



City of Concord

City Council

Meeting Minutes - Draft

Monday, January 8, 2024

7:00 PM

City Council Chambers
37 Green Street
Concord, NH 03301

1. Call to Order.

Action: Mayor Champlin called the meeting to order at 7:00 PM.

2. Invocation.
3. Pledge of Allegiance.
4. Roll Call.

Present: 15 - Councilor Stacey Brown, Mayor Byron Champlin, Councilor Nathan Fennessy, Councilor Jeff Foote, Councilor Amanda Grady Sexton, Councilor Michele Horne, Councilor Fred Keach, Councilor Jennifer Kretovic, Councilor Judith Kurtz, Councilor Paula McLaughlin, Councilor Karen McNamara, Councilor Jim Schlosser, Councilor Kris Schultz, Councilor Ali Sekou, and Councilor Brent Todd

5. Approval of the Meeting Minutes.

December 11, 2023 City Council Draft Meeting Minutes

Action: Councilor Grady Sexton moved approval of the December 11, 2023 City Council Meeting Minutes. The motion was duly seconded.

Councilor Fennessy asked that the invocation be removed from the minutes as Father Roberge was unable to attend.

Councilor Grady Sexton's motion passed with no dissenting votes.

6. Agenda overview by the Mayor.

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

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

Mayor Champlin pulled agenda item number 15 for discussion. Councilor Brown recused from agenda item number 17.

Referrals to the Transportation Policy Advisory Committee

7. Communication from Ari Pollack requesting consideration be made to relocate the Concord Area Transit (CAT) bus stop now located between 214 and 220 North Main Street in Concord.

Action: This item was referred to the Transportation Policy Advisory Committee.

8. Communication from Mark Coen, Thayer Pond Road, asking that consideration be given to implementing a "service modification" to the Penacook Bus Route to provide a stop at the Beaver Meadow Golf Course, 1 Beaver Meadow Drive.

Action: This item was referred to the Transportation Policy Advisory Committee.

Items Tabled for February 12, 2024 Public Hearings

9. Resolution appropriating the sum of \$544,318.75 as a transfer to the Bridge Reserve fund and accepting the sum of \$544,318.75 for this purpose; together with a report from the City Engineer.

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

10. Ordinance amending the Code of Ordinances, Title V, Administrative Code; Chapter 34 Personnel Rules and Regulations, Article 34-5-5, Probationary Appointments, to modify the time frame for probation of original appointments within the Information Technology (IT) department from one year to six months; together with a report from the Director of Human Resources and Labor Relations.

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

From the City Manager

11. Positive Citizen Comments.

Action: The positive comments were received and filed.

Consent Reports

12. Diminimus gifts and donations report from the Library Director requesting authorization to accept monetary gifts totaling \$3,137.74, as provided under the pre-authorization granted by City Council.

Action: This consent report was approved.

13. Diminimus gifts and donations report from Human Services Director requesting authorization to accept monetary gifts totaling \$747.49, as provided under the pre-authorization granted by City Council.

Action: This consent report was approved.

14. Fiscal Year 2023 Annual Comprehensive Financial Report (ACFR) from the Deputy City Manager - Finance.

Action: This consent report was approved.

15. Report from Director of Special Projects & Strategic Initiatives regarding naming of the new Penacook Library and Activity Center. (Pulled from consent by Mayor Champlin.)

Action: This consent report was moved to the end of the agenda for discussion.

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

Action: This consent report was approved.

17. Report from the Deputy Chief of Police requesting authorization to use the remaining balance of \$11,089.61 from the previously approved funding from the Project Safe Neighborhood grant.

Action: This consent report was approved. Councilor Brown recused.

From the Mayor

18. Mayor Champlin's City Council 2024-2025 City Council committee assignments. (Not previously distributed.)

Action: This consent report was approved.

End of Consent Agenda

Public Hearings

- 19A. Ordinance amending the Code of Ordinances; Title II, Traffic Code; Chapter 18, Parking, Article 18-1, Stopping, Standing and Parking, Section 18-1-6 (a), Parking Prohibited at All Times in Designated Places, Schedule I, and Section 18-1-8, Parking Time is Limited in Designated Places, Schedule III; together with a report from the Assistant Director of Community Development.

