



City of Concord

City Council

Meeting Minutes - Draft

Monday, May 13, 2024

7:00 PM

City Council Chambers
37 Green Street
Concord, NH 03301

RSA 91-A: 3, II (a)-(c) - non-public session to discuss the City Manager's evaluation and/or compensation to be held at 5:30 PM.

Present: 13 - 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, and Councilor Brent Todd

Late: 2 - Councilor Kris Schultz, and Councilor Ali Sekou

Mayor Champlin called the meeting to order at 5:30 PM.

Councilor Grady-Sexton moved to enter non-public session under RSA 91-A:3, II (a)-(c) to discuss the City Manager's evaluation. The motion was duly seconded and passed with no dissenting votes.

Members of City Council discussed the City Manager's evaluation and performance for Fiscal Year 2024.

Councilor Kurtz moved to exit the non-public session. The motion was duly seconded and passed.

At 6:50 PM, City Council returned to public session.

At 6:51PM, Councilor Grady-Sexton moved to seal the minutes. The motion was duly seconded and passed with no dissenting votes.

1. Call to Order.

Action: Mayor Champlin called the meeting to order at 7:00 PM. Mayor Champlin noted that devices are available to help those who have difficulty hearing. These devices use a transmitter and headphones, and allow for an individual to personally adjust the volume to their needs. A device can be obtained at the ConcordTV booth in the back of Council Chambers.

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.

April 8, 2024 City Council Draft Meeting Minutes

Action: Councilor Grady Sexton moved approval of the April 8, 2024 City Council draft meeting minutes. The motion was duly seconded.

Councilor Brown moved to amend the minutes to include wording regarding an appointee's resume. The motion was dully seconded and failed.

Councilor Grady Sexton's motion passed with one dissenting vote.

6. Agenda overview by the Mayor.

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

Action: Councilor Brown recused from agenda item number 20 because her husband is a police officer.

Agenda item number 24 was pulled from the consent agenda by Councilor Brown for discussion. Agenda item number 28 was pulled from the consent agenda by Councilor Kurtz and Councilor Brown for discussion.

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

Referral to the Transportation Policy Advisory Committee

7. Communication from Emily West, 35 Iron Works Road, requesting consideration be given to address ongoing traffic conditions on Iron Works Road.

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

Items Tabled for June 3, 2024 Public Hearings

8. Resolution fixing and determining the amount of money to be appropriated by the City of Concord for the Fiscal Year 2025, ending June 30, 2025, for the General Fund, Special Revenue Funds, Enterprise Funds, Debt Service Funds and De Minimis Accounts.

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

9. Resolution for the 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.

10. Resolution appropriating for Fiscal Year 2025 (July 1, 2024 to June 30, 2025) the sum of \$53,551,745 for capital projects, authorizing the issuance of bonds and notes in the amount of \$45,286,110, accepting \$3,508,925 in federal grant funds, and accepting \$401,710 in state grant funds for various capital projects more specifically identified in the budget document.

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

11. Ordinance amending the Code of Ordinances, Title I, General Code; Chapter 1, Government Organization; Article 1-5, Fees, Fines, and Penalties, Schedule I, by amending Chapter 9, Section 9-1-6 Water Use Rates, Section 9-1-8 Water Fixed Charges, Section 9-3-8 Sewer Use Rates, and Section 9-3-8(a) Sewer Fixed Charges.

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

Items Tabled for June 10, 2024 Public Hearings

12. Resolution appropriating the sum of \$11,956.94 in the Police Department Ballistic Vest Replacement Program project (CIP #370) for the purchase of ballistic vests and accepting the sum of \$11,956.94 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 Police Chief.

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

13. Resolution appropriating the sum of \$38,292.10 for management of tax deeded properties and accepting the sum of \$38,292.10 from the sale of tax deeded properties for this purpose; together with a report from the Treasurer/Tax Collector.

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

14. Report from the Recreation and Parks Advisory Committee on recommended non ordinance based fees and charges.

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

Item previously Tabled for a July 8, 2024 Public Hearing

15. Ordinance amending the Code of Ordinances; Title IV, Zoning Code; Chapter 28, Article 28-2-4 Allowable Principal and Accessory Uses in Zoning Districts, Article 28-5, Supplemental Standards and Glossary; together with a report from the Assistant Director of Community Development.

Action: This ordinance was previously set for a July 8, 2024 public hearing.

