



# City of Concord

## City Council

### Meeting Agenda

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Tuesday, October 10, 2017

7:00 PM

City Council Chambers  
37 Green Street  
Concord, NH 03301

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1. Call to Order.
2. Invocation by Pastor Keith Lewis, Trinity Baptist Church.
3. Pledge of Allegiance.
4. Roll Call.
5. Approval of the Meeting Minutes.  
September 11, 2017 City Council Meeting Minutes.  
**Attachments:** [Minutes](#)
6. Resolution in recognition of the services of Master Police Officer James R. Fallon.  
**Attachments:** [Resolution](#)
7. Resolution in recognition of the services of Master Police Officer Matthew A. Nelson.  
**Attachments:** [Resolution](#)
8. Resolution in recognition of the services of Philip H. Bilodeau, P.E.  
**Attachments:** [Resolution](#)
9. Agenda overview by the Mayor.

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

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

#### **Referral to the Fiscal Policy Advisory Committee, City Administration and Community Development**

10. City of Concord Conservation and Open Space Plan Update.  
**Attachments:** [Plan](#)

#### **From the City Manager**

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

**Consent Reports**

12. Diminimus gifts and donations report from the Library Director requesting authorization to accept monetary gifts totaling \$1,181.72 as provided for under the pre-authorization granted by City Council.  
**Attachments:** [Report](#)
13. Diminimus gifts and donations report from the Parks and Recreation Director requesting authorization to accept monetary gifts totaling \$3,493.15 as provided for under the pre-authorization granted by City Council.  
**Attachments:** [Report](#)
14. Diminimus gifts and donations report from Assistant City Planner requesting authorization to accept and appropriate monetary contributions totaling \$10,000 for conservation purposes as provided for under the pre-authorization granted by City Council.  
**Attachments:** [Report](#)
15. Report from Deputy City Manager - Finance recommending approval of a Senior Membership rate for the Beaver Meadow Golf Course as recommended by the Golf Advisory Committee.  
**Attachments:** [Report](#)
16. Quarterly Current Use Change Tax Report from Director of Real Estate Assessments.  
**Attachments:** [Report](#)  
[Current Use Penalties](#)
17. Report from the City Engineer recommending that the City Manager be authorized to apply for US Department of Transportation, Federal Highway Administration, Transportation Investment Generating Economic Recovery (TIGER) grant program funds. (Pulled from consent by Councilor Herschlag)  
**Attachments:** [Report](#)
18. Report from the Assistant City Planner, on behalf of the Conservation Commission, recommending the City Manager be authorized to accept a Conservation Easement on Mountain Road as part of a conditionally approved Subdivision Plan application.  
**Attachments:** [Report](#)  
[Plan](#)

**Consent Resolutions**

19. Resolution in honor of the services of retired Fire Lieutenant Christopher Andrews.  
**Attachments:** [Resolution](#)
20. Resolution in honor of the services of retired Battalion Chief William Weinhold.

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

21. Resolution proclaiming December 2017 as Capital Region Food Program Month. (For presentation in December)

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

22. Resolution repurposing \$50,000 from the US Route 3 Corridor Improvements Project (CIP #35) for use on the Exit 16/Mountain Road/East Side Drive Roundabout Improvement Project (CIP #24); together with report from the City Engineer.

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

23. Resolution establishing a Trust Fund for the Stewardship of Conservation Easements and Conservation Land; together with report from the Assistant City Planner, on behalf of the Conservation Commission.

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

24. Street closure request from Karen Joyal requesting consideration be given to closing Auburn Street from the entrance of the round-about at Liberty Street to the Franklin Street intersection on Halloween, Tuesday, October 31st.

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

25. Street closure request from the Penacook Village Association for the 12th Annual Penacook Tree Lighting ceremony to be hold on Wednesday, November 29, 2017.

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

26. Mayor Bouley's proposed reappointment to the Upper Merrimack River Advisory Committee. Frederick Chormann, Jr.

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

27. City Manager's proposed appointment to the Board of Assessors. R. Jon Duhamel

**Attachments:** [Appointment](#)[Resume](#)

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

**Public Hearings**

- 28A. Ordinance amending the Code of Ordinances; Title II, Traffic Code; Chapter 18, Parking; Article 18.1, Stopping, Standing and Parking; relocation of two bus stops from the intersection of Main Street and Pleasant Street to the Pleasant Street crosswalk north of State Street; together with a report from the Traffic Engineer.