Action: City Manager Aspell provided a brief overview of this item. The City received multiple requests for review and modification of on-street parking regulations for a section of South Main Street. In reviewing the various requests, City staff discovered discrepancies between parking regulations in the Code of Ordinances and signage currently installed in the area of South Main Street located between Gas Street and Langdon Avenue.

During its October meeting, the Parking Committee voted unanimously to recommend that pavement markings on South Main Street (West Street to Langdon Avenue) be updated to establish 11-foot wide travel lanes and 8-foot parking lanes on both sides of the road.

The Parking Committee also recommends that the City Council amend the Code of Ordinances as appropriate to re-codify or establish time limit parking on South Main Street.

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

- 19B. Resolution appropriating the sum of \$800,000 for the construction of a new playground at White Park (CIP #51), authorizing the issuance of bonds and notes in the sum of \$350,000, accepting the sum of \$400,000 in Land and Water Conservation Fund (LWCF) grant funds, and accepting the sum of \$50,000 in donations from the Friends of White Park for this purpose; together with a report from the Parks & Recreation Director. (Public testimony submitted.)

Action: City Manager Aspell provided a brief overview of this item. The City Council granted permission for the City to apply for a Land and Water Conservation Grant (LWCF) at their April 2023 meeting for the construction of the new playground. The City was notified about the \$400,000 LWCF award which has a dollar to dollar match requirement. The Friends of White Park donation of \$50,000 and the \$350,000 general obligation bonds from the City constituting the match requirement are indicated in the approved Fiscal Year '24 Capital Improvement Project. Friends of White Park, and their donors, have helped maintain and financially support the park.

Mayor Champlin opened the public hearing.

Deodonne Dustin Bhattarai, member of the Friends of White Park Board of Directors, and her son thanked the City for their continued support.

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

- 19C. Resolution authorizing the City Manager to submit an application in an amount of up to \$500,000 and to accept and appropriate grant proceeds of up to \$500,000 of Community Development Block Grant funds to support Dakota Partners' development of workforce housing at 103 Old Loudon Road; together with a report from the Assistant Director of Community Development. (Supplemental report and grant withdrawal communication submitted.)

Action: The public hearing for agenda items number 19C and 19D were held in conjunction.

Tim Thompson, Assistant Community Development Director, provided a brief overview of these items in which the City received two applications for Community Development Block Grant (CDBG) housing funding. One application was submitted by the Dakota Partners while the other was submitted by Fellowship Housing Opportunities. The Community Development Advisory Committee recommended the Dakota Partners' application as a priority because of its larger impact on the creation of affordable housing. In lieu of Dakota Partners not receiving their tax credit from New Hampshire Housing Finance Authority as well as not being able to meet the CDBG requirements, they are not able to move forward and request the City withdraw the application.

Mayor Champlin opened the public hearing.

Roy Schweiker recommended the withdrawal of the application and asked why more applications are not being received. Mr. Schweiker also discussed sewer fees.

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

- 19D. Resolution adopting an Anti-Displacement and Relocation Policy Statement and Procedures, in support of the City's Community Development Block Grant application to the New Hampshire Community Development Finance Authority to support Dakota Partners' development of workforce housing at 103 Old Loudon Road; together with a report from the Assistant Director of Community Development. (Supplemental report and grant withdrawal communication submitted.)

Action: This public hearing was held in conjunction with agenda item number 19C.

- 19E. Resolution authorizing the City Manager to submit an application in an amount of up to \$500,000 and to accept and appropriate grant proceeds of up to \$500,000 of Community Development Block Grant funds to support improvements at Fellowship Housing Opportunities' Concord properties; together with a report from the Assistant Director of Community Development. (Supplemental report submitted.)

Action: The public hearing for agenda items number 19E and 19F were held in conjunction.

Tim Thompson, Assistant Community Development Director, provided a brief overview of these items in which the application received by Fellowship Housing Opportunities was considered the second priority after the Dakota Partners' application for Community Development Block Grant (CDBG) funding. Due to it being considered a second priority rather than a first priority for housing funding, Fellowship Housing Opportunities was recommended to approach Merrimack County for funding. That application with the county is currently proceeding, so it is requested that the City withdraw the application.

Advertising of CDBG funding was discussed.

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

- 19F. Resolution adopting an Anti-Displacement and Relocation Policy Statement and Procedures in support of the City's Community Development Block Grant application to the New Hampshire Community Development Finance Authority to support improvements at Fellowship Housing Opportunities' Concord properties; together with a report from the Assistant Director of Community Development. (Supplemental report submitted.)

