



City of Concord

City Council

Meeting Minutes - Draft

Monday, June 9, 2025

7:00 PM

City Council Chambers
37 Green Street
Concord, NH 03301

A non-public session will be held in accordance with RSA 91-A: 3, II (a)-(c) to discuss the City Manager's Evaluation and/or compensation, beginning at 5:30 PM. A non-meeting will follow at 6:15 PM in accordance with RSA 91-A:2, I (a) for the purpose of discussing strategy and negotiations with respect to collective bargaining.

At 5:30 p.m. Mayor Champlin called the meeting to order.

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 Karen McNamara, Councilor Jim Schlosser, Councilor Kris Schultz, and Councilor Brent Todd

Excused: 2 - Councilor Paula McLaughlin, Councilor Ali Sekou

Councilor Grady Sexton moved to enter a non-meeting under RSA 91-A:3 to discuss the City Manager's Evaluation. The motion was duly seconded and passed with no dissenting votes.

At 6:15 p.m. the non-public session was recessed with the goal to re-enter the non-public session following the regular City Council meeting.

At 6:15 p.m. Councilor Todd moved to seal the minutes of the non-public session. The motion was duly seconded and passed with no dissenting votes.

1. Mayor Champlin called the meeting to order at 7:00 p.m.
2. Invocation.
3. Pledge of Allegiance.
4. Roll Call.

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 Karen McNamara, Councilor Jim Schlosser, Councilor Kris Schultz, and Councilor Brent Todd

Excused: 2 - Councilor Paula McLaughlin, and Councilor Ali Sekou

5. Approval of the Meeting Minutes.

May 12, 2025 City Council Draft Meeting Minutes

Action: Councilor Kurtz moved approval of the May 12, 2025 Meeting Minutes. Councilor Kretovic duly seconded the motion.

Councilor Brown moved to amend the language of item #25, paragraph three, the last sentence "She also indicated that there are 10-member exclusive events that block out time" and would like to put a comma and remove the rest of the sentence where it says "for resident to use the course" as she feels it is unclear. She wants the sentence to say "to block out time, preventing residents from using the course".

The motion as amended was duly seconded and passed with no dissenting votes.

6. Agenda overview by the Mayor.

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

Action: Councilor Grady Sexton moved approval of the consent agenda. The motion was duly seconded by Councilor Fennessy. Councilor Brown recused herself from voting on items #18 and #19 as her husband is a Concord Police Officer. The motion passed with no dissenting votes.

Referral to the Recreation and Parks Advisory Committee

7. Communication from the Sunset Baseball League requesting consideration for a reduction in the hourly field lighting fees currently assessed to their organization.

Action: Communication was referred to Recreation and Parks Advisory Committee.

Items Tabled for July 14, 2025 Public Hearings

8. Ordinance amending the Code of Ordinances, Title V, Administrative Code; Chapter 35, Classification and Compensation Plan, Schedule D of Article 35-2, Compensation Plan, Schedule D; together with a report from the Director of Human Resources and Labor Relations.

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

9. Resolution appropriating the sum of \$30,406.50 as a transfer out to the Highway Reserve for future improvements to Sewalls Falls Road and accepting the sum of \$30,406.50 as a contribution from Country Estates of Concord LLC for this purpose; together with a report from the Deputy City Manager - Development.

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

10. Resolution appropriating the sum of \$10,000 for the construction of a new playground at White Park (CIP #51) and accepting a donation in the sum of \$10,000 for this purpose; together with a report from the Parks & Recreation Director.

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

From the City Manager

11. Positive Citizen Comments.

Action: Positive comments received and filed.

Consent Reports

12. Diminimus gifts and donations report from the Library Director requesting authorization to accept gifts and donations totaling \$2,543.96, as provided under the pre-authorization granted by City Council.

Action: This consent report was approved.

13. Diminimus gifts and donations report from the Parks and Recreation Director requesting authorization to accept monetary gifts totaling \$28,375, as provided for under the pre-authorization granted by City Council.

Action: This consent report was approved.

14. Report from the Library Director recommending acceptance of a CIP update to help transition the Concord Public Library to full Radio Frequency Identification

(RFID) technology adoption.

Action: This consent report was approved.

15. Report from the Parks and Recreation Director regarding a City Council referral to the Recreation and Parks Advisory Committee

Action: This consent report was approved.

16. 2024 Annual Fire Department Report accepted by the Public Safety Board.

Action: This consent report was approved.

17. 2024 Annual Police Department Report accepted by the Public Safety Board.

Action: This consent report was approved.

Consent Resolutions

18. Resolution authorizing the City Manager to submit an application to the New Hampshire Highway Safety Agency as outlined in its current grant program; together with a report from the Deputy Chief of Police.

Action: This consent resolution was approved. Councilor Brown recused herself as her husband is a Concord Police Officer.

19. Resolution authorizing the City Manager, by way of the Police Department, to submit a grant application to the New Hampshire Department of Safety - Law Enforcement Substance Abuse Reduction Initiative, for funding designated to assist the department in conducting illegal drug related investigations; together with a report from the Deputy Chief of Police.

Action: This consent resolution was approved. Councilor Brown recused herself as her husband is a Concord Police Officer.

