



City of Concord

City Council

Meeting Minutes - Draft

Monday, August 9, 2021

7:00 PM

City Council Chambers
37 Green Street
Concord, NH 03301

*In accordance with RSA 91-A:2, I (b) , Consultation with Legal Counsel to be held
at 5:30 p.m.*

1. Mayor Bouley called the meeting to order at 7:00 P.M.
2. The Invocation was led by Pastor Kevin Twombly of the Restoration Foursquare Church in Concord.
3. The Pledge of Allegiance was completed.
4. Roll Call.
Present: 14 - Councilor Candace Bouchard, Mayor Jim Bouley, Councilor Byron Champlin, Councilor Nathan Fennessy, Councilor Amanda Grady Sexton, Councilor Fred Keach, Councilor Linda Kenison, Councilor Jennifer Kretovic, Councilor Gail Matson, Councilor Keith Nyhan, Councilor Karen McNamara, Councilor Erle Pierce, Councilor Brent Todd, and Councilor Robert Werner
Excused: 1 - Councilor Zandra Rice Hawkins
5. Canvass of the Votes for the Special Ward Four Municipal Election held on July 13, 2021.
Action: In accordance with the City Charter, City Clerk Bonenfant asked City Council members to Canvass the Votes cast in the July 12, 2021 Ward Four Special Election, to announce the candidate receiving the highest number of votes for the vacant Ward Four Councilor office. She listed the following voting results: Karen McNamara received 135 votes, Edith Chiasson received 96 votes, and Connor Sporn received 110 votes.

Councilor Grady Sexton motioned to approve the Canvass of the Votes. The motion was duly seconded and passed with no dissenting votes.
6. Ceremonial swearing in of newly elected Ward Four City Councilor.

7. Approval of the Meeting Minutes.

July 12, 2021 City Council Draft Meeting Minutes

Action: Councilor Bouchard moved approval of the July 12, 2021 meeting minutes. The motion was duly seconded and passed with no dissenting votes.

8. Agenda overview by the Mayor.

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

Action: Councilor Grady Sexton moved approval of the Consent Agenda Items, excluding item 27, as it was pulled for discussion at the end of the meeting. The motion was duly seconded and passed with no dissenting votes.

Mayor Bouley stated that due to a minor oversight, a formal satisfactory or unsatisfactory vote was required for the City Manager's review.

Action: Councilor Champlin moved approval of a satisfactory review for the City Manager, for the prior fiscal year. The motion was duly seconded by Councilor Kretovic and passed with no dissenting votes.

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

Referral to Planning Board

9. Communication from Steve Duprey requesting consideration be given to amending the Code of Ordinances by creating a new overlay district that would promote an economically viable downtown for Concord, requiring that all uses established or expanded after the date of adoption on the entry-level of buildings be dedicated to retail, restaurants and/or entertainment along Main Street.

Action: This referral was referred to the Planning Board.

Referral to the Fiscal Policy Advisory Committee (FPAC)

10. Report from the Energy and Environment Advisory Committee requesting the City Manager be authorized to sign the Joint Powers Agreement and join the Community Power Coalition of New Hampshire.

Action: This referral was referred to the Fiscal Policy Advisory Committee (FPAC).

Referral to the Transportation Policy Advisory Committee and the Traffic Operations Committee

11. Petition from residents, staff members and visitors to Havenwood/Heritage Heights requesting consideration be made for traffic safety improvements on Christian Avenue in Concord.

Action: This referral was referred to the Transportation Policy Advisory Committee and the Traffic Operations Committee.

Referral to the Transportation Policy Advisory Committee, the Traffic Operations Committee and the Police Department

12. Communication from Dawn Pollinger, Penacook resident, requesting consideration be given to traffic safety improvements on Elm Street in Penacook.

Action: This referral was referred to the Transportation Policy Advisory Committee and the Traffic Operations Committee.

Items Tabled for September 13, 2021 Public Hearings

13. Resolution appropriating the sum of \$126,064.72 for the Hoit Road / Whitney Road Intersection Improvement Project (CIP #30) and accepting the sum of \$126,064.72 in supplemental donations from Interchange Development L.L.C. for this purpose; together with report from the Director of Redevelopment, Downtown Services, and Special Projects.

