



# City of Concord

## City Council

### Meeting Agenda

---

Monday, July 11, 2016

7:00 PM

City Council Chambers  
37 Green Street  
Concord, NH 03301

---

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

1. Call to Order.
2. Invocation by Father Constantine Newman, Holy Trinity Greek Orthodox Church.
3. Pledge of Allegiance.
4. Roll Call.
5. Approval of the Meeting Minutes.

June 6, 2016 City Council Meeting Minutes.

**Attachments:** [Minutes](#)

June 13, 2016 City Council Meeting Minutes.

**Attachments:** [Minutes](#)

6. Change Direction New Hampshire Campaign presentation by John Broderick.
7. Agenda overview by the Mayor.

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

#### **Referral to the Recreation and Parks Advisory Committee**

8. Communication from Alex Vogt, on behalf of Concord Pickleball Players, requesting that consideration be given to converting three tennis courts at Beaver Meadow Park to eight permanent pickleball courts.

**Attachments:** [Request](#)

[Proposed Court Layout](#)

#### **Referral to the Transportation Policy Advisory Committee**

9. Communication from Councilor Herschlag asking that consideration be given to changing the flashing left turn arrow light at the intersection of Manor, Borough and Route 3 to a red and green arrow.

**Attachments:** [Communication](#)

**Items Tabled for August 8, 2016 Public Hearings**

10. Resolution accepting and appropriating \$193,534 for the purpose of designing the rehabilitation to Taxiway A for Runway 17/35 including \$179,581 in grant funds from the Federal Aviation Administration (FAA), \$9,977 from the State of New Hampshire and \$3,976 from the City of Concord; together with report from the Associate Engineer.  
**Attachments:** [Resolution](#)  
[Report](#)
11. Resolution appropriating the sum of \$29,000 from the Conservation Trust Purchase of Land Fund as a supplemental appropriation to the City's Conservation Property Fund for the purposes of acquiring a conservation easement, funding for these purposes shall be entirely from Conservation Trust Purchase of Land Fund; for the acquisition of a conservation easement on property owned by The Lorraine V. Pierce Revocable Trust, at 84 Stickney Hill Road; together with report from the Conservation Commission.  
**Attachments:** [Resolution](#)  
[Report](#)  
[Map](#)
12. Resolution accepting and appropriating the sum of \$10,000, retroactive to June 30, 2016, from the Trustees of the Protestant Episcopal Church of New Hampshire for the purpose of providing fuel and other assistance; together with report from the City Manager.  
**Attachments:** [Resolution](#)  
[Report](#)
13. Ordinance amending the Code of Ordinances, Title V, Administrative Code; Chapter 35, Classification and Compensation Plan, Schedule D of Article 35-2, Class Specification Index, EMS Captain, Fire Alarm and Traffic Superintendent, Fire Marshal, Training Captain, Economic Development Director, Building Systems Supervisor, Custodial Supervisor and Public Properties Supervisor; together with report from the Director of Human Resources and Labor Relations.  
**Attachments:** [Ordinance](#)  
[Report](#)