Appointments

20. Mayor Champlin's proposed appointment to the Airport Advisory Committee: Alyssa McClary.

Action: Appointment approved.

21. Mayor Champlin's proposed appointment to the Everett Arena Advisory Committee: Thomas A. Champagne.

Action: Appointment approved.

22. Mayor Champlin's proposed appointment to the Transportation Policy Advisory Committee: Michelle (Mickey) Shoemaker.

Action: Appointment approved.

23. City Manager's Proposed Appointment to the Zoning Board of Adjustment: Mary Rose Deak. (Request for consideration of the vote taken on this item at the June 9, 2025, City Council meeting by Councilor Keach and Councilor Brown, in accordance with Section 16 of the City Council Rules.)

Action: Appointment approved.

End of Consent Agenda

Public Hearings

- 24A. Ordinance amending the Code of Ordinances, Title V, Administrative Code, Chapter 30, Administrative Code, Article 30-3, Boards and Commissions; together with a report from the City Solicitor.

Action: City Manager Aspell briefly reviewed the report from the Rules Committee outlining their recommended amendments to the Code of Ordinances under Section 30-3-29, Board of Ethics. The Committee recommended; to remove the City Solicitor as an "ex-officio" member, as they determined that such an appointment was unnecessary, and to change the language in Section 30-329(a)(4) (a) from "vote for innocence of any wrongdoing" to "vote for no finding of a violation." City Manager Aspell indicated that Mayor Champlin has proposed adding two alternates to the Board of Ethics, one appointed by the Mayor and one appointed by the City Manager, subject to approval by the City Council.

Councilor Fennessy asked the Chair of the Rules Committee to explain the history of the City Solicitor being an ex-officio member.

Councilor Kretovic was not sure of the history however she revealed that this was the first City Solicitor to recognize the dual ex-officio member designation on both the Board of Ethics and the Rules Committee. Councilor Kretovic noted that the City Solicitor is truly there to support the Rules Committee and their recommendations in creating ordinances, while the Ethics Committee has an ordinance to follow.

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

- 24B. Resolution authorizing the City Manager to enter into a lease agreement with Hampshire Aviation, LLC concerning Development Zone 4 at the Concord Municipal Airport and to execute required documents with State and Federal agencies regarding revisions to the location of Development Zone 4; together with a report from the Assistant Director of Community Development.

Action: City Manager Aspell indicated that Hampshire Aviation LLC was created for the purpose of instructing and operating the proposed hanger at the Airport's District Zone 4, to address long wait lists and space constraints at general aviation airports in the region. He noted that the project has already obtained commitments to occupy the 10 available spaces. The project consists of an 11,550 square foot hanger, along with related parking and utility improvements, housing 10 privately owned small general aviation aircraft. The term would be for 20 years, with four 5-year renewals, and a maximum term of 40 years. He indicated the project has already paid development permit fees. Hampshire Aviation will be required to pay rent in addition to property taxes. City Manager Aspell indicated that during the Planning Board design and review process, it was discovered that DZ-4 was not consistent with the location of the access easement located at 18 Chenell Drive. Staff reached out to the state and federal agencies involved, and it was determined that a slight shift of DZ-4 by 21.61 feet to the north would require a modification to the Conservation Management Agreement. Required documents will be drafted to reflect the changes.

Councilor Fennessy asked if there would be a form lease agreement or would the City be in negotiations for the terms of the lease.

Assistant Community Development Director Timothy Thompson indicated that the lease framework would mirror the lease framework used with NH Therapeutics for their hanger project.

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

- 24C. Resolution appropriating the sum of \$150,000 for the Beaver Meadow Parking Lot Project (CIP #107) to include the issuance of bonds and notes in the sum of \$107,000 and accepting the sum of \$43,000 in donations for this purpose; together with a report from the Deputy City Manager - Finance. (Public testimony submitted.)

Action: City Manager Aspell indicated that due to the scope of the parking lot

project, an Alteration of Terrain (AOT) permit would be necessary from the NH Department of Environmental Services to create a retention pond to manage drainage from the new parking lot. He also indicated that in conjunction with the City's design team, H.L. Turner Group and Milestone Construction reviewed the revised scope of work, which added \$263,340 to the cost of the project. City Manager Aspell noted the revised plan eliminates 102 spaces for overflow parking near both the driving range and existing clubhouse facility, for a revised parking space count of 146 spaces. The revised plan eliminated some alternate items (listed in the report), however, it included funds to extend snow-making at 300 feet for \$43,000, which would be covered by a donation from SkitheBeav if approved by the City Council. City Manager Aspell indicated that the items eliminated could be added at a later date in time. The revised cost for the 146 spaces, including the Alteration of Terrain permit, is \$1,048,863.

Councilor Horne questioned the asphalt and wearing course thickness and asked what a reasonable time frame would be to add an extra inch of material, as she was concerned with the longevity of the parking lot.

City Manager Aspell noted that in past projects they have been able to wait several years.

Deputy City Manager of Finance Brian LeBrun indicated that the City had the same concerns and discussed the issue with the engineers and the contractor who indicated that the parking lot could go several years before adding the topcoat and the base pavement would not deteriorate in the meantime.

Councilor Brown questioned the delay that caused the 42% increase in pricing.