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

14. Resolution authorizing the City Manager to submit an application in an amount of up to \$25,000 and to accept and appropriate grant proceeds of up to \$25,000 of Community Development Block Grant funds to conduct a needs assessment and feasibility study for entrepreneurial and small business technical support services in conjunction with Making Matters NH d/b/a Concord Makerspace; together with report from the Director of Redevelopment, Downtown Services and Special Projects and the Local Government Management Fellow.

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

15. Resolution readopting the City's 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; together with report from the Director of Redevelopment, Downtown Services and Special Projects and the Local Government Management Fellow.

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

16. 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; Administrative Library Technician; together with report from the Library Director.

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

From the City Manager

17. Positive Citizen Comments.

Action: These positive comments were received and filed.

Consent Reports

18. Diminimus gifts and donations report from the Library Director requesting authorization to accept monetary gifts totaling \$4,924.97, as provided for under the pre-authorization granted by City Council.

Action: This consent report was approved.

19. City Council 2020-2021 Quarterly Priorities Report from the City Manager.

Action: This consent report was approved.

20. Report from Deputy City Manager - Finance recommending approval of the proposed 2022 Membership Rates for Beaver Meadow Golf Course as recommended by the Golf Course Advisory Committee.

Action: This consent report was approved.

21. Report from Deputy City Manager - Finance regarding go live of new Munis Payroll System.

Action: This consent report was approved.

22. May 31, 2021 Fiscal Year to Date Financial Statements from the Deputy City Manager Finance.

Action: This consent report was approved.

23. Report from the Director of Human Resources and Labor Relations recommending the addition of a Fiscal Supervisor to the Police Department replacing the vacant Fiscal Technician III position.

Action: This consent report was approved.

24. Report from the Water Treatment Plant Superintendent requesting the City Manager be authorized to enter into a Radio Tower License agreement with NH News, Views, and Blues (WNHN 94.7 Radio).

Action: This consent report was approved.

Consent Resolutions

25. Resolution ordering the extinguishment of a City of Concord, Department of Human Services, lien on 11 South Emperor Drive in the City of Concord in the total amount of \$6,403.50; together with report from the Human Services Director.

Action: This consent resolution was approved.

26. Resolution authorizing the City Manager, by way of the Police Department, to submit a grant application to the NH Department of Safety - Law Enforcement Opioid Abuse Reduction Initiative, for funding designated to assist the Department in conducting illegal drug related investigations; together with report from the Police Department.

Action: This consent resolution was approved.

27. Resolution repurposing the sum of \$12,695.83 from the Merrill Pool Reconstruction subproject (CIP #63) to a White Park Pool subproject (CIP #63) for use on conceptual development of a splash-pad at White Park. (Pulled from consent by Councilor Champlin)

Appointments

28. Mayor Bouley's proposed reappointments to the Energy & Environment Advisory Committee: Jennifer Galbraith and Chuck Willing.

Action: These appointments were approved.

29. Mayor Bouley's proposed re-appointment to the Golf Course Advisory Committee: Chris Mulleavey.

Action: This appointment was approved.

30. Mayor Bouley's proposed reappointment to the Transportation Policy Advisory Committee: Gregory L. Bakos.

Action: This appointment was approved.

31. Mayor Bouley's proposed reappointment to the Utility Appeals Board: Tom Arnold.

Action: This appointment was approved.

End of Consent Agenda

Public Hearings

32A. Resolution establishing an Opioid Abatement Reserve fund for expenses related to opioid abatement, appropriating the sum of \$13,425.24 as a transfer to the Opioid Abatement Reserve fund, for Fiscal Year 2021 retroactive to June 30, 2021, and accepting the sum of \$13,425.24 for this purpose; together with report from the Deputy City Manager-Finance.

Action: City Manager Aspell stated that establishing a new Opioid Abatement Reserve Fund in conjunction with the Opioid Litigation Settlement would set the funds aside for the City Council to best determine how to appropriate these funds in the future. He noted that this settlement is part of the settlement as it relates to “State of New Hampshire v. McKinsey & Company, Inc. (Merrimack County 217-2021-CV-0073). It was noted that this was the first payment to the City of Concord in the amount of \$13,425.24, and several others were expected.