Action: This public hearing was held in conjunction with agenda item number 19E.

- 19G. Resolution appropriating the sum of \$2,584,300 as a transfer to reserves and authorizing the use of \$2,584,300 from Fiscal Year 2023 General Fund Assigned Fund Balance for this purpose and establish a Human Resources Reserve; together with a surplus report from the Deputy City Manager - Finance.

Action: City Manager Aspell provided a brief overview of this item. The Fiscal Policy Advisory Committee is reporting a preliminary General Fund surplus of \$3,251,800 for Fiscal Year 2023. Two significant items that contributed to the surplus were: investment income exceeding the budget by \$792,300, and wage and benefit expenses being under budget by \$2,403,700.

Management plans to allocate \$2,979,500 at year-end to Assigned Fund Balance including \$100,000 to be assigned for overlay for settlement of future abatements and \$295,200 for the Fiscal Year 2024 budgetary Use of Fund Balance. This will result in an unassigned fund balance of \$15,571,000 or 22.4%.

Management also recommends appropriating \$2,584,300 from the City's Fiscal Year 2023 Assigned Fund Balance as a Transfer to Trust Fund Reserves and appropriating \$154,300 to be transferred from Trust Fund Reserves. The Fiscal Policy Advisory Committee also recommends the establishment of a Human Resources Reserve Fund.

General discussion followed regarding balances, reserves, and their relation to bond ratings.

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

- 19H. Resolution appropriating the sum of \$27,500 for the replacement of Human Services software (CIP #302) and authorizing the use of \$27,500 in Equipment Reserve funds for this purpose.

Action: The public hearing for agenda items number 19H, 19I, 19J, and 19K were held in conjunction.

City Manager Aspell provided a brief overview of these items. The dollars in agenda item number 19H are regarding a software program for the City's Human Services Department. Agenda item number 19I is regarding training funding available for various departments. Agenda item number 19J is regarding the 40% of funding raised by the Friends of White Park for the White Park Multipurpose Recreation Project. Agenda item number 19K is regarding the one time receipt of funding from the State of New Hampshire for future projects generally described as being projects occurring in the right of way, and examples cited included paving.

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

- 19I. Resolution appropriating the sum of \$126,800 in the General Fund for furniture, wellness, equipment, and training; and authorizing the use of \$126,800 in Reserve Funds for these purposes.

Action: This public hearing was held in conjunction with agenda item number 19H.

- 19J. Resolution rescinding the sum of \$196,936.62 in donations for the White Park Multipurpose Recreation Building (CIP #51) and authorizing the use of \$196,936.62 in Recreation Reserve funds for this purpose.

Action: This public hearing was held in conjunction with agenda item number 19H.

- 19K. Resolution appropriating the sum of \$247,549.64 as a transfer to the Highway Reserve and accepting the sum of \$247,549.64 as a special one-time payment from the New Hampshire Department of Transportation for this purpose; together with a report from the Deputy City Manager-Finance.

Action: This public hearing was held in conjunction with agenda item number 19H.

- 19L. Resolution appropriating the sum of \$23,020 in the Granite United Way grant project for expenses incurred by the Police Department for Adverse Childhood Experience Response Team (ACERT) program activities and accepting the sum of \$23,020 from the Granite United Way for this purpose; together with a report from the Deputy Chief of Police.

Action: City Manager Aspell provided a brief overview of this item. The Adverse Childhood Experiences Response Team (ACERT) is made up of members from Concord Police Department, mental health providers from Riverbend Community Mental Health, and a coordinator from Merrimack County Human Resources. This team visits families who have experienced incidences where children may have been exposed to violence or other adverse childhood experiences. No match is involved with the receipt of these funds.

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

- 19M. Resolution appropriating the sum of \$13,537.50 in the Police Department Ballistic Vest Replacement Program project (CIP #370) for the purchase of ballistic vests and accepting the sum of \$13,537.50 in unmatched United States Department of Justice Patrick Leahy Bulletproof Vest Partnership Grant program funds for this purpose; together with a report from the Deputy Chief of Police.

Action: City Manager Aspell provided a brief overview of this item. This grant program has been used annually by the Concord Police Department to reimburse 50% of the purchase of ballistic vests.