Deputy City Manager LeBrun stated that the original pricing was from the proposed project in 2023, which was the starting point. The new quotes came in significantly higher than expected and City staff worked with the engineers and contractors through many revisions to get the price closer to the originally approved amount. He is confident that the project will be successful and that the parking lot will be in great shape for many years.

Councilor Brown asked how long the permit would be good for, and if the permit is based on the previously proposed 248-space parking lot.

Deputy City Manager LeBrun indicated that it is based on the disturbance of the

land and not the number of spaces.

Deputy City Manager of Development Matt Walsh indicated that the Alteration of Terrain permit is good for five years, and the requirements are based on the 100,000 square feet of disturbed area which triggered the need for the retention pond.

Councilor Brown asked if the size of the building impacted the need for the additional permit and if an amendment would be needed since the size of the building changed.

Deputy City Manager Walsh indicated that he believed the size of the parking lot disturbance alone was driving the need for the Alteration of Terrain permit. He suspected there would not be a need to seek an amended AOT.

City Manager Aspell reminded the Council that the new clubhouse would not be in the footprint of the current clubhouse.

Councilor Fennessy asked if the City could add more spaces in the future.

Deputy City Manager LeBrun stated that the City would have the ability to add more spaces at a later time near the current clubhouse location as well as additional overflow spaces closer to the driving range area.

Councilor Fennessy noted that there were concerns from neighbors about the lack of on-site parking and he asked if the plan will be able to support increased activity to prevent parking on nearby streets.

Deputy City Manager LeBrun explained that there are currently 96 spaces available for parking, and during larger events the nearby streets are blocked off from parking on one side to not interfere with driveways and properties. This project will add more spaces and he feels the parking will be sufficient for the majority of events, however on days where there are events that cross over one another there will be more challenges. He indicated more parking would have been better, but this plan adds spaces, keeps the cost down, and addresses the condition of the lot with the ability to expand in the future.

Councilor Brown asked if snow-making was part of the permit.

Deputy City Manager LeBrun indicated that water and electrical lines would need to be run under the parking lot for the snow-making equipment, so it made sense to install those at this time. He indicated that SkitheBeav has donated \$43,000 for this purpose.

Councilor Brown asked City Manager Aspell what the debt service would be in the first year, and what the management plan is for the debt service, as she is concerned it might be levied against the taxpayers like the irrigation projects.

City Manager Aspell indicated the Golf Fund would be able to generate the debt service. He also indicated that this project will be bonded.

City Councilor Brown was concerned that the bonding of a million-dollars would result in an additional \$100,000 in debt service.

Deputy City Manager LeBrun explained that a million dollar project over a 20-year bond would be approximately \$83,500. This adds approximately \$8,300 which was factored into the pro forma.

Councilor Brown was concerned that the pro forma appears to show the fund would be projected to be in debt from FY 2027 through FY 2031.

Deputy City Manager LeBrun further explained that City staff worked through the projections over a 5-6 year period, and the pro forma includes all of the operating expenses and the debt service. The staff tries to provide as much information as possible when presenting to show what will happen with revenues and expenses over the next few years.

Councilor Brown mentioned her concerns that projections can be affected by poor weather patterns, which reduces revenues. She asked what the debt service is for the clubhouse without the recreation reserve.

City Manager Aspell noted that a tournament was held this past weekend under poor weather that raised \$11,000.

Deputy City Manager LeBrun stated that typically most events still run during poor weather, unless it is a complete washout because the arrangements were made in advance. He emphasized that hopefully, the rainy weather pattern doesn't hold all summer long. He indicated over the past 5-6 years it has worked out in a very

positive way with the structure that is in place.

Councilor Brown asked what the clubhouse debt service would be without the recreation reserve.

Mayor Champlin questioned the City Manager if the debt service for the clubhouse would be covered.

City Manager Aspell indicated that the revenues would be covered.

Councilor Foote asked if the clubhouse would be a design-bid-build project, or if it would be similar to this parking project as a construction management design-build.

Deputy City Manager LeBrun indicated that they are both construction manager projects, with the City having contracts with separate engineering and construction firms. The engineering firms create the designs and then the construction managers provide the pricing. This has worked out to be a relatively efficient process.

Mayor Champlin opened the public hearing.

Roy Schweiker, a resident testified questioning why the City is building the parking lot before the clubhouse. He also questioned if the parking project was a part of the clubhouse project, might the City have received better bids. He also asked if the City would have received better pricing through a paving company instead of a construction management firm. He felt that the clubhouse should be built first and then create the parking lot to fit the clubhouse, and he requested a hold be put on the project. He was also concerned with the increased costs. Mr. Schweiker questioned why all golf course-associated costs, such as the irrigation, are not charged to the golf course fund instead of the general fund, as he felt it would be more transparent and create more trust with the public.

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

- 24D. Resolution appropriating the sum of \$10,000 in the White Park Project (CIP #51) for the construction of a new playground at White Park and accepting the sum of \$10,000 as a donation from the Lynch Family Trust for this purpose; together with a report from the Parks & Recreation Director.