Councilor Fennessy asked for a time frame of when the additional funds would be received by the City. City Solicitor Kennedy stated that the multi district Opioid Litigation was ongoing and would be a lengthy process involving State law on disbursements of all settlement funds. He noted that Concord would receive 15% of the total settlement, and stated that it could take up to 20 years or more to receive all litigation funds.

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

32B. Resolution appropriating the sum of \$12,500 for a facility assessment of Beaver Meadow Golf Course and authorizing the use of Golf Fund Balance for this purpose; together with report from the Deputy City Manager - Finance.

Action: City Manager Aspell noted that the City Council had considered upgrades to the window's, doors, and bathrooms and after continued review and realizing the extent of the upgrades needed, it was decided to prepare a more thorough review of the whole facility and surrounding grounds and make a comprehensive recommendation on repair or replacement. He stated that in addition to the clubhouse and surrounding grounds, the parking lot is also in need of complete replacement. The resolution requesting \$12,500 would be used for a full facility assessment to enable the Ad-hoc committee to prepare a thorough recommendation to the City Council for the Beaver Meadow clubhouse and surrounding facility.

City Manager Aspell noted that in addition to facility improvement for golf operations, the New Hampshire Golf Association had expressed significant interest in locating their State Headquarters at Beaver Meadow and wanted to become paying tenants in the new or expanded facility.

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

- 32C. Resolution appropriating the sum of \$23,118.64 for the Annual Roadway Surface Improvements project (CIP #78) and accepting the sum of \$23,118.64 in Resident Granite Curb Cost Sharing Program contributions for this purpose; together with report from the General Services Director.

Action: City Manager Aspell stated that the referenced \$23,118.64 amount was an accumulative total of the payments received for granite curbing and was being deposited into a revenue account that was not available to be applied to future paving expenses. He stated that the resolution was intended to identify the money that has been received for the granite curbing and also to appropriate an offsetting amount to be used for future paving expenses.

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

- 32D. Resolution appropriating the sum of \$23,151 for law enforcement related programs and accepting the sum of \$23,151 in unmatched grant funds from the United States Department of Justice, Edward Byrne Memorial Justice Assistance Grant program for this purpose; together with report from the Deputy Chief of Police.

Action: City Manager Aspell stated that the Concord Police Department had been a recipient of this grant for many years. He noted that the grant allowed the Concord Police Department to replace and update older technologies currently in use and also purchase new equipment needed to maintain their efforts in an ever changing law enforcement environment. He also noted that the City would enter into a Memorandum of Understanding with the County of Merrimack on programming and the allotment of the funds. Under this agreement, the Police Department would receive \$13,000 for technological upgrades, equipment purchases, and training; while the County of Merrimack will receive \$10,151.

Mayor Bouley opened the public hearing.

Roy Schweiker, a Concord resident, stated that he was in agreement with accepting grant money for police equipment. He noted his concerns about Concord police being slow to adapt to body cameras as quickly as other agencies and commented that he had heard of scary things involving newer police officers. He suggested that newer police officers should have body cameras now for training and monitoring purposes.

Mayor Bouley asked if Mr. Schweiker could elaborate further on the "scary things," to which Mr. Schweiker stated that he felt it was an internal matter and didn't want to say anything further.

Councilor Keach asked, as a follow up, if, without naming names, there were any specific complaints that could be shared. Mr. Schweiker stated that he had behavioral complaints with one particular officer, but felt it was not an effective thing for City Council to discuss.

Councilor Champlin asked if Mr. Schweiker had reported his concerns to the Concord Police Department. Mr. Schweiker stated that he was not sure how to do that as there was no formal police review board.

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

- 32E. Ordinance amending the Code of Ordinances, Title IV, Zoning Code; Chapter 28, Zoning Ordinance, Article 28-9, Administration and Enforcement; together with report from the City Solicitor.

Action: City Manager Aspell noted that under RSA 674:33, I(b), a zoning board of adjustment has the power to grant a variance. The New Hampshire Supreme Court has made it clear that “[a]lthough disclosure of specific findings of fact by a board of adjustment may often facilitate judicial review, the absence of findings, at least where there is no request therefore, is not in and of itself error.” He stated that Ordinance 28-9-3 should be amended to reflect the current standard, as articulated by the New Hampshire Supreme Court.

Mayor Bouley opened the public hearing.

