Finance Director.

Attachments: [Report](#)
[Award Certificate](#)

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

Attachments: [Report](#)

23. Report from the Transportation Policy Advisory Committee recommending acceptance of a sidewalk construction priority list.

Attachments: [Report](#)
[Sidewalk Priority List](#)

Consent Resolutions

24. Resolution authorizing the City Manager to enter into an agreement with the Concord School District concerning acquisition of real estate located at 111 1/2 Warren Street, Concord; together with report from the City Manager.

Attachments: [Resolution](#)
[Report](#)
[Exhibit A - Subdivision Plan](#)

Appointments

25. Mayor Bouley's proposed appointments to an Ad-Hoc Beaver Meadow Gold Course Clubhouse Committee: Christopher Mulleavey, Mark Coen, Greg Fournier, Councilor Jennifer Kretovic and Barbara Jobin.

Attachments: [Appointment](#)

26. Mayor Bouley's proposed re-appointments to the Airport Advisory Committee:

Richard Bartle and James MacKay.

Attachments: [Appointment](#)

27. Mayor Bouley's proposed re-appointments to the Community Development Advisory Committee (CDAC): Jeff Bart, Michael Gfroerer and Janet Sprague.

Attachments: [Appointment](#)

End of Consent Agenda

Public Hearings

- 28A. Resolution approving a Purchase and Sales Agreement for acquisition of real estate located at 10-12 Higgins Place; together with report from the Director of Redevelopment, Downtown Services, and Special Projects.

Attachments: [Resolution](#)

[Report](#)

[10-12 Higgins P&S Agreement Executed](#)

- 28B. Resolution appropriating the sum of \$75,000 to support the acquisition of real estate located at 10-12 Higgins Place (CIP #635) and authorizing the use of \$75,000 in Economic Development Reserve funds for this purpose; together with report from the Director of Redevelopment, Downtown Services, and Special Projects.

Attachments: [Resolution](#)

[Report](#)

- 28C. Resolution appropriating the sum of \$130,000 to offset personnel costs for the Police Department to assign an officer to the Drug Task Force and accepting the sum of \$130,000 from the State of New Hampshire Department of Justice - Attorney General's Drug Task Force for this purpose; together with report from the Deputy Police Chief.

Attachments: [Resolution](#)

[Report](#)

Public Hearing Action

29. Resolution authorizing the City Manager to enter into a Development Agreement with Interchange Development L.L.C., concerning CIP #30 Hoit Road / Whitney Road Intersection Improvement Project; together with report from the Director of Redevelopment, Downtown Services, and Special Projects. (March public hearing with final action at the April 12, 2021 City Council meeting in accordance with RSA 162-K.)

Attachments: [Resolution](#)
[Report](#)
[Development Agreement](#)
[Exhibit 1 - Existing Conditions Plan \(Developer's Property\)](#)
[Exhibit 2 - Developer's Master Plan](#)
[Exhibit 3 - Condominium Plan](#)
[Exhibit 3 - Liquor Store Elevations](#)
[Exhibit 3 - Grocery Store Elevations](#)
[Exhibit 4 - Public Improvements Plan](#)
[Exhibit 5 - Canterbury Improvements Plan](#)
[Exhibit 6 - Development Schedule](#)
[Exhibit 7 - Demoulas Corporate Guaranty](#)

30. Resolution authorizing the City Manager to accept a corporate guaranty from Demoulas Super Markets, Inc. concerning construction of a grocery store at property located on Whitney Road; together with report from the Director of Redevelopment, Downtown Services, and Special Projects. (March public hearing with final action at the April 12, 2021 City Council meeting in accordance with RSA 162-K.)

Attachments: [Resolution](#)
[Report](#)
[Exhibit 7 - Demoulas Corporate Guaranty](#)

31. Resolution adopting an amended and restated Development Program and Finance Plan for the Penacook Village Tax Increment Finance (TIF) District; together with report from the Director of Redevelopment, Downtown Services, and Special Projects. (March public hearing with final action at the April 12, 2021 City Council meeting in accordance with RSA 162-K.) (Supplemental report submitted.)

Attachments: [Resolution](#)
[Report](#)
[Penacook Village TIF Development Program & Financing Plan](#)
[Supplemental Report](#)

32. Resolution appropriating the sum of \$4,780,000 for the Hoit Road / Whitney Road Intersection Improvement project (CIP #30), authorizing the issuance of Penacook Village TIF District supported bonds and notes in the sum of \$4,240,000 for this purpose, authorizing the use of \$90,750 in impact fees for this purpose, accepting \$449,250 in donations for this purpose, transferring \$193,456 in expenses from the General Capital Projects fund to the Penacook Village TIF District Capital fund for this purpose, rescinding the appropriation of \$456,000 for the Hoit Road / Whitney Road Intersection Improvement project (CIP #30), and de-authorizing the issuance of general fund supported bonds and notes in the sum of \$456,000; together with report

from the Director of Redevelopment, Downtown Services & Special Projects. (March public hearing with final action at the April 12, 2021 City Council meeting in accordance with RSA 162-K.) (Public testimony submitted.) (Additional public testimony received.) (Revised resolution submitted)

Attachments: [Resolution](#)
[Report](#)
[Public Testimony](#)
[Additional Public Testimony](#)
[Revised Resolution](#)

33. Resolution authorizing the City Manager to enter into a Maintenance Agreement with the New Hampshire Department of Transportation concerning certain infrastructure improvements associated with CIP #30 Hoit Road / Whitney Road Intersection Improvement Project located within the U.S. Route 4 Rights-of-Way; together with report from the Director of Redevelopment, Downtown Services, and Special Projects. (March public hearing with final action at the April 12, 2021 City Council meeting in accordance with RSA 162-K.)