**From the City Manager**

14. Positive Citizen Comments.  
**Attachments:** [Citizen Comments](#)

**Consent Reports**

15. Diminimus gifts and donations report from the Library Director requesting authorization to accept monetary gifts totaling \$1,736.70 as provided for under the pre-authorization granted by City Council.  
**Attachments:** [Report](#)
16. Diminimus gifts and donations report from the Police Department requesting authorization to accept funds in the amount of \$6,782.00, included as part of a disposition issued by the Merrimack County Superior Court as voluntary forfeiture, to be turned over to the Concord Police Department Drug Enforcement Unit, as provided under preauthorization granted by the City Council.  
**Attachments:** [Report](#)
17. Diminimus gifts and donations report from the Parks and Recreation Director requesting authorization to accept monetary gifts totaling \$11,024.81 as provided for under the pre-authorization granted by City Council.  
**Attachments:** [Report](#)
18. Report from the City Engineer on the status of the Merrimack River Greenway Trail Project (CIP543).  
**Attachments:** [Report](#)
19. Report from the Associate Engineer recommending the City Manager be authorized to accept a Public Utility Easement Deed from Capitol Place Condominium Owners Association - North State Street and Court Street.  
**Attachments:** [Report](#)  
[Map](#)
20. Report from the General Services Director recommending the City Manager be authorized to apply for a free leak detection grant from the New Hampshire Department of Environmental Services (NHDES).  
**Attachments:** [Report](#)
21. Report from Director of Redevelopment, Downtown Services, and Special Projects on behalf of the Parking Committee regarding Merrimack County's request for interim on-street parking during construction of the new Superior Courthouse Project.  
**Attachments:** [Report](#)  
[Request](#)  
[Map](#)  
[Site Plan](#)

22. City of Concord's compliance with the Affordable Health Care Act report from the Director of Human Resources and Labor Relations.

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

23. Report from the City Planner in response to a communication from Jere and Carol Ericson asking that consideration be given to permanently removing the gate at the southern end of Shenandoah Drive. (Additional communication from Chris Brown submitted)

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

[Ericson Letters](#)

[Email Chris Brown](#)

[Email Chief Andrus](#)

[Email Chief Osgood](#)

[Chris Brown Supplemental Communication](#)

### **Consent Resolutions**

24. Resolution in recognition of the services of Lieutenant John F. Brown. (For presentation in August)

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

25. Resolution affirming Concord, New Hampshire as a welcoming city and joining the Welcoming America Initiative, to help unite our community and ensure that all are welcome in Concord; together with report from the Economic Development Advisory Council (EDAC).

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

[Report](#)

26. Resolution adopting a Cash Management Policy; together with report from the City Treasurer.

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

[Report](#)

[Policy](#)

27. Resolution relative to short term investment of excess funds.

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

28. Resolution designating depositories for the City of Concord, New Hampshire for the Fiscal Year 2017.

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

29. Resolution authorizing prepayment of 2016 taxes in accordance with RSA 80:52-a; together with report from the City Treasurer.

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

30. Resolution authorizing the City Manager to accept and enter into a Grant Agreement for up to \$199,534 with the New Hampshire Department of Transportation (NHDOT), Bureau of Aeronautics for the purpose of designing the rehabilitation to Taxiway A for Runway 17/35; together with report from the Associate Engineer.

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

31. Resolution authorizing the City Manager to accept a secondary executory interest in a conservation easement for property owned by The Lorraine V. Pierce Revocable Trust, located at 84 Stickney Hill Road; together with report from the Conservation Commission.

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

32. Resolution authorizing the City Manager to enter into a Purchase and Sales Agreement with Neil E. Burt, Jr. for the sale of +/- 4,600 square feet of land located in Deer Park (MBL 9/2/8), said land to be incorporated into a residential lot at 10 Bow Street identified by MBL 9/1/1; together with a report from the Deputy City Manager -Development.

**Attachments:** [Resolution](#)  
[Report](#)  
[Aerial Photo](#)  
[Purchase and Sales Agreement](#)  
[Exhibit 1-Deer Park Aerial Photo](#)  
[Exhibit 2-Deer Park Deed](#)

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

### **Public Hearings**

- 33A. Resolution accepting and appropriating the sum of \$22,157 in unmatched grant funds from the United States Department of Justice, Edward Byrne Memorial Justice Assistance Grant Program, funds designated for law enforcement related programs; together with report from the Police Department.

**Attachments:** [Resolution](#)  
[Report](#)  
[Grant Application](#)

- 33B. Resolution establishing a new Recreation Reserve Fund and appropriating and

transferring \$650,000 for the purposes of future expenses related to the new city wide community center project, CIP #443, funding for these purposes shall be entirely from the Fiscal Year 2016 General Fund Unanticipated Revenues of \$530,000 and a transfer of unexpended snow and ice control expenses of \$120,000; together with report from the Deputy City Manager - Finance

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

- 33C. 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; Subsection 28-9-4(f), Architectural Design Review; together with report from the Assistant City Planner.