Action: City Manager Aspell indicated that in 2024 City Council approved

\$800,000 for the new White Park playground, which included a \$400,000 LWCF grant, \$350,000 from the City, and \$50,000 in donations. This past March, the final quote came in \$60,000 over the approved funds. He indicated that the City worked with the Friends of White Park, Mayor Champlin, Councilor McNamara and himself to create an enhanced fundraising campaign which ultimately raised an additional \$60,000. This donation is from the Lynch Family Trust and City Manager Aspell recommends the Council approve the resolution.

Councilor Brown indicated that she is interested in the enhanced fundraising campaign, inquiring if all of the funds had been raised.

Councilor McNamara indicated that over \$62,000 has been raised.

Councilor Brown felt that this should be celebrated and more enhanced fundraising campaigns should be utilized in the future.

Councilor Kretovic asked City Manager Aspell that at the budget hearing the concept was brought up that when there are partnerships for future fundraising efforts, those efforts could be displayed at recreational facilities or the library, etc., for the fundraising campaigns to be more visible and allow the public to more easily contribute.

City Manager Aspell felt it made sense, however, each campaign should be approved by the City Council first.

Councilor Fennessy asked what the final budget was and how much of that was in donations or grants.

City Manager Aspell indicated that the current price is \$860,000; with \$400,000 in grant funds, \$350,000 from the City, \$50,000 from The Friends of White Park, and an additional \$62,000 raised through the fundraising campaign spearheaded by Councilor McNamara and Mayor Champlin that began in April.

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

- 24E. Resolution authorizing the City Manager to enter into Development Agreement Amendment #6 with Capital Commons, LLC and to authorize the creation of a new Master Parking Agreement, both documents associated with parking for Capital Commons' 11 South Main Street tenants at the Storrs Street Municipal Parking

Garage; together with a report from the Assistant Director of Community Development.

Action: City Manager Aspell explained that as part of the 2017 Strategic Parking Plan, the City sought to convert leased parking spaces within municipal garages into permit spaces, however, over time these agreements have become antiquated and cumbersome to administer. He indicated that the City has eliminated leased parking in the State Street Municipal Parking Garage and is currently negotiating with the leaseholders in both the School Street and Storrs Street Garages to convert leased spaces to permit spaces. He further stated that transitioning from leases to permits is advantageous for both the City and the lessees. The City can more effectively and efficiently utilize its parking supply while expanding public access to public parking. He explained that by transitioning to permits, the City has a more direct relationship with the parker, thereby improving the operational efficiencies.

City Manager Aspell indicated that the City and Capital Commons, LLC have come into an agreement to convert the Capital Commons leased parking spaces at the Storrs Street Garage to permits, explaining that the parties have agreed that the changes are beneficial to both, as well as the developer's tenants. The attached resolution would effectuate the change starting in Fiscal Year 2026. He explained that generally, the benefits to both parties are the new Master Parking Agreement would be easier to administer, the reduction in the quantity of exclusive-use assigned spaces will greatly improve the City's ability to maintain the facility, and an improved ability to effectively enforce reserved parking.

Mayor Champlin asked if the reserved spaces in the Storrs Street Parking Garage are leased spaces.

Assistant Director of Community Development Tim Thompson stated that they are leased spaces in the Storrs Street Garage, and currently, the City does not have any permitted spaces there. All of the reserved spaces are leases through Capital Commons, LLC, Bindery Redevelopment, LLC, and Duprey Center, LLC. The agreement with Capital Commons will convert over 100 of the existing leases into 90 Permit-A's which are unreserved permit spaces with a hanging parking permit, and 10 Permit-B's which are reserved exclusive parking spaces, for a total of 100 parking spaces.

Councilor Horne asked if there would ever be a situation, such as a very busy day, where a permit holder would not be able to find parking.

Assistant Director of Community Development Tim Thompson indicated that he did not believe there would be a situation where permitted parking holders would struggle to find parking, even if the metered parking was full. He indicated the entire second floor would be nothing but metered spaces under the current proposal.

Councilor Fennessy asked if the City has spoken to area businesses for their perspectives, since they may have dedicated spaces for customers.

Assistant Director of Community Development Tim Thompson explained that at this juncture the outreach has solely been with the lease holders. He indicated that in addition to the lease fees that the leaseholders pay, they also have to pay capital improvement surcharges and property taxes. With the proposal, both of those fees would go away and the leaseholder would be removed as the middleman with the businesses working directly with the City's Parking Division for the permits.

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

Public Hearing Action

25. Ordinance amending the Code of Ordinances, Title V, Administrative Code, Chapter 30, Administrative Code, Article 30-3, Boards and Commissions; together with a report from the City Solicitor.

Action: Councilor Kretovic moved approval. The motion was duly seconded by Councilor McNamara and passed unanimously.

26. Resolution authorizing the City Manager to enter into a lease agreement with Hampshire Aviation, LLC concerning Development Zone 4 at the Concord Municipal Airport and to execute required documents with State and Federal agencies regarding revisions to the location of Development Zone 4; together with a report from the Assistant Director of Community Development.

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

Councilor Fennessy indicated that he supports this resolution however he would prefer to see the lease agreement prior to approving a resolution.

The motion passed unanimously.

27. Resolution appropriating the sum of \$150,000 for the Beaver Meadow Parking Lot Project (CIP #107) to include the issuance of bonds and notes in the sum of \$107,000 and accepting the sum of \$43,000 in donations for this purpose; together with a report from the Deputy City Manager - Finance. (Public testimony submitted.)