Roy Schweiker, a Concord resident, noted his agreement of passing this Ordinance change. He stated that although generating reasons wasn't required, Council should consider still doing it in select cases. He noted his opinion that if the board of adjustment rejected an appeal, reasons be provided, even if not required, to help people better understand.

Councilor Fennessy asked to clarify if Mr. Schweiker felt that the Ordinance should be left as it was. Mr. Schweiker clarified that his testimony was that he saw no reason to change the Ordinance to not require giving reasons and suggested that reasons should still be provided if something was not controversial and would likely be appealed.

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

- 32F. 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, modifying positions within Schedule D based on Fiscal Year 22 Budget Appropriations; together with report from the Director of Human Resources and Labor Relations.

Action: City Manager Aspell stated that, per the Budget Transmittal Letter and the approved and adopted Fiscal Year 2022 Budget, the following positions needed to be modified on the position classification index, known as Schedule D, and Council needed to approve those changes. He noted that the Administration Division Manager, Fleet Manager, Highway and Utilities Superintendent, Public Properties Superintendent, Wastewater Treatment Plant Superintendent, and Water Treatment Plant Superintendent positions would go from a labor grade of 22 to 23. The following positions would be added to the position classification index, Schedule D: Helpdesk Technician as a labor grade 13 position and Trails and Open Space Ranger Position as a labor grade 10 position.

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

Public Hearing Action

33. Resolution establishing an Opioid Abatement Reserve fund for expenses related to opioid abatement, appropriating the sum of \$13,425.24 as a transfer to the Opioid Abatement Reserve fund, for Fiscal Year 2021 retroactive to June 30, 2021, and accepting the sum of \$13,425.24 for this purpose; together with report from the Deputy City Manager-Finance.

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

34. Resolution appropriating the sum of \$12,500 for a facility assessment of Beaver Meadow Golf Course and authorizing the use of Golf Fund Balance for this purpose; together with report from the Deputy City Manager - Finance.

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

35. Resolution appropriating the sum of \$23,118.64 for the Annual Roadway Surface Improvements project (CIP #78) and accepting the sum of \$23,118.64 in Resident Granite Curb Cost Sharing Program contributions for this purpose; together with report from the General Services Director.

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

36. Resolution appropriating the sum of \$23,151 for law enforcement related programs and accepting the sum of \$23,151 in unmatched grant funds from the United States Department of Justice, Edward Byrne Memorial Justice Assistance Grant program

for this purpose; together with report from the Deputy Chief of Police.

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

37. Ordinance amending the Code of Ordinances, Title IV, Zoning Code; Chapter 28, Zoning Ordinance, Article 28-9, Administration and Enforcement; together with report from the City Solicitor.

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

Councilor Fennessy noted his support for this change to be consistent with the new standards from the Supreme Court. He also stated that as a best practice, he felt that the Zoning Board should continue to issue written decisions in respect to approved or denied requests so that the public could better understand their decisions.

38. 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, modifying positions within Schedule D based on Fiscal Year 22 Budget Appropriations; together with report from the Director of Human Resources and Labor Relations.

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

Reports

39. Report from the Tree Subcommittee of the Conservation Commission regarding the new Sustainable Tree Program grant program and update on the Tree Inventory.

Action: Ted Diers, Chairman of the Tree Subcommittee of the Conservation Commission, gave a brief presentation regarding the Committee's new Sustainable Tree grant program and provided an update on the Tree Inventory. He was excited to note that a new scholarship program was in the works for the Sustainable Tree Program, and noted a new signage promotion that would be implemented to increase and promote program participation.

Mr. Diers noted that the Committee recently met with Matt Cashman, Director of Facilities & Planning at Concord School District, to discuss a partnership to promote more tree plantings and identify funds. He noted that several trees would be planted at the Dewey School. It was noted that the Committee also met with the TPAC - Bike and Pedestrian Subcommittee to site walk South Street looking to improve tree plantings during the paving program.

Mr. Diers noted that a City tree inventory initially took place in 2000, and a repeated inventory was completed in 2020. He stated that the Urban Corridor (the Downtown canopy) lost approximately 38.5% of its trees since recorded in 2000. He noted that old age, diseases, utility conflicts, parking expansion, past salt road treatments, etc. have created numerous challenges and impacts on the tree population. He stated that placement quality will be more important than mass quantity planting in the urban area. He stated that, to ensure success, it was important to consider trees as part of a green infrastructure instead of as landscaping.

