



# City of Concord

## City Council

### Meeting Minutes

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Monday, May 9, 2016

7:00 PM

City Council Chambers  
37 Green Street  
Concord, NH 03301

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*Non-public sessions in accordance with RSA 91-A:3, II (d) to discuss property acquisition and RSA 91-A: 3, II (d) to discuss contract negotiations followed by a meeting with Legal Counsel to be held at 6:00 p.m.*

1. Call to Order

**Action:** The meeting was called to order at 7:00 p.m.

2. Invocation by Reverend Jerry McCann, United Church of Penacook.

3. Pledge of Allegiance.

4. Roll Call.

**Present:** 15 - Councilor Candace Bouchard, Mayor Jim Bouley, Councilor Byron Champlin, Councilor Mark Coen, Councilor Amanda Grady Sexton, Councilor Allan Herschlag, Councilor Fred Keach, Councilor Linda Kenison, Councilor Jennifer Kretovic, Councilor Gail Matson, Councilor Keith Nyhan, Councilor Dan St. Hilaire, Councilor Stephen Shurtleff, Councilor Brent Todd, and Councilor Robert Werner

5. Approval of the Meeting Minutes.

April 11, 2016 City Council Meeting Minutes.

**Action:** Councilor St. Hilaire moved approval of the April 11, 2016 meeting minutes. The motion was duly seconded and passed with no dissenting votes.

6. Resolution in recognition of the services of Sergeant Daniel A. McDonald.

7. Proclamation designating the second full week in May as "Women's Lung Health Week" in the City of Concord.

8. Agenda overview by the Mayor.

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

*Approval of the Consent Agenda*

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

**Referral to the Public Safety Board**

9. Communication from Councilor Herschlag requesting that the City of Concord consider safety inspections for rental units within the City.

**Action:** Communication referred to the Public Safety Board.

**Referral to City Administration**

10. Communication from Scott Maslansky, The Jordan Institute, requesting that the City of Concord consider adoption of RSA 53-F (NH C-PACE) NH Commercial Property Assessed Clean Energy.

**Action:** Communication referred to City Administration.

**Referral to the Legal Department**

11. Application from Alicia Mailhot, 2 Lawrence Street, Concord for restoration of involuntarily merged lots pursuant to RSA 674:39-aa.

**Action:** Communication referred to the Legal Department.

**Items Tabled for June 2, 2016 Public Hearing**

12. Resolution fixing and determining the amount of money to be appropriated by the City of Concord for the fiscal year 2017 ending June 30, 2017.

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

13. Resolution amending the amount of money to be appropriated by the City of Concord for the fiscal year 2017 ending June 30, 2017. (To be submitted under separate cover)

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

14. Resolution for the bonded projects within the Capital Budget for Fiscal Year 2017 hereby authorizing and approving the expenditure of \$14,504,000 and authorizing the issuance of \$14,504,000 in bonds and notes for various capital projects.

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

15. Resolution for annual capital closeout and repurposing of capital project funds; together with a report from the Assistant Finance Director.

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

16. Ordinance amending the Code of Ordinances, Title I, General Code; Chapter 1, Government Organization, by amending Schedule I of Article 1-5, Fees, Fines and Penalties, Water Rates.

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

17. Ordinance amending the Code of Ordinances. Title I, General Code; Chapter 1, Government Organization, amending Schedule I of Article 1-5, Fees, Fines and Penalties, Sewer Rates.

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

#### **Items Tabled for June 13, 2016 Public Hearing**

18. See item 34A. Item previously listed here was listed to be set for public hearing in error. No public hearing needed, item moved to consent agenda.

19. Resolution accepting and appropriating the amount of \$29,880 in grant funding from the Department of Safety, State Homeland Security and Emergency Management Exercise and Evaluation Program for funding of a Homeland Security Exercise Active Shooter Training; together with report from the Deputy Fire Chief.

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

20. Resolution authorizing and appropriating the sum of \$321,000 to the Solid Waste Fund Operating Budget for Fiscal Year 2016; together with report from the Deputy City Manager-Finance.

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

21. Ordinance amending the Code of Ordinances, Title I, General Code, Chapter 5, Public Works, Article 5-7, Solid Waste; together with report from the General Services Director.