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

Councilor Horne indicated that she wanted to make a motion or an amendment to the motion to have the funds for this project paid through donations. Councilor Brown duly seconded.

A discussion ensued regarding the process of introducing an amendment to a motion, specifically, whether the original motion should be voted on before discussing or acting on a proposed amendment. Following that discussion, Mayor Champlin directed the Council to proceed with the discussion on the original motion made by Councilor Kretovic to approve the resolution.

Councilor Kurtz asked City Manager Aspell to speak about the timing of this project relative to the clubhouse project.

City Manager Aspell indicated that the City will ensure that all parties are in communication and that any improvements to the parking lot would not suffer any damage during the construction of the clubhouse.

Councilor Kretovic spoke about the donations for the project and how passionate SkitheBeav is about the ability to ski on snow. She indicated that it is important to not put further burdens on organizations that have made long-term commitments and investments, donating over a quarter million dollars over the next 10 years. She felt that the Council should view this as a strong partnership with SkitheBeav, and delaying the project could have the potential to increase the costs. She asked her colleagues to support the resolution.

Councilor Brown pointed out that SkitheBeav has raised a significant amount of money that they would only use a few months out of the year. She also indicated that no funds are being donated in advance. She was not in favor of moving forward with the motion. She felt there should be fundraising for this project and that it sends a negative message to other groups who are actively fundraising for other projects.

Councilor Keach emphasized that the clubhouse was approved and it would be a poor idea to have a dirt parking lot for a six-million-dollar investment. He indicated that he would be voting in favor.

Councilor Schlosser revisited the process of voting on motions as he felt there was an incorrect ruling on the amendment. He then read section twelve of Council rules, which states that when a question is under debate, the Mayor shall receive no motion other than 1. to adjourn, 2. to lay on the table, 3. to amend, or 4. to lay on the table indefinitely. He emphasized that it is appropriate for the Mayor to receive a motion to amend.

The Mayor directed the discussion to revert back to Councilor Horne's proposed amendment to raise the \$107,000 via fundraising that was seconded by Councilor Brown.

Councilor Kretovic indicated that she would vote against the amended motion.

Councilor Horne indicated that she sees parallels between this project and the White Park Playground, which saw fundraising efforts to meet the difference from the original quote to the final cost. She proposed that the Council be equitable in their requests, and since the parking lot project had a 70% increase in costs she asked for there to be a call for fundraising in the same fashion. She was confident that if The Friends of White Park could raise over \$60,000 in one month for a playground, funds could be raised for the parking lot. She mentioned that a local businessperson stated that if the Council committed to a new clubhouse the business community would step up with a public/private partnership. She indicated that SkitheBeav has reaffirmed their commitment of \$43,000 for the snow-making portion. She felt if it was a golf bond that would affect taxpayers, it was disingenuous at best because in the past when there was no additional money, the taxpayers had to pick up the difference. She was concerned that the taxpayers would be left to pick up the additional costs before paying back the general bond.

Councilor Brown indicated that she would support the amendment. She mentioned that SkitheBeav would be paying 29% of the additional \$107,000, for a group that only uses the course for skiing approximately for one month. She felt it was not fair to not ask for fundraising for the golf course. She mentioned that she would like to better understand the debt service.

Councilor Fennessy mentioned that if the Council approves this amendment, then

possibly they should begin to ask other organizations to pay for other increases. He indicated that the Council was responsible for allowing the infrastructure of the parking lot to deteriorate over time. He thanked SkitheBeav for their donations, however, he is not sure how many people would be excited to pay for basic infrastructure which the Council has already approved, which will come out of the Golf Fund.

Councilor Kretovic mentioned that there was an assumption that SkitheBeav already has the funds to donate, however in the Board's testimony they stated that they would launch a fundraising campaign this summer to raise the necessary funds. She indicated that they made a commitment to the resolution in front of the Council and that should be what the Council votes on tonight.

Councilor McNamara mentioned that in her opinion the two projects are not similar, in that the Monkey Around Playground would have happened even without the \$60,000 fundraising efforts because it was already approved. The fundraising covered additional items that the organization wanted to complement the project.

Councilor Brown agreed with Councilor Fennessy that the Council had let the parking lot go. There was a facility assessment in 2004 rated as a medium-high. The Golf Course Advisory Committee decided to focus on irrigation instead. She felt that the golfers have been receiving a significant discount, especially non-resident golfers, as this course is about \$1,000 cheaper for an adult membership than Pembroke Pines. She mentioned that Chris Emmons from the Girls and Boys Club raised \$50,000, so it is not unreasonable.

Councilor Fennessy indicated that the Golf Course Advisory Committee made a very wise choice in 2019 to focus on improving operations, as a result, the Golf Fund has built up sufficient funds to cover the bond. He stated that if the parking lot had been improved there would not have been an increase in play, in fees, and an increase in the amounts in the Golf Fund.

Councilor Keach asked to move the questions.

Councilor Brown indicated that there needed to be a two-thirds vote to move the question.

Mayor Champlin motioned to move the question. The motion passed with the necessary two-thirds vote.

As earlier stated, Councilor Horne made an amendment to the motion to have the funds for this project paid through donations, which Councilor Brown duly seconded. Councilor Brown asked for a roll call vote.