From the City Manager

16. Positive Citizen Comments.

Action: This positive comment was received and filed.

Consent Reports

17. Diminimus gifts and donations report from the Library Director requesting authorization to accept gifts totaling \$1,198.62, as provided under the pre-authorization granted by City Council.

Action: This consent report was approved.

18. Report from the Library Director recommending acceptance of a gift of six (6) Literacy Kits from Northeast Deaf and Hard of Hearing Services valued at \$734.90.

Action: This consent report was approved.

19. Diminimus gifts and donations report from the Parks and Recreation Director requesting authorization to accept monetary gifts totaling \$5,840.02 as provided for under the pre-authorization granted by City Council.

Action: This consent report was approved.

20. Diminimus gifts and donations report from the Police Department requesting authorization to accept funds totaling \$5,435 as provided under the pre-authorization granted by City Council.

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

21. Status Report from the City Manager on City Council Calendar Year 2024-2025 Priorities.

Action: This consent report was approved.

22. Confirmation of new City Solicitor Appointment report from the City Manager.

Action: This consent report was approved.

23. March 31, 2024 Fiscal Year to Date Financial Statements report from the Deputy City Manager - Finance.

Action: This consent report was approved.

24. Report to Council requesting authorization for street closures for Cars & Coffee Event; together with information about the event including photos and a proposed street closure map for the Main Event 2024 from Alex Stoye, Revelstoke Coffee. (Pulled from consent by Councilor Brown.)

Action: This item was pulled from the consent agenda for discussion by Councilor Brown.

25. Report from the Deputy City Manager - Finance and the Tax Collector regarding the new real estate tax bill format and Munis Enterprise Resource Planning (ERP) implementation update.

Action: This consent report was approved.

26. Report from the General Services Director regarding National PFAS Standards for Drinking Water.

Action: This consent report was approved.

27. Report from the Parks and Recreation Director on the upcoming outdoor pool season.

Action: This consent report was approved.

28. Report from the Parks and Recreation Director on the CommUNITY Activity Program. (Pulled from consent by Councilor Kurtz and Councilor Brown.)

Action: This item was pulled from the consent agenda for discussion by Councilor Kurtz and Councilor Brown.

29. Report from the Transportation Policy Advisory Committee recommending transportation project priorities for the FY 2025-2034 Capital Improvements Program.

Action: This consent report was approved.

Consent Resolutions

30. Resolution updating designated depositories for the City of Concord, New Hampshire for Fiscal Year 2024; together with report from the City Treasurer/Tax Collector.

Action: This consent resolution was approved.

31. Resolution making a return of the perambulation of the town line between the City of Concord and the Town of Boscawen; together with a report from the City Surveyor.

Action: This consent resolution was approved.

32. Resolution authorizing the City Manager to enter into the Cost Sharing Agreement and Member Services Contract with the Community Power Coalition of NH; to approve CPCNH's Data Security and Privacy, Energy Portfolio Risk Management, Retail Rates, and Financial Reserves Policies; together with a report from the Director of Special Projects and Strategic Initiatives, on behalf of the Energy & Environment Advisory Committee.

Action: This consent resolution was approved.

End of Consent Agenda

Public Hearings

- 33A. Resolution appropriating the sum of \$65,722.88 in the Wastewater Fund as a Transfer Out to Capital and authorizing the use of Wastewater Fund Balance for this purpose, and appropriating the sum of \$65,722.88 in the Equipment Replacement Project (CIP #121) to restore previously reprogrammed funding and accepting the sum of \$65,722.88 as a Transfer from the Wastewater Fund for this purpose; together with a report from the Acting Assistant Finance Director.

Action: City Manager Aspell provided a brief overview of this item in which during a recent review of closed capital projects, it was discovered that two sub-projects within the Equipment Replacement Project had expended \$65,722.88 that had been previously reprogrammed during the Capital Improvement Project Closeout process of a prior year. To cover these expenditures, an appropriation from Wastewater Fund balance in the amount of \$65,722.88 is necessary.

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

- 33B. Ordinance amending the Code of Ordinances, Title I, General Code; Chapter 1, Government Organization, Article 1-5, Fees, Fines, and Penalties, Schedule 1; together with non-ordinance fees and a report from the Deputy City Manager - Finance.

Action: City Manager Aspell provided a brief overview of this item. Annually, each City department revises and recommends fee increases or changes based on inflation, market conditions, and budget changes. Although non-ordinance based fees do not require a public hearing, they are included within this process.