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

- 28B. Ordinance amending the Code of Ordinances, Title II, Traffic Code; Chapter 18, Parking, Article 18-1, Stopping, Standing and Parking, Section 18-1-6, Parking Prohibited at All Times in Designated Places, Schedule I, K Street; together with report from the Director of Redevelopment, Downtown Services & Special Projects.

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

- 28C. Resolution authorizing and appropriating the sum of \$300,000 from the Conservation Reserve Purchase of Property fund for the purchase of two parcels totaling 116 acres within the Penacook Lake watershed, located off Lakeview Drive and West Parish Road (FY2017 CIP #352), and approving the acquisition of said open space watershed protection property; together with report from the Assistant Planner on behalf of the Conservation Commission.

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

- 28D. Resolution authorizing the City Manager to enter into a purchase and sale/development agreement with Dol-Soul Properties LLC concerning the sale and redevelopment of city owned real estate at 32-34 South Main Street and 33 South State Street known as the former New Hampshire Employment Security Property; together with report from the Director of Redevelopment, Downtown Services and Special Projects.

**Attachments:** [Resolution](#)  
[Report](#)  
[Purchase and Sales Agreement](#)

- 28E. Ordinance amending the Code of Ordinances, Title IV, Zoning Code; Chapter 28, Zoning Ordinance; together with report from the Director of Redevelopment, Downtown Services & Special Projects. (Supplemental report from the Planning Board submitted)

**Attachments:** [Ordinance](#)  
[Report](#)  
[Map](#)  
[Planning Board Report](#)

- 28F. Ordinance amending the Code of Ordinances, Title IV, Zoning Code; Chapter 29.2, Public Capital Facilities Impact Fees Ordinance, Article 29.2-1-3, Administration,

Section (g) Incentives for Redevelopment of Blighted, Underutilized, Abandoned, or Contaminated Buildings and Table 4 "City Priority Redevelopment Projects"; together with report from the Director of Redevelopment, Downtown Services & Special Projects.

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

- 28G. Resolution adopting an amended and restated Development Program and Financing Plan for the Sears Block Tax Increment Finance District; together with report from the Director of Redevelopment, Downtown Services & Special Projects.  
(Supplemental report submitted)

**Attachments:** [Resolution Revised Development Program & Finance Plan Report Supplemental Report](#)

- 28H. Resolution appropriating the sum of \$300,000 for the demolition of the former New Hampshire Employment Security Building (CIP #578) within the Sears Block Tax Increment Finance District and authorizing the issuance of bonds and notes in the amount of up to \$300,000; together with report from the Director of Redevelopment, Downtown Services & Special Projects.

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

- 28I. Resolution appropriating the sum of \$160,000 for improvements to the Storrs Street Municipal Parking Garage (CIP #529) within the Sears Block Tax Increment Finance District and authorizing the issuance of bonds and notes in the amount of up to \$160,000; together with report from the Director of Redevelopment, Downtown Services & Special Projects.

**Attachments:** [Resolution Report Revised Development Program & Finance Plan](#)

- 28J. Resolution appropriating \$60,000 including authorizing the issuance of bonds and notes in the amount of \$60,000 as the local agency match for the replacement of Concord Area Transit Bus Vehicles. (CIP #584); together with report from the City Engineer.

**Attachments:** [Resolution Report NHDOT Bus Replacement Purchase Order](#)

- 28K. Ordinance amending the Code of Ordinances, Title I, General Code; Chapter 15, Licensing and Regulation of Businesses, Trades, and Occupations; together with

report from the Deputy City Manager - Development.

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

- 28L. Ordinance amending the Code of Ordinances, Title IV, Zoning Code, Chapter 28-9-4, Decisions by the Planning Board, Site Plan Review, Projects Exempt from Site Plan Review; together with report from the Deputy City Manager - Development.  
(Supplemental report from the Planning Board submitted)

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

- 28M. Ordinance amending the Code of Ordinances, Title IV, Zoning Code; Chapter 29.2-1-2 (b)(1) Public Capital Facilities Impact Fee Ordinance, Assessment and Collection, Computation of the Amount of Impact Fees; together with report from the Deputy City Manager - Development.

**Attachments:** [Ordinance](#)  
[Report](#)  
[Communication from Concord School District](#)

- 28N. Ordinance amending the Code of Ordinances, Title IV, Zoning Code; Chapter 29.2-1-2 (e) Public Capital Facilities Impact Fee Ordinance, Assessment and Collection, Waivers; together with report from the Deputy City Manager - Development.

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

- 28O. 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, Public Information Officer; together with report from the Deputy City Manager - Development.