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

- 33D. 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, proposal to amend Zoning Map to change the zoning district of a portion of property located at 175 Manchester Street from Single-Family Residential (RS) District to Highway Commercial (CH) District; together with report from the City Planner. (Communication from Daval Reality Associates submitted)

**Attachments:** [Ordinance](#)  
[Report](#)  
[Zoning Map](#)  
[Nobis Letter](#)  
[Daval Reality Communication](#)

- 33E. Ordinance amending the Code of Ordinances, Title IV, Zoning Code; Chapter 28, Zoning Ordinance; Article 28-4, Development Design Standards, Section 28-4-6, Manufactured Housing Parks and Subdivisions and Glossary, Proposed Zoning Amendments to Reduce Minimum Front Yard Setback for Carports within Manufactured Housing Parks; together with report from the City Planner.

**Attachments:** [Ordinance](#)  
[Report](#)  
[Communication from D Rood](#)

### **Public Hearing Action**

34. Resolution accepting and appropriating the sum of \$22,157 in unmatched grant funds from the United States Department of Justice, Edward Byrne Memorial Justice Assistance Grant Program, funds designated for law enforcement related programs; together with report from the Police Department.

**Attachments:** [Resolution](#)  
[Report](#)  
[Grant Application](#)

35. Resolution establishing a new Recreation Reserve Fund and appropriating and transferring \$650,000 for the purposes of future expenses related to the new city wide community center project, CIP #443, funding for these purposes shall be entirely from the Fiscal Year 2016 General Fund Unanticipated Revenues of \$530,000 and a transfer of unexpended snow and ice control expenses of \$120,000; together with report from the Deputy City Manager - Finance

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

36. 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; Subsection 28-9-4(f), Architectural Design Review; together with report from the Assistant City Planner.

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

37. 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, proposal to amend Zoning Map to change the zoning district of a portion of property located at 175 Manchester Street from Single-Family Residential (RS) District to Highway Commercial (CH) District; together with report from the City Planner. (Communication from Daval Reality Associates submitted)

**Attachments:** [Ordinance](#)  
[Report](#)  
[Zoning Map](#)  
[Nobis Letter](#)  
[Daval Reality Communication](#)

38. Ordinance amending the Code of Ordinances, Title IV, Zoning Code; Chapter 28, Zoning Ordinance; Article 28-4, Development Design Standards, Section 28-4-6, Manufactured Housing Parks and Subdivisions and Glossary, Proposed Zoning Amendments to Reduce Minimum Front Yard Setback for Carports within Manufactured Housing Parks; together with report from the City Planner.

**Attachments:** [Ordinance](#)  
[Report](#)  
[Communication from D Rood](#)

## **Reports**

**New Business**

39. Communication from New Hampshire Municipal Association regarding their upcoming 2017-2018 Legislative Policy Conference to be held on September 23, 2016.

**Attachments:** [Communication](#)

**Unfinished Business**

40. 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).

**Attachments:** [Report](#)  
[Proposed Council Rules](#)

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

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

42. 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) (Route comparison submitted)

**Attachments:** [Request](#)  
[Revised Request](#)  
[Route Comparison](#)

**Comments, Requests by Mayor, City Councilors****Comments, Requests by the City Manager****Consideration of Suspense Items****Information**

- Inf1 May 24, 2016 and June 14, 2016 Joint Task Force on Childhood Hunger Meeting Minutes.

**Attachments:** [May 24, 2016](#)  
[June 14, 2016](#)

- Inf2 June 6, 2016 Concord Public Library Board of Trustees Meeting Minutes.

**Attachments:** [Minutes](#)

- Inf3 Communication from Comcast notifying City Council of upcoming changes to their services.

**Attachments:** [Communication](#)