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

22. Ordinance amending the Code of Ordinances, Title I, General Code, Chapter 5, Public Works, Article 5-8, Solid Waste Flow Control; together with report from the General Services Director.

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

23. Sylvia Miskoe Public Hearing for a Discretionary Preservation Easement.

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

**From the City Manager**

24. Positive Citizen Comments

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

**Consent Reports**

25. Diminimus gifts and donations report from the Library Director requesting authorization to accept monetary gifts totaling \$5,274.50 as provided for under the pre-authorization granted by City Council.

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

26. 2016-2017 City Council Priorities Status Report from the City Manager.

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

27. Report from the Director of Human Resources and Labor Relations recommending a Library Position Title Change from Adult Services Manager to Adult Services Outreach Coordinator.

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

28. FY15 Comprehensive Annual Financial Report Award notification from the Deputy City Manager-Finance and the Assistant Finance Director.

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

29. March Fiscal Year-to-Date Financial Statements and report from Deputy City Manager-Finance

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

30. Current Use Change Tax Quarterly Update from the Director of Real Estate Assessments.

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

31. Semi-Annual Pay-As-You-Throw (PAYT) Report from the General Services Director

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

32. Report from the Fire Chief on an Evaluation of a Trial Period for 24 Hour Shifts for Fire Department Personnel in the Suppression/EMS and Communications Bureaus.

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

33. July 4 Celebration Update from the Parks and Recreation Director.

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

### **Consent Resolutions**

34. Resolution authorizing the City Manager to submit an application to the United States Department of Justice - Edward Byrne Memorial Justice Assistance Grant Program for funds designated for law enforcement related programs; together with report from the Police Department.

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

- 34A. Resolution re-adopting the Beneflex Plan and authorizing the City Manager to execute Beneflex Plan Documents.

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

### **Consent Communications**

35. Street closure request for a block party to be held on Bow Street on Saturday, June 4, 2016.

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

### **Appointments**

36. City Manager's proposed appointment to the Conservation Commission. Jeffrey Lewis

**Action:** This appointment was approved.

37. Mayor Bouley's proposed reappointments to the Airport Advisory Committee. Richard Bartle, Ernest Loomis, James MacKay, Joseph Alosa and Charles Gerhan

**Action:** This appointment was approved.

38. Mayor Bouley's proposed reappointments to the Community Development Advisory Committee. Nadine Salley and Michael Gfroerer

**Action:** This appointment was approved.

39. Mayor Bouley's proposed appointments to the Everett Arena Advisory Committee. Mick Mounsey, Dan Arndt, Gerry Blanchette, Chris Brown, Michael Gfroerer and Nicholas Wallner

**Action:** This appointment was approved.

40. Mayor Bouley's proposed reappointments to the Transportation Policy Advisory Committee. Dick Lemieux, Ursula Maldonado and James Sudak

**Action:** This appointment was approved.

41. Mayor Bouley's proposed reappointments to the Utility Appeals Board. Elizabeth Campbell and Tom Arnold

**Action:** This appointment was approved.

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

### **Public Hearings**

- 42A. Ordinance amending the Code of Ordinances, Title IV, Zoning Code; Chapter 28, Zoning Ordinance; Article 28-9, Administration and Enforcement; Section 28-9-4, Decisions by the Planning Board; together with report from the Assistant City Planner.

**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.

### **Public Hearing Action**

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

44. Ordinance amending the Code of Ordinances, Title IV, Zoning Code; Chapter 28, Zoning Ordinance; Article 28-9, Administration and Enforcement; Section 28-9-4, Decisions by the Planning Board; together with report from the Assistant City Planner.

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

City Manager Tom Aspell recognized Heather Shank, Planning Department, for her work on this item.

Mayor Bouley agreed and feels that the Planning Board was very thoughtful on their approach to this.

The motion to approve passed with no dissenting votes.

## **Reports**

### **New Business**

### **Unfinished Business**

45. Report from the Deputy City Manager - Finance recommending the FY 2017 Finance Committee Budget Review Schedule and Guidelines. (Pulled from consent by Mayor Bouley)

**Action:** Councilor Nyhan moved to remove this item from the table. The motion was duly seconded and passed with no dissenting votes.