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

- 28P. Resolution appropriating the sum of \$660,000 for improvements to the School Street Parking Garage (CIP #433) and authorizing the issuance of bonds and notes in the amount of up to \$660,000; together with report from the Director of Redevelopment, Downtown Services & Special Projects.

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

- 28Q. Resolution accepting and appropriating the sum of \$21,618 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](#)  
[Application](#)

- 28R. Resolution accepting and appropriating the sum of \$62,551 in grant funding from the New Hampshire Department of Safety - Law Enforcement Opioid Abuse Reduction Initiative, funds designated for conducting illegal drug related investigations; together with report from the Police Department.

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

- 28S. Resolution accepting and appropriating the sum of \$749,030.26 in one time Highway Block Grant Funds under SB 38 as a transfer to the Highway Reserve Fund; together with report from the Deputy City Manager - Finance.

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

- 28T. Resolution appropriating the sum of \$62,820 to the Project Inspection, Golf and Sears Block Tax Increment Finance Funds Operating Budgets for Fiscal Year 2017, retroactive to June 30, 2017 which will be fully funded from excess revenues and available fund balances; together with report from Deputy City Manager - Finance.

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

- 28U. Ordinance amending the Code of Ordinances, Title 1, General Code; Chapter 1, Government Organization; Article 1-6, Code of Ethics; together with report from the City Solicitor.

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

### **Public Hearing Action**

29. Ordinance amending the Code of Ordinances; Title II, Traffic Code; Chapter 18, Parking; Article 18.1, Stopping, Standing and Parking; relocation of two bus stops from the intersection of Main Street and Pleasant Street to the Pleasant Street crosswalk north of State Street; together with a report from the Traffic Engineer.

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

30. Ordinance amending the Code of Ordinances, Title II, Traffic Code; Chapter 18, Parking, Article 18-1, Stopping, Standing and Parking, Section 18-1-6, Parking

Prohibited at All Times in Designated Places, Schedule I, K Street; together with report from the Director of Redevelopment, Downtown Services & Special Projects.

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

31. Resolution authorizing and appropriating the sum of \$300,000 from the Conservation Reserve Purchase of Property fund for the purchase of two parcels totaling 116 acres within the Penacook Lake watershed, located off Lakeview Drive and West Parish Road (FY2017 CIP #352), and approving the acquisition of said open space watershed protection property; together with report from the Assistant Planner on behalf of the Conservation Commission.

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

32. Resolution authorizing the City Manager to enter into a purchase and sale/development agreement with Dol-Soul Properties LLC concerning the sale and redevelopment of city owned real estate at 32-34 South Main Street and 33 South State Street known as the former New Hampshire Employment Security Property; together with report from the Director of Redevelopment, Downtown Services and Special Projects.

**Attachments:** [Resolution](#)  
[Report](#)  
[Purchase and Sales Agreement](#)

33. Ordinance amending the Code of Ordinances, Title IV, Zoning Code; Chapter 28, Zoning Ordinance; together with report from the Director of Redevelopment, Downtown Services & Special Projects. (Supplemental report from the Planning Board submitted)

**Attachments:** [Ordinance](#)  
[Report](#)  
[Map](#)  
[Planning Board Report](#)

34. Ordinance amending the Code of Ordinances, Title IV, Zoning Code; Chapter 29.2, Public Capital Facilities Impact Fees Ordinance, Article 29.2-1-3, Administration, Section (g) Incentives for Redevelopment of Blighted, Underutilized, Abandoned, or Contaminated Buildings and Table 4 "City Priority Redevelopment Projects"; together with report from the Director of Redevelopment, Downtown Services & Special Projects.