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

34. 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](#)

35. Resolution approving a Purchase and Sales Agreement for acquisition of real estate located at 10-12 Higgins Place; together with report from the Director of Redevelopment, Downtown Services, and Special Projects.

Attachments: [Resolution](#)
[Report](#)
[10-12 Higgins P&S Agreement Executed](#)

36. Resolution appropriating the sum of \$75,000 to support the acquisition of real estate located at 10-12 Higgins Place (CIP #635) and authorizing the use of \$75,000 in Economic Development Reserve funds for this purpose; together with report from the Director of Redevelopment, Downtown Services, and Special Projects.

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

37. Resolution appropriating the sum of \$130,000 to offset personnel costs for the Police Department to assign an officer to the Drug Task Force and accepting the sum of \$130,000 from the State of New Hampshire Department of Justice - Attorney

General's Drug Task Force for this purpose; together with report from the Deputy Police Chief.

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

Reports

New Business

38. Report from the City Manager; together with request from Intown Concord for disbursement of FY 2021 appropriated funds.

Attachments: [Report to Council](#)
[Intown Concord FY 2021 Funding Request](#)
[Intown Concord FY 2021 Grant Report](#)

Unfinished Business

Comments, Requests by Mayor, City Councilors

Comments, Requests by the City Manager

Consideration of Items pulled from the Consent Agenda

18. Report from the Deputy City Manager for Development recommending the City Manager be authorized to enter into a Memorandum of Understanding (MOU) with Liberty Utilities and the New Hampshire Preservation Alliance toward the preservation of the former Gas Holder Building. (Pulled from consent by Councilor Fennessy.)

Attachments: [Report](#)
[Memorandum of Understanding](#)

Consideration of Suspense Items

- Sus1 Resolution authorizing the City Manager to apply for a grant for up to \$8,425 with the New Hampshire Department of Transportation (NHDOT), Bureau of Aeronautics, for the purpose of updating the storm water pollution prevention plan (SWPPP) at the Concord Municipal Airport; together with report from the Associate City Engineer.

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

Item tabled for a May 10, 2021 Public Hearing

- Sus2 Resolution appropriating the sum of \$13,000 for operations and maintenance of the Concord Municipal Airport and accepting the sum of \$13,000 in Coronavirus Response and Relief Supplemental Appropriation Act (CRRSA) funding as administered by the New Hampshire Department of Transportation Bureau of Aeronautics for this purpose; together with report from the Deputy City Manager

Development.

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

Sus3 Resolution authorizing the City Manager to enter into a Purchase and Sale Agreement with the John J. Flatley Company concerning the sale and redevelopment of City owned real estate located at #32-34 South Main Street and #33 South State Street known as the former New Hampshire Employment Security property; together with a report from the Director of Redevelopment, Downtown Services, and Special Projects.

Attachments: [Resolution](#)
[Report](#)
[Purchase and Sales Agreement](#)
[Site Plan & Architectural Renderings](#)

Sus4 Resolution appropriating the sum of \$372,500 for hazardous building materials abatement at the former New Hampshire Employment Security property located 32-34 South Main Street (CIP #578), authorizing the City Manager to apply for and accept the sum of \$172,500 from the New Hampshire Department of Environmental Services Brownfields Program, and authorizing the use of \$200,000 in Economic Development Reserve funds for this purpose; together with a report from the Director of Redevelopment, Downtown Services, and Special Projects.

Attachments: [Resolution](#)
[Report](#)
[NHDES Brownfields Grant Agreement](#)

Adjournment at 9:09 P.M.

Information

Inf1 February 23, 2021 Penacook Village Tax Increment Finance (TIF) District Advisory Board Draft Meeting Minutes.

Attachments: [Minutes](#)

Inf2 March 15, 2021 Fiscal Policy Advisory Committee Draft Meeting Minutes.

Attachments: [Minutes](#)

Inf3 March 1, 2021 Concord Public Library Board of Trustee Meeting Minutes.

Attachments: [Minutes](#)

Inf4 Society for Industrial Archeology Newsletter.

Attachments: [Newsletter](#)

Inf5 June 23, 2020, July 28, 2020, August 25, 2020, September 22, 2020, October 27, 2020, November 24, 2020, December 22, 2020, January 26, 2021 Traffic Operations

Committee Meeting Minutes.

Attachments: [Minutes](#)

[Minutes](#)

[Minutes](#)

[Minutes](#)

[Minutes](#)

[Minutes](#)

[Minutes](#)

[Minutes](#)

Inf6 January 7, 2021, January 27, 2021 and February 24, 2021 Energy and Environment
Advisory Committee Meeting Minutes.

Attachments: [January 7, 2021 Minutes](#)

[January 27, 2021 Minutes](#)

[February 24, 2021 Minutes](#)