Roll call:

Yes: Councilor Stacey Brown, Councilor Michele Horne, Councilor Kris Schultz

No: Mayor Byron Champlin, Councilor Nathan Fennessy, Councilor Jeff Foote, Councilor Amanda Grady Sexton, Councilor Fred Keach, Councilor Jennifer Kretovic, Councilor Judith Kurtz, Councilor Karen McNamara, Councilor Jim Schlosser, and Councilor Brent Todd

Excused: Councilor Paula McLaughlin, and Councilor Ali Sekou

The motion failed.

Councilor Kretovic's original motion to approve the resolution as written, which was duly seconded by Councilor McNamara passed by the two-thirds majority with one dissenting vote.

28. Resolution appropriating the sum of \$10,000 in the White Park Project (CIP #51) for the construction of a new playground at White Park and accepting the sum of \$10,000 as a donation from the Lynch Family Trust for this purpose; together with a report from the Parks & Recreation Director.

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

Councilor Schultz emphasized that the donation was from former Governor Lynch and his wife Dr. Susan Lynch remarking her appreciation for the donation.

The motion passed unanimously.

29. Resolution authorizing the City Manager to enter into Development Agreement Amendment #6 with Capital Commons, LLC and to authorize the creation of a new Master Parking Agreement, both documents associated with parking for Capital Commons' 11 South Main Street tenants at the Storrs Street Municipal Parking Garage; together with a report from the Assistant Director of Community Development.

Action: Councilor Todd moved approval. The motion was duly seconded by Councilor McNamara, passing unanimously.

Reports

30. Report from the City Planner regarding the annual (2024) review of the Public Capital Facilities Impact Fees Ordinance.

Action: Deputy City Manager for Development Matthew Walsh presented a summary regarding impact fees on behalf of City Planner AnneMarie Skinner. He indicated that impact fees are permitted in the State of NH under RSA 674:21, which is NH's Innovative Land Use Statute. Concord adopted the Impact Fee Ordinance in 2001 based on the recommendations of a feasibility study. The City's Impact Fee Ordinance is located in Chapter 29.2. The ordinance requires annual review by the Planning Board, and periodic amendments by the City Council when the Council feels it is prudent. He explained that per state law, impact fees are assessed to offset the costs of capital improvement projects and expenditures that expand the capacity of the municipal infrastructure to support the demands of the development. Impact fees cannot be used to rebuild existing infrastructure unless the rebuild results in expanded capacity, or be used to finance operating costs or pay for capital projects that do not create a capacity for certain growth.

Deputy City Manager Walsh explained that in Concord, impact fees are generally issued at the time of certificate of occupancy. Per state statute, the impact fees have to be allocated to a certain project after six years. He explained that impact fees can be used as cash to pay for the actual capital improvements or the fees can be used to pay for debt service on a previously built improvement or expenditure which serves new growth. The City currently charges Transportation Impact Fees and Recreational Facilities Impact Fees. The Transportation Impact Fees are assessed to new residential development except for the conversion of existing buildings in the Central Business Performance Zone. There is an automatic waiver of Transportation Impact Fees for commercial and industrial development, which was enacted in 2017 by City Council. The City also charges Recreational Facilities Impact Fees to serve new development, however, this fee is only assessed to residential projects. In the past the City charged a School Facilities Impact Fee, however, the practice was terminated in 2017 because the debt service for projects was fully paid for in both districts.

Deputy City Manager Walsh explained that the impact fees that are charged have not been changed since 2014, and to keep pace with inflation, the Transportation Impact Fee would need to be adjusted by 26.11% and the Recreational Impact Fee

by 33.72%. The Planning Board reviewed Concord's impact fees in April and May, including a thorough review of Dover, Manchester and Nashua's practices for comparison. The Planning Board has offered two options for fee increases:

In option 1 - the Planning Board recommended increasing the Transportation Impact Fee by 1.90% and the Recreational Facilities Impact Fee by 4.97% for year-over-year inflation, which would represent the inflation from last year alone. They also recommended reinstating the Nonresidential Transportation Facilities Impact Fee for commercial and industrial development.

In option 2 - the Planning Board recommended increasing the Transportation Impact Fees by 26.11% and the Recreational Impact Fee by 33.72% for a full adjustment for current inflation over the past decade, with a phased approach over three years. They also recommended to reinstate the Nonresidential Transportation Impact Fee for commercial and industrial development.

Deputy City Manager Walsh indicated that the Planning Board also recommended engaging a consultant to review the impact fee ordinances, including all possible categories the City could charge. He indicated that City staff would need direction from the Council as to the preparation of ordinance amendments for future public hearings if the Council desired to move forward with either of the two options.

Councilor Brown asked if impact fee funds could be used for a City-wide recreational facility, such as a skate park.

Deputy City Manager Walsh indicated that typically impact fees are allocated on a district basis. He explained that recreational impact fees could be taken from all four districts and allocated to a City-wide facility. Historically, the two City-wide facilities that have been designated include Memorial Field and the City-Wide Community Center. He indicated that if the Council wanted to designate the skate park as a City-wide facility, the Council could provide that guidance.

Councilor Brown asked if impact fees could be split and used in different areas.