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

35. Resolution adopting an amended and restated Development Program and Financing Plan for the Sears Block Tax Increment Finance District; together with report from the Director of Redevelopment, Downtown Services & Special Projects.  
(Supplemental report submitted)  
**Attachments:** [Resolution](#)  
[Revised Development Program & Finance Plan](#)  
[Report](#)  
[Supplemental Report](#)
36. Resolution appropriating the sum of \$300,000 for the demolition of the former New Hampshire Employment Security Building (CIP #578) within the Sears Block Tax Increment Finance District and authorizing the issuance of bonds and notes in the amount of up to \$300,000; together with report from the Director of Redevelopment, Downtown Services & Special Projects.  
**Attachments:** [Resolution](#)  
[Report](#)
37. Resolution appropriating the sum of \$160,000 for improvements to the Storrs Street Municipal Parking Garage (CIP #529) within the Sears Block Tax Increment Finance District and authorizing the issuance of bonds and notes in the amount of up to \$160,000; together with report from the Director of Redevelopment, Downtown Services & Special Projects.  
**Attachments:** [Resolution](#)  
[Report](#)  
[Revised Development Program & Finance Plan](#)
38. Resolution appropriating \$60,000 including authorizing the issuance of bonds and notes in the amount of \$60,000 as the local agency match for the replacement of Concord Area Transit Bus Vehicles. (CIP #584); together with report from the City Engineer.  
**Attachments:** [Resolution](#)  
[Report](#)  
[NHDOT Bus Replacement Purchase Order](#)
39. Ordinance amending the Code of Ordinances, Title I, General Code; Chapter 15, Licensing and Regulation of Businesses, Trades, and Occupations; together with report from the Deputy City Manager - Development.  
**Attachments:** [Ordinance](#)  
[Report](#)
40. Ordinance amending the Code of Ordinances, Title IV, Zoning Code, Chapter 28-9-4, Decisions by the Planning Board, Site Plan Review, Projects Exempt from Site Plan

Review; together with report from the Deputy City Manager - Development.  
(Supplemental report from the Planning Board submitted)

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

41. Ordinance amending the Code of Ordinances, Title IV, Zoning Code; Chapter 29.2-1-2 (b)(1) Public Capital Facilities Impact Fee Ordinance, Assessment and Collection, Computation of the Amount of Impact Fees; together with report from the Deputy City Manager - Development.

**Attachments:** [Ordinance](#)  
[Report](#)  
[Communication from Concord School District](#)

42. Ordinance amending the Code of Ordinances, Title IV, Zoning Code; Chapter 29.2-1-2 (e) Public Capital Facilities Impact Fee Ordinance, Assessment and Collection, Waivers; together with report from the Deputy City Manager - Development.

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

43. 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, Public Information Officer; together with report from the Deputy City Manager - Development.

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

44. Resolution appropriating the sum of \$660,000 for improvements to the School Street Parking Garage (CIP #433) and authorizing the issuance of bonds and notes in the amount of up to \$660,000; together with report from the Director of Redevelopment, Downtown Services & Special Projects.

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

45. Resolution accepting and appropriating the sum of \$21,618 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](#)  
[Application](#)

46. Resolution accepting and appropriating the sum of \$62,551 in grant funding from the New Hampshire Department of Safety - Law Enforcement Opioid Abuse Reduction Initiative, funds designated for conducting illegal drug related investigations; together with report from the Police Department.

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

47. Resolution accepting and appropriating the sum of \$749,030.26 in one time Highway Block Grant Funds under SB 38 as a transfer to the Highway Reserve Fund; together with report from the Deputy City Manager - Finance.

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

48. Resolution appropriating the sum of \$62,820 to the Project Inspection, Golf and Sears Block Tax Increment Finance Funds Operating Budgets for Fiscal Year 2017, retroactive to June 30, 2017 which will be fully funded from excess revenues and available fund balances; together with report from Deputy City Manager - Finance.

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

49. Ordinance amending the Code of Ordinances, Title 1, General Code; Chapter 1, Government Organization; Article 1-6, Code of Ethics; together with report from the City Solicitor.

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

## **Reports**

### **New Business**

### **Unfinished Business**

50. Resolution authorizing the City Manager to enter into a license agreement with Associated Enterprises, Inc. to install a balcony and related improvements within the North Main Street rights-of-way; together with report from the Director of Redevelopment, Downtown Services & Special Projects. (Action on this item tabled at the May 8, 2017 Council meeting)

**Attachments:** [Resolution](#)  
[Report](#)  
[Planning Board Approved Rendering & Plans](#)

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

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

**Consideration of items pulled from the consent agenda for discussion**

- *Item 17 has been pulled from the consent agenda for discussion.*

**Consideration of Suspense Items**

Sus1. Street closure request for the 1883 Black Ice Pond Hockey Championship.

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

Sus2. Referral to Engineering

Communication from Parker Steinberg, 39 Oak Hill Road, requesting consideration be made to install a "Welcome to East Concord" sign at the East Concord roundabout.

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

**Adjournment**

**Information**

Inf1. September 11, 2017 Concord Public Library Board of Trustees Meeting Minutes.

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

Inf2. September 19, 2017 Traffic Operations Committee Meeting Minutes.

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

Inf3. Communication from New England Power/National Grid notifying the community of upcoming environmental survey work.

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