Traffic studies and transportation impact fees were discussed.

Mayor Champlin opened the public hearing.

Roy Schweiker discussed his opinion that fees be increased by the rate equivalent to the rate of the increase of the City's operating expenses as to not burden taxpayers. Mr. Schweiker also discussed sewer hookups.

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

- 33C. 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, reorganization of the General Services Highways and Utilities Division; together with a report from the General Services Director.

Action: City Manager Aspell provided a brief overview of this item in which the resignation of a long-term General Services Highway and Utilities Division employee, in the position of Road Crew Supervisor, has provided the opportunity for a realignment within the Highway and Utilities Division.

The General Services Department proposes that the duties of a Road Crew Supervisor position and the Sign/Pavement Marking Supervisor be combined with the establishment of a Senior Road Crew Supervisor. This person will oversee one road crew as well as the sign and pavement marking crew. Combining the positions to make one supervisor over the two crews will improve efficiency. This realignment will result in no net increases of employees within the Department and represents a modest savings for the General Fund.

Discussion followed regarding the inclusion of the proposed ordinance in this meeting agenda, rather than in the budget process, so that more timely action can be taken to fill the role if approved. Street paving and painting were also discussed.

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

Public Hearing Action

34. Resolution appropriating the sum of \$65,722.88 in the Wastewater Fund as a Transfer Out to Capital and authorizing the use of Wastewater Fund Balance for this purpose, and appropriating the sum of \$65,722.88 in the Equipment Replacement Project (CIP #121) to restore previously reprogrammed funding and accepting the sum of \$65,722.88 as a Transfer from the Wastewater Fund for this purpose; together with a report from the Acting Assistant Finance Director.

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

35. Ordinance amending the Code of Ordinances, Title I, General Code; Chapter 1, Government Organization, Article 1-5, Fees, Fines, and Penalties, Schedule 1; together with non-ordinance fees and a report from the Deputy City Manager - Finance.

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

Discussion followed regarding new fees as well as water and sewer connection fees.

Councilor Kretovic's motion passed with no dissenting votes.

36. 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, reorganization of the General Services Highways and Utilities Division; together with a report from the General Services Director.

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

Reports

New Business

Unfinished Business

37. 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.)

Comments, Requests by Mayor, City Councilors

Councilor Todd reminded Council about the Penacook Village Association's Memorial Day Parade on Sunday, May 26, 2024.

Councilor Kretovic provided an update on the reduced green fees at Beaver Meadow Golf Course being offered to City employees. After one month of reduced green fees being offered, 10% of City employees from various departments have utilized the reduced green fees.

Councilor McNamara thanked Alex Stoye from Revelstoke Coffee for his organizing of Cars & Coffee.

Councilor Brown recognized an Environmental Studies student from New Hampshire Technical Institute (NHTI) who produced materials for the Conservation Commission Trees Subcommittee. Councilor Brown discussed a general elective credit available at NHTI for students who complete lifeguard training. Lastly, Councilor Brown announced the S&W Sports' Bike Swap on Saturday, May 18, 2024.

Councilor Fennessy thanked Mayor Champlin for attending Concord Little League and Concord National Opening Day. Councilor Fennessy also provided an update on the collection of information from members of Beaver Meadow Golf Course. As of May 5, 2024 there are 276 members of Beaver Meadow Golf Course. Of this number, 225 are Concord residents.

Councilor McLaughlin thanked members of City Council for their condolences regarding her father's passing.

Councilor Foote discussed an event he attended which was hosted by the Crisis Center of Central New Hampshire. Councilor Foote also discussed impact fees.

Mayor Champlin announced the Concord Memorial Day Parade on Monday, May 27, 2024.

Comments, Requests by the City Manager

Consideration of Items Pulled from the Consent Agenda

24. Report to Council requesting authorization for street closures for Cars & Coffee Event; together with information about the event including photos and a proposed street closure map for the Main Event 2024 from Alex Stoye, Revelstoke Coffee. (Pulled from consent by Councilor Brown.)

Action: Councilor Brown pulled this report for discussion and requested information regarding the City's process for reviewing street closure requests.