Deputy City Manager Walsh explained that it is important not to allocate all of the impact funds to one facility because it might create a situation where it forgoes neighborhood recreational facility improvements. Once the fee is received by the City, the funds can be allocated any way the Council chooses.

Councilor Fennessy asked for clarification on the table in the report, as far as the inflation adjustments in the gray boxes.

Deputy City Manager Walsh indicated that those figures represent the inflation over the past 11 years.

Councilor Fennessy asked if a multi-unit apartment had 50 units the recreational impact fee would be \$888.52 per dwelling unit, as well as a transportation impact fee of \$1,828.44 per unit.

Deputy City Manager Walsh agreed.

Councilor Fennessy asked what the impact would be on the costs of the units, and if that would be passed on to the buyers or tenants of the units.

Deputy City Manager Walsh indicated that a developer would pass those expenses on to the buyer of the units.

Councilor Brown asked if there were recreational impact fees for the new church units and how much the City is collecting on that project.

Deputy City Manager Matthew indicated that there would be impact fees on those units. The recreational impact fee would be \$664.46 for each of the 30 units.

Councilor Foote indicated that the report was thoughtfully prepared by City staff. He asked if other communities that have impact fees see a decline in development because of the fees.

Deputy City Manager Walsh indicated that anecdotally, without studying them, that development has continued in those communities.

Mayor Champlin clarified with Deputy City Manager Walsh that the Planning Board is looking for recommendations from the City Council to follow one of the proposed options.

Deputy City Manager Walsh agreed, noting that if the options were not attractive to the Council, staff would need recommendations for preparing amendments to bring back to the Council.

Mayor Champlin asked for clarification that in option 2, the recommendation would be to accelerate the plan in the CIP to hire a consultant.

Deputy City Manager Walsh reiterated that the first option was to adjust for inflation by one year. The second option is to adjust for the full 11 years of inflation incrementally phased in over three years. Council could agree on option 1 or option 2 and also accept the recommendation to move forward with a consultant to review the City's impact fees, however, the City would need to bring forth an appropriation to proceed with a comprehensive update.

Councilor Foote noted that he did not feel that the City needed to go forward with another consultant given the framework was done in 2014, the recent review by the Planning Board, and the knowledge of Deputy City Manager Walsh in this area. He believed that there were Councilors available along with other volunteers who could accomplish the review at no cost.

Councilor Fennessy mentioned that the City Council consistently hears from constituents that the cost of housing is too high, and the City needs to bring in additional commercial properties to shift the balance from residential back to commercial. He felt that increasing impact fees would have the opposite effect and he would not support any action to increase impact fees.

Councilor Brown thanked Councilor Foote for his input, mentioning that she feels that the City does need recreational impact fees as the residents are bearing the cost and not the commercial properties. She felt the impact fees would not keep people from moving to the Capital City. She agreed with Councilor Foote that the City would not need to hire a consultant and could rely on the talent that the City has.

Councilor Foote noted that during the recent Planning Board meetings, the past City Planner testified that the cost of lumber and interest rates have a far greater influence than an impact fee. He viewed impact fees as a fair-share contribution to the city for developers who want to build in the community. If you negate the impact fee from the developer, then the burden is shifted to the taxpayer.

Councilor Schlosser moved approval of the report. The motion was duly seconded by Councilor Kretovic.

Councilor Schlosser clarified that the City Council would be voting to direct staff to move forward to prepare rules or ordinances to be brought back to the City

Council.

Mayor Champlin agreed.

Councilor Schlosser stated that he supports the motion because he believes the staff did an excellent job with the detailed information. He is concerned with the differential impacts of the fees on residential development and not on commercial development.

Councilor Keach noted that the conversation requires a lot more attention as the subject is complicated. He indicated that during the reassessment, people will be shocked by the burden placed on residential development and how commercial development would be paying a lot less. He indicated that the subject deserves a broad discussion.

Councilor Todd agreed with Councilor Keach that there needs to be more thoughtful discussion on the subject. He felt it was possible to create an ad-hoc committee to review the information and come up with some recommendations.

Councilor Schultz mentioned that she had never considered impact fees before and felt that there could be opportunities to put the burdens of government on those that can most afford them, instead of those that can't. She felt that the Council should not move forward with hiring consultants.

Councilor Brown asked Deputy City Manager Walsh when the City would want an answer from the Council on this subject. She also asked what the time frame would be for putting together an ad-hoc committee.

Deputy City Manager Walsh indicated that staff will follow whatever guidance City Council provides.

Councilor Todd indicated that he thought it would be the discretion of the Mayor as far as the formation of an ad-hoc committee.

Councilor Horne agreed with both Councilor Foote and Councilor Todd that there was no need to hire outside consultants and that forming an ad-hoc committee would be preferable.

City Manager Aspell clarified that it would be up to the Mayor to decide on

recommendation number two, and possibly utilizing an ad-hoc committee. He asked if the City Council wanted to vote on option 1 or option 2 for increasing existing fees, or should hold off for an ad-hoc committee's recommendations, which would require an ordinance and public hearings.

Mayor Champlin indicated that he would want to hold off until he determines if an ad-hoc committee would be formed.

A brief discussion was held around accepting the report, emphasizing that the report was presented by City staff and highlighted the Planning Board's recommendations. It was noted that the City Council could vote to accept the report and wait for the Mayor to create an ad-hoc committee.