Mr. Diers stated that while several Ordinances existed around trees in new and redevelopment projects, it appeared that long term enforcement suffered, and he asked Council to be mindful, open to collaboration, and to enforce the Ordinances. Elizabeth "Zib" Corell, a member of the Tree Subcommittee of the Conservation Commission, noted that while the assumption was that everyone supported trees, she reminded everyone the importance of keeping the tree canopy, and asked to avoid removing live and thriving trees.

Mayor Bouley thanked Mr. Diers and Ms. Corell for attending the meeting, presenting their report, and for sharing their insight on an area of life that might normally be overlooked.

Councilor Bouchard asked if the Loudon Road area was included in current or future site walks. Councilor Matson noted her support of tree development on Loudon Road, to soften the urban feel. Mr. Diers stated that the Loudon Road area

had been in Committee discussions, and would likely be identified as an ideal location for trees to survive. He noted the importance of including the tree planting initiatives with future and ongoing infrastructure, water and sewer projects.

Councilor Matson noted that the Airport Road area, Terrill Park, and Manchester Street should all be considered during the ongoing improvement projects.

Councilor Kretovic thanked Mr. Diers for his enthusiasm, feedback, and Committee outreach. She agreed that tree plantings with ongoing and new development projects typically had the spirit of the Ordinances, but not the true intent. She noted another importance of having the tree canopy was to cool the road pavement which also extended the road paving life. She suggested reaching out to the Concord Heritage Commission when the City's master plan was being developed to partner initiatives. She also noted her surprise and sadness of the approximate loss of 38.5% of the tree canopy within the past 20 years.

Councilor Fennessy noted his appreciation for the presentation and for the learning opportunity. He asked about the timeline needed for the Tree Subcommittee of the Conservation Commission to determine the ideal planting locations and what the action plan would be. Mr. Diers noted that the tree evaluation process was meant to be ongoing and be forever. He noted that, as areas were identified, budgeted funding would be used, as would community donated trees and dollars, and emphasized future collaborative efforts. He noted that there would be a significant sticker shock in order to best acclimate and accommodate tree infrastructures and success long term. Mr. Diers emphasized the value of trees and the added benefits of sustainable programs.

Councilor Champlin thanked Mr. Diers for his presentation and enthusiasm, and asked if there were any anticipated impacts from the tree infrastructure on the City's parking infrastructure (kiosks, parking meters, etc.). Mr. Diers noted that parking was one of the areas of conflict with the green infrastructure initiative and noted that part of the long term solution would be to creatively find parking alternatives that wouldn't interrupt parking spaces, and noted his belief that there was no major conflict aside from median parking.

Councilor Todd thanked Mr. Diers for his time and effort. He noted that there could be good opportunities in partnering with other Committees and endorsed the Transportation Policy Advisory Committee. He stated that speeding through residential neighborhoods was a big issue and noted that the Transportation Policy Advisory Committee found tree placement to be a calming effect that served

several benefits.

Mayor Bouley noted his support and endorsed future tree development and stated his appreciation for General Services staff being involved. He encouraged collaborating with City Administration during budget time to appropriate actual dollars needed and noted that he approved of proactively replacing dying trees to promote the tree canopy development. Mr. Diers confirmed that several pilot infrastructure programs would be the next step to promote the different types of infrastructure that Concord could utilize.

Councilor Bouchard moved approval to accept the report. The motion was duly seconded and passed with no dissenting votes.

New Business

40. Communication from Jessica Martin, Executive Director, Intown Concord requesting the City waive the cost of the required police detail for Market Days to be held August 19th through August 21st.

Action: City Manager Aspell stated that a letter was received from Jessica Martin, Executive Director of Intown Concord, asking the City to waive a Police detail fee for their Market Days event, in the amount of \$6,789.00.

Councilor Kretovic noted that the request was for the City to waive the Police detail, but due to the Union Collective Bargaining Agreement, the City would pick up the cost. She noted that the detail might not even be provided by Concord Police officers.

Councilor Keach asked if Ms. Martin was present for the Council meeting, to which Mayor Bouley confirmed she was not.

Councilor Bouchard moved to deny the request. She noted that the event was a good one, but felt that if the request was approved for one event it would set a precedent for all other Downtown events. The motion was duly seconded to deny the request with no dissenting votes.