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

- 19N. Resolution authorizing the City Manager to apply for a New Hampshire Council on the Arts grant in the sum of \$18,000, appropriating the sum of \$18,000 in the Pocket Parks project (CIP #528) for improvements of the clock tower on Eastman Street, and accepting the sum of \$18,000 from the New Hampshire Council on the Arts for this purpose; together with a report from the Parks and Recreation Director.

Action: City Manager Aspell provided a brief overview of this item. In anticipation of the 100th anniversary of the Eastman Clock Tower's 1924 dedication, the City and residents of East Concord proposed to have the clocks restored and monument faces cleaned for the centennial event. There is no match requirement of the grant.

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

Public Hearing Action

20. Ordinance amending the Code of Ordinances; Title II, Traffic Code; Chapter 18, Parking, Article 18-1, Stopping, Standing and Parking, Section 18-1-6 (a), Parking Prohibited at All Times in Designated Places, Schedule I, and Section 18-1-8, Parking Time is Limited in Designated Places, Schedule III; together with a report from the Assistant Director of Community Development.

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

21. Resolution appropriating the sum of \$800,000 for the construction of a new playground at White Park (CIP #51), authorizing the issuance of bonds and notes in the sum of \$350,000, accepting the sum of \$400,000 in Land and Water Conservation Fund (LWCF) grant funds, and accepting the sum of \$50,000 in donations from the Friends of White Park for this purpose; together with a report from the Parks & Recreation Director. (Public testimony submitted.)

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

General discussion followed thanking the City's Parks & Recreation Department, Community Development Department, as well as the Friends of White Park.

Councilor Keach's motion passed with no dissenting votes.

22. Resolution authorizing the City Manager to submit an application in an amount of up to \$500,000 and to accept and appropriate grant proceeds of up to \$500,000 of Community Development Block Grant funds to support Dakota Partners' development of workforce housing at 103 Old Loudon Road; together with a report from the Assistant Director of Community Development. (Supplemental report and grant withdrawal communication submitted.)

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

23. Resolution adopting an Anti-Displacement and Relocation Policy Statement and Procedures, in support of the City's Community Development Block Grant application to the New Hampshire Community Development Finance Authority to support Dakota Partners' development of workforce housing at 103 Old Loudon Road; together with a report from the Assistant Director of Community Development. (Supplemental report and grant withdrawal communication submitted.)

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

24. Resolution authorizing the City Manager to submit an application in an amount of up to \$500,000 and to accept and appropriate grant proceeds of up to \$500,000 of Community Development Block Grant funds to support improvements at Fellowship Housing Opportunities' Concord properties; together with a report from the Assistant Director of Community Development. (Supplemental report submitted.)

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

25. Resolution adopting an Anti-Displacement and Relocation Policy Statement and Procedures in support of the City's Community Development Block Grant application to the New Hampshire Community Development Finance Authority to support improvements at Fellowship Housing Opportunities' Concord properties; together with a report from the Assistant Director of Community Development. (Supplemental report submitted.)

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

26. Resolution appropriating the sum of \$2,584,300 as a transfer to reserves and authorizing the use of \$2,584,300 from Fiscal Year 2023 General Fund Assigned Fund Balance for this purpose and establish a Human Resources Reserve; together with a surplus report from the Deputy City Manager - Finance.

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

27. Resolution appropriating the sum of \$27,500 for the replacement of Human Services software (CIP #302) and authorizing the use of \$27,500 in Equipment Reserve funds for this purpose.

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

28. Resolution appropriating the sum of \$126,800 in the General Fund for furniture, wellness, equipment, and training; and authorizing the use of \$126,800 in Reserve Funds for these purposes.

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

29. Resolution rescinding the sum of \$196,936.62 in donations for the White Park Multipurpose Recreation Building (CIP #51) and authorizing the use of \$196,936.62 in Recreation Reserve funds for this purpose.

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

30. Resolution appropriating the sum of \$247,549.64 as a transfer to the Highway Reserve and accepting the sum of \$247,549.64 as a special one-time payment from the New Hampshire Department of Transportation for this purpose; together with a report from the Deputy City Manager-Finance.

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

31. Resolution appropriating the sum of \$23,020 in the Granite United Way grant project for expenses incurred by the Police Department for Adverse Childhood Experience Response Team (ACERT) program activities and accepting the sum of \$23,020 from the Granite United Way for this purpose; together with a report from the Deputy Chief of Police.