The motion to approve the report by Councilor Schlosser passed with one dissenting vote.

New Business

Unfinished Business

31. 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.)

Action: Councilor Fennessy moved to remove item #31 from Unfinished Business. The motion was duly seconded by Councilor Foote, passing with one dissenting vote.

Councilor Fennessy moved to take no action and not approve the resolution as outlined in item #31. The motion was duly seconded by Councilor Grady Sexton.

Councilor Fennessy indicated that item #31 had been under unfinished business since December of 2023. The resolution was for the clubhouse design from 2023, and resolution needs no further consideration at this point.

The motion passed with no dissenting votes.

32. Resolution appropriating the sum of \$84,000 to support efforts by Concord's Plan to End Homelessness and authorizing a transfer in from the Community Improvement Reserve in the sum of \$84,000 for this purpose; together with report from Councilor Jim Schlosser. (Action on this item tabled at the April 14, 2025 City Council meeting.)
33. Ordinance amending the Code of Ordinances, Title III, Building and Housing Codes; Chapter 26, Building Regulations, Article 26-9 Demolition Review; together with a report from the Code Administrator and the Deputy City Manager - Development. (Referred to the Heritage Commission at the May 12, 2025 City Council meeting.)

Comments, Requests by Mayor, City Councilors

Action: Councilor Todd noted that on Saturday, July 5th, Morrill Farms will be celebrating their 100th anniversary. They will be hosting an open farm event, at 33 Penacook Street, opening their barn and farm to the public. He also noted two library events, Story Time in Rolfe Park on Wednesday, June 11th, and a Mini-masters art workshop on Friday, June 13th, at the Penacook Library.

Councilor Horne noted that the Merrimack Valley High School's Lacrosse team is advancing to the championship for the first time in their history. The team will be playing in Bedford against Winnacunnet at 7:00 p.m. on June 10th.

Councilor Brown retroactively recused herself from Police items and Police benefits in the budget. She noted that she will be having a community meeting at the Beaver Meadow Golf Course Clubhouse on Wednesday, June 11th from 5:00 - 7:00 p.m.

Councilor Schlosser mentioned that there will be a Ward 7 resident meeting on Tuesday, June 17th, from 7:00 - 8:30 p.m. at the West Street Ward House.

Councilor Foote wished everyone a Happy Independence Day.

Mayor Champlin also wished everyone a Happy Independence Day and acknowledged that it is Pride Month.

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

Action: Councilor Kurtz moved to adjourn at 8:50 p.m. The motion was duly seconded by Councilor Grady Sexton, passing by a unanimous vote.

Information

Inf1 January 9, 2025 Demolition Review Committee Meeting Minutes.

Action: Information item received and filed.

Inf2 January 16, 2025 Demolition Review Commission Meeting Minutes.

Action: Information item received and filed.

Inf3 March 20, 2025 Recreation and Parks Advisory Committee Approved Minutes.

Action: Information item received and filed.

Inf4 April 1, 2025 Architectural Design Review Committee Meeting Minutes.

Action: Information item received and filed.

Inf5 April 2, 2025 Heritage Sign Program Review Committee Meeting Minutes.

Action: Information item received and filed.

Inf6 April 2, 2025 Zoning Board of Adjustment Meeting Minutes.

Action: Information item received and filed.

Inf7 April 3, 2025 Heritage Commission Meeting Minutes.

Action: Information item received and filed.

Inf8 April 9, 2025 Conservation Commission Meeting Minutes.

Action: Information item received and filed.

Inf9 April 15, 2025 Committee for Concord's Plan to End Homelessness Draft Meeting Minutes.

Action: Information item received and filed.

Inf10 April 16, 2025 Planning Board Meeting Minutes.

Action: Information item received and filed.

Inf11 April 22, 2025 Joint Memorial Field Planning Committee Approved Meeting Minutes.

Action: Information item received and filed.

Inf12 May 5, 2025 Concord Public Library Board of Trustees Meeting Minutes.

Action: Information item received and filed.

Inf13 May 5, 2025 Diversity Equity Inclusion Justice and Belonging (DEIJB) Draft Meeting Minutes.

Action: Information item received and filed.

Inf14 May 6, 2025 Diversity Equity Inclusion Justice and Belonging (DEIJB) Draft Meeting Minutes.

Action: Information item received and filed.

Inf15 May 8, 2025 Golf Course Advisory Committee Draft Meeting Minutes.

Action: Information item received and filed.

Inf16 May 15, 2025 Finance Committee Meeting Minutes.

Action: Information item received and filed.

Inf17 May 19, 2025 Diversity Equity Inclusion Justice and Belonging (DEIJB) Committee Draft Meeting Minutes.

Action: Information item received and filed.

Inf18 May 19, 2025 Finance Committee Meeting Minutes.

Action: Information item received and filed.

Inf19 May 22, 2025 Ad Hoc Semiquincentennial & Tri-Centennial Committee Draft Meeting Minutes.

Action: Information item received and filed.

Inf20 Correspondence from Breezeline re: Upcoming Change to PEG Channel Placement on Breezeline Stream TV.

Action: Information item received and filed.

A true copy, I attest:

Deborah Tuite

Deputy City Clerk