Mayor Bouley asked City Manager Aspell to clarify the Intown Concord estimated police detail cost breakdown provided by Matthew Lankhorst. City Manager Aspell stated that the referenced line items were based on hours per each required detail shift, per the historic detail coverage provided previously for the event.

Councilor Keach asked to clarify if the estimated hours for the Police detail were expectations from the Police Department or the event organizer. Greg Taylor, Deputy Police Chief, stated that the hours estimated were the Concord Police Department's anticipated cost for the three day Market Days event, based on past coverage history. He noted that this level of coverage was agreed upon with the event organizer to best provide coverage throughout the day.

Councilor Pierce asked to clarify Ms. Martin's comment about this Police detail fee being waived in the past. Mayor Bouley stated that, in the past, Intown Concord received \$20,000, but was increased to \$30,000 to cover the additional Police expenses. He noted that in past years the fees were never waived, their budgeted appropriation had been increased to cover the overall expense, which was not the case now. Councilor Pierce confirmed that the City essentially gave Intown Concord more money to pay itself, to which Mayor Bouley confirmed.

Unfinished Business

Comments, Requests by Mayor, City Councilors

Action: Councilor Grady Sexton extended her condolences and sympathies to the family of Gerard Drypolcher, for their loss. She noted that Mr. Drypolcher was a great neighbor, friend, and public servant for Concord, and would be greatly missed. She also extended her appreciation and thanks for the staff members at the Parks and Recreation Department for their summer programs, noting that they went above and beyond to keep the children happy and safe.

Councilor Werner stated that after having the honor and privilege of serving on the Council for 14 years, he would not be running for re-election in November. He reminded everyone that the filing period to run would be September 3rd to the 13th. He noted his hope for good and talented people to step forward in Ward 5 to do an honorable job serving Council. He stated that although not running, he would remain involved in the community.

Councilor Kenison stated that the neighborhood parking forum for Ward 6 would be held in Council Chambers, on August 30th, at 7:00 P.M. She confirmed that notices were sent to all Ward 6 residents and anticipated a good turnout with lots of feedback. She noted that it would be a difficult area to work in due to the narrow streets and population density. She also stated that, after 13.5 years of serving on City Council she would not be running for re-election in November. She noted that in her first term on Council, it was mostly made up of men so she was happy to see the mix now. She noted her appreciation and thankfulness for having served her community, worked with Council and City staff over the years.

Councilor Keach jokingly announced that he would be staying on City Council.

Councilor Pierce thanked the City, the Parks and Recreation Department and the community for a great National Night out event on Monday, August 3rd.

Mayor Bouley state that it was an honor and privilege to work with Councilor Werner and Kenison and noted that they would both be extremely missed. He noted that they both elevated the level of discussion and debate and pushed the City to be better, and both had a lot to be proud of.

Mayor Bouley noted that he received a note from the National League of Cities stating that as of August 5th, they were looking at their calendars to coordinate scheduling, with the City within the next two weeks.

Comments, Requests by the City Manager

Action: City Manager Aspell stated that FEMA was partnering with the Federal Communication Commission, to conduct a national test of the Emergency Alert System and Wireless Emergency Alert with radio, TV, cable stations, and wireless carriers at 2:20 PM Eastern Time on August 11, 2021. The EAS test was expected to last one minute and would confirm the ability of the system to deliver a national EAS message. He wanted people to know in advance so there was no panic or concern.

Consideration of item pulled from the consent agenda

27. Resolution repurposing the sum of \$12,695.83 from the Merrill Pool Reconstruction subproject (CIP #63) to a White Park Pool subproject (CIP #63) for use on conceptual development of a splash-pad at White Park. (Pulled from consent by Councilor Champlin)

Action: Councilor Champlin complimented General Services for doing an efficient job managing the Merrill Park pool project that resulted in a dollar surplus. He noted that General Services did an outstanding job often, but this was a shining example of their work. He noted that he pulled the item from the Consent Agenda for additional discussion as an email was received expressing concern about shortchanging Keach Park by allocating these funds to do a splash pad at White Park. He noted that an outstanding request was received from Change Concord to have lighting installed at the soccer field in the Heights community. He noted that, while both projects had merit, he didn't think they were connected to each other. He noted that great works and services were provided at Keach Park and wanted to clarify a misconception that White Park served a different demographic. He noted that people of all economic backgrounds utilized White Park and suggested making a motion to separate the two issues. He suggested moving forward with the splash pad preparations by re-purposing funding in the Fiscal year 2022 budget (PCR #33), that allocated \$9,000 for the same purpose.