City Manager Aspell described the process of reviewing street closure requests which includes a review by City Administration and staff prior to City Administration's determination. Approximately six requests per month are submitted to City Administration. Approximately 15 years ago, requests were brought to City Council. Due to the length of time for a determination to be issued, City Council granted City Administration the ability to review and determine street closure requests. City Manager Aspell expressed that if an event was supported by Council in the past, the previous support would signify support of that event in the future. However, the event referenced in the report is a new event and requests closure of Main Street. Therefore, City Manager Aspell expressed that this item is being brought before members of City Council for their action and to make the public aware. If approved, and if the event is held in the future, the request would not be brought forth in the future.

Councilor Keach discussed City staff's review and recommendation of the street

closure.

General discussion followed regarding economic development opportunities.

Councilor Keach moved to accept the report. The motion was dully seconded.

Further discussion followed regarding the applicant's survey of area businesses.

Mayor Champlin asked Councilor Brown if she will be voting rather than recusing from this agenda item as he advised.

Councilor Brown indicated that she will be voting.

Councilor Fennessy called the question.

Councilor Keach's motion passed with no dissenting votes.

28. Report from the Parks and Recreation Director on the CommUNITY Activity Program. (Pulled from consent by Councilor Kurtz and Councilor Brown.)

Action: This item was pulled from the consent agenda for discussion by Councilor Kurtz and Councilor Brown.

Councilor Kurtz discussed her time volunteering for the CommUNITY Activity Program and her advocacy for the program's continuation.

Councilor Brown expressed that she pulled this report for discussion because the report cites an unspent grant award of \$11,000. Councilor Brown requested the language of the report be changed to include language regarding organizations who assist the New American and refugee communities.

Councilor Kretovic moved to accept the report. The motion was dully seconded.

Councilor Brown moved to amend the report by removing the report's last line and adding, "for other groups serving underrepresented populations." The motion failed.

City Manager Aspell reviewed the City Council's one time appropriation of \$150,000 for Fiscal Year 2024 and discussed how the remaining \$11,000 cited in the report has already been allocated elsewhere.

Councilor Kretovic's motion passed with no dissenting votes.

Consideration of Suspense Items

Action: Councilor Todd moved to suspend the rules and consider items not previously advertised. The motion was dully seconded and passed with no dissenting votes.

Sus1 Referral to the Transportation Policy Advisory Committee

Communication from George Cilley requesting consideration be given to re-installing speed limit signs on Birch Street in Concord.

Action: Councilor Kretovic moved approval to refer the item to the Transportation Policy Advisory Committee. The motion was dully seconded and passed with no dissenting votes.

Adjournment

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

Information

Inf1 February 8, 2024 Public Safety Board Meeting Minutes.

Action: This information item was received and filed.

Inf2 February 16, 2024 Public Safety Board Subcommittee on Homelessness Meeting Minutes.

Action: This information item was received and filed.

Inf3 February 21, 2024 Planning Board Meeting Minutes.

Action: This information item was received and filed.

Inf4 February 23, 2024 Conservation Commission Tree Subcommittee Meeting Minutes.

Action: This information item was received and filed.

Inf5 March 5, 2024 Architectural Design Review Committee Meeting Minutes.

Action: This information item was received and filed.

Inf6 March 7, 2024 Heritage Commission Meeting Minutes.

Action: This information item was received and filed.

Inf7 March 8, 2024 Public Safety Board Subcommittee on Homelessness Meeting Minutes.

Action: This information item was received and filed.

Inf8 March 13, 2024 Conservation Commission Meeting Minutes.

Action: This information item was received and filed.

Inf9 March 13, 2024 Conservation Commission Trails Subcommittee Meeting Minutes.

Action: This information item was received and filed.

Inf10 March 20, 2024 Planning Board Meeting Minutes.

Action: This information item was received and filed.

Inf11 March 21, 2024 Public Safety Board Meeting Minutes.

Action: This information item was received and filed.

Inf12 March 26, 2024 Conservation Commission Meeting Minutes.

Action: This information item was received and filed.

Inf13 April 1, 2024 Concord Public Library Board of Trustees Meeting Minutes.

Action: This information item was received and filed.

Inf14 April 2, 2024 Solid Waste Advisory Committee Meeting Minutes.

Action: This information item was received and filed.

Inf15 April 18, 2024 Golf Course Advisory Committee Draft Meeting Minutes.

Action: This information item was received and filed.

Inf16 Communication from Xfinity notifying City Council about Upcoming Changes to Customer Late Fees.

Action: This information item was received and filed.

A true copy, I attest:

*Elisabeth Harrington
Deputy City Clerk*