Action: Councilor Grady Sexton moved approval. The motion was duly seconded and passed with no dissenting votes. Councilor Brown recused because her husband is a police officer.

32. Resolution appropriating the sum of \$13,537.50 in the Police Department Ballistic Vest Replacement Program project (CIP #370) for the purchase of ballistic vests and accepting the sum of \$13,537.50 in unmatched United States Department of Justice Patrick Leahy Bulletproof Vest Partnership Grant program funds for this purpose; together with a report from the Deputy Chief of Police.

Action: Councilor Kretovic moved approval. The motion was duly seconded and passed with no dissenting votes. Councilor Brown recused because her husband is a police officer.

33. Resolution authorizing the City Manager to apply for a New Hampshire Council on the Arts grant in the sum of \$18,000, appropriating the sum of \$18,000 in the Pocket Parks project (CIP #528) for improvements of the clock tower on Eastman Street, and accepting the sum of \$18,000 from the New Hampshire Council on the Arts for this purpose; together with a report from the Parks and Recreation Director.

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

Unfinished Business

34. Resolution authorizing the City Manager to enter into a License Agreement with Brady Sullivan, or related entity, for private use of City property located on Storrs Street for improvements associated with redevelopment of 11 Stickney Avenue; together with a report from the Deputy City Manager - Development. (Supplemental report and draft agreement submitted.)
35. Resolution appropriating the sum of \$10,308,000 in the Beaver Meadow Golf Course Club House & Buildings Project (CIP #107) for the construction of a new facility and related improvements, and authorizing the issuance of bonds and notes in the sum of \$10,308,000 for this purpose; together with a report from the Deputy City Manager - Finance. (Presentation and proforma submitted.) (Public testimony received.) (Revised presentation submitted.) (Additional public testimony received.)

Consideration of items pulled from the Consent Agenda

15. Report from Director of Special Projects & Strategic Initiatives regarding naming of the new Penacook Library and Activity Center. (Pulled from consent by Mayor Champlin.)

Action: Mayor Champlin expressed his desire to refer this item to the Facilities Naming Committee so that public input can be heard.

Councilor Kretovic moved approval to refer this item to the Facilities Naming Committee. The motion was duly seconded and passed with no dissenting votes.

Comments, Requests by Mayor, City Councilors

Councilor Kretovic noted that on February 4, SkiTheBeav is hosting a Learn to Ski Day and 5K event. Discussion followed regarding that skis are available at this event and that it is open to all ages and abilities.

Councilor Brown announced a January 10 presentation at the Chamberlin House on the history of the Women's Club. On January 11 there will be a discussion at the Citywide Community Center regarding lights at Keach Park. Lastly, from January 25 - 27 the Concord Garden Club is hosting their annual Art & Bloom event at Kimball Jenkins Estate. Councilor Brown also offered her condolences for the late Catherine Pappas.

Councilor McLaughlin noted that she is looking forward to working with her fellow

members of City Council and City staff. Councilor McLaughlin also expressed that she hopes everyone can work together for the betterment of the City and in service to its residents.

Councilor Foote thanked General Services for its snow removal efforts.

Mayor Champlin discussed the staffing shortages faced by General Services and its impact on snow removal. He noted that the City staff who remove snow from sidewalks are also the staff who plow the streets. Mayor Champlin noted that snow removal of all streets and sidewalks throughout the City does take some time and there are positions available in General Services.

Adjournment

Action: At 8:05 PM, there being no additional Council business, Councilor Kretovic moved approval to adjourn. The motion was duly seconded and passed with no dissenting votes.

Information

Inf1 December 4, 2023 Concord Public Library Board of Trustee Meeting Minutes.

Action: The information item was received and filed.

Inf2 December 7, 2023 Ad-Hoc Beaver Meadow Golf Course Building Committee Draft Meeting Minutes.

Action: The information item was received and filed.

Inf3 December 14, 2023 Golf Course Advisory Committee Draft Meeting Minutes.

Action: The information item was received and filed.

Inf4 December 18, 2023 Fiscal Policy Advisory Committee Draft Meeting Minutes.

Action: The information item was received and filed.

Inf5 Report on Behalf of Executive Councilor Warmington, District 2.

Action: The information item was received and filed.

A true copy, I attest:

Elisabeth Harrington, Deputy City Clerk