Mayor Bouley noted that PCR #33 stated that the Recreation and Parks Advisory Committee and staff recommended hiring an outside vendor to help the community review of options to potentially convert either White Park or Garrison Park pools to a splash pad. The next pool to be renovated was White Park in FY 2023, Garrison Park in FY 2024 and Rollins Pool in FY 2025. If a splash pad was built it would allow for a longer season and potentially reduced staff costs.

Councilor Champlin made a motion to repurpose the amount of \$9,000 to continue with the splash pad preparations. The motion was duly seconded and passed with no dissenting votes.

Action: Mayor Bouley noted that the referenced email generated a lot of thought and felt that the issue about lighting at Keach Park was worthy of discussion, as all parks were important throughout the City. He noted that, over the years, the topic of lights at the park generated concerns from neighborhoods and how they would interact. He suggested having the Recreation & Parks Advisory Committee (RPAC) use the Parking Committee's model to have multiple tiered public forums in various neighborhoods of interest for feedback and concerns, so they could review and propose recommendations to the community and Council. He proposed this being the best way to engage the community and have the best educated discussion on the topic.

Councilor Champlin moved approval to have the Recreation & Parks Advisory Committee (RPAC) begin work on this neighborhood outreach and inquiry. The motion was duly seconded and passed with no dissenting votes.

Councilor Keach noted his agreement and noted that it was a great neighborhood, in Concord, in need. He stated that his father always told him it was cheaper to recreate and educate than the alternatives, so he noted his approval of the money being well spent.

Councilor Grady Sexton thanked Councilor Bouchard for all of her work and investments made at Keach Park over the last 10 years. She also thanked Mayor Bouley for his creative thinking on the topic and investment.

Councilor Fennessy agreed this was a great idea and thanked Mayor Bouley for bringing it forward. He noted that as a parent, he was aware of the use and activity, on fall nights, at Keach Park, and supported this important conversation to be had with the neighborhood.

Consideration of Suspense Items to be set for September 13, 2021 Public Hearings

Action: Councilor Champlin made a motion to suspend the rules for Council to take up the suspense items. The motion was duly seconded.

Councilor Nhyan made a motion to set all three resolution suspense items for public hearing in September and accept the report. The motion was duly seconded and passed with no dissenting votes.

- Sus1. Resolution authorizing the City Manager to enter into a Purchase and Sale Agreement Amendment with the John J. Flatley Company concerning the sale and

redevelopment of the former New Hampshire Employment Security Property located at 32-34 South Main Street and 33 South State Street; together with report from the Director of Redevelopment, Downtown Services & Special Projects.

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

Sus2. Resolution appropriating the sum of \$150,000 to compensate the John J. Flatley Company for abatement of certain asbestos containing materials at the former New Hampshire Employment Security Property (CIP #578) located at 32-34 South Main Street and 33 South State Street and authorizing the use of \$150,000 in Economic Development Reserve Funds for this purpose; together with report from the Director of Redevelopment, Downtown Services & Special Projects.

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

Sus3. Resolution authorizing the City Manager to apply for the sum of \$27,500 in New Hampshire Department of Environmental Services Brownfields Program Grant Funds, appropriating the sum of \$27,500 for Hazardous Building Materials Abatement at the Former New Hampshire Employment Security Property located at 32-34 South Main Street (CIP #578), and accepting the sum of \$27,500 in New Hampshire Department of Environmental Services Brownfields Program Grant Funds for this purpose; together with report from the Director of Redevelopment, Downtown Services & Special Projects.

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

Adjournment

Action: Councilor McNamara moved approval to adjourn the meeting at 8:26 P.M. The motion was duly seconded and passed with no dissenting votes.

Information

Inf1 July 12, 2021 Concord Public Library Board of Trustee Meeting Minutes.

Action: Information item received and filed.

Inf2 July 15, 2021 Golf Course Advisory Committee Draft Meeting Minutes.

Action: Information item received and filed.

A true copy; I attest:

Ashley Hamilton
Deputy City Clerk