Mayor Bouley stated that he tried to take into account the requests and concerns in regards to times and dates as well as trying to make the budget schedule as efficient, as open and as accessible to the public as possible. He handed out a proposed schedule: Saturday, May 14th; Monday, May 16th; Monday, May 23rd, and June 6th for the budget hearing/budget adoption.

Following brief discussion in regards to the meeting schedule, Councilor Champlin moved approval. The motion was duly seconded and passed with no dissenting votes.

46. Report from the Rules Committee recommending revisions to the current Rules of the City Council. (Item tabled, no action taken, at the June 8, 2015 City Council meeting).

**Action:** This item remains on the table.

47. Supplemental report from the City Engineer outlining lighting alternatives for the Downtown Complete Streets Improvement Project (CIP460).

**Action:** This item remains on the table.

48. Street closure request from Millennium Running for the 3rd Annual New England Half Marathon to be held on Sunday, October 23, 2016. (Pulled from consent by Councilor Nyhan at the March 2016 City Council meeting) (Revised request with new route submitted)

**Action:** This item remains on the table.

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

Councilor Todd announced that on Wednesday, May 11th, The Penacook Historical Society will be holding a potluck and presentation "It Reminds Me of a Story" with Rebecca Rule. The potluck begins at 6:00 p.m. and the presentation at 7:00 p.m. at the Rolfe House, 11 Penacook Street in Penacook.

Councilor Champlin indicated that the Friends of White Park are holding a White Park clean up day on Saturday, May 14th from 9:00 a.m. to noon.

Mayor Bouley reminded voters that Tuesday, May 31st is the last day to change party affiliations prior to the upcoming September 13th State Primary.

Mayor Bouley reminded residents to register their dogs. He stated that over 3,000 dogs still need to be licensed by May 31st. In June, additional fees and fines will be imposed on dog licenses per state law.

Councilor St. Hilaire reminded Councilors to complete their questionnaires in regards to the City Manager's evaluation.

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

City Manager Tom Aspell announced that swim lesson registrations begin on Wednesday, May 11th. He indicated that sign ups for the football clinic taught by Patriot's alumni begins on May 14th.

Councilor Kenison inquired how things are moving along with the State on Loudon Road in regards to coming up with options. Mr. Aspell responded that Engineering is working with the Department of Transportation to come up with different approaches to try to improve safety. He indicated that as soon as they have something that comes back, along with a financing package, staff will bring it back to the Council for action.

### **Consideration of Suspense Items**

### **Adjournment**

The time being 7:25 p.m., Councilor Nyhan moved to adjourn the meeting. The motion was duly seconded and passed with no dissenting votes.

*A true copy; I attest:*

*Michelle Mulholland  
Deputy City Clerk*

### **Information**

Inf1 March 1, 2016 Facilities Naming Committee Meeting Minutes.

**Action:** Information item received and filed.

Inf2 April 11, 2016 Concord Public Library Board of Trustees Meeting Minutes.

**Action:** Information item received and filed.

Inf3 April 13, 2016 Solid Waste Advisory Committee Draft Meeting Minutes.

**Action:** Information item received and filed.

Inf4 April 18, 2016 Fiscal Policy Advisory Committee Draft Meeting Minutes.

**Action:** Information item received and filed.

Inf5 April 19, 2016 Traffic Operations Committee Meeting Minutes.

**Action:** Information item received and filed.

Inf6 Communication from Comcast notifying City Council of some upcoming changes to their services and the launch of new related packages.

**Action:** Information item received and filed.

Inf7 Invitation to Mayor Bouley and Members of City Council to participate in the Annual Memorial Day Parade to be held on May 30, 2016.

**Action:** Information item received and filed.

Inf8 Communication from Theresa Camire, Penacook resident, in opposition to the proposed plan for 192 - 196 Loudon Road as outlined in a recent Concord Monitor article.

**Action:** Information item received and filed.

Inf9 Copy of notification from the Coalition Chronicle publication that Detective Julie Curtin of the Concord Police Department received the Annual National Sexual Violence Resource Center Visionary Voice Award.

**Action:** Information item received and filed.

Inf10 Merrimack County Report.

**Action:** Information item received and filed.