



City of Concord

City Council

Meeting Agenda

Monday, May 13, 2019

7:00 PM

City Council Chambers
37 Green Street
Concord, NH 03301

Non-public session in accordance with RSA 91-A: 3, II (d) to discuss property acquisition to begin at 5:30 p.m.

1. Call to Order.
2. Invocation by Reverend Peter Hey, Wesley Methodist Church.
3. Pledge of Allegiance.
4. Roll Call.
5. Approval of the Meeting Minutes.
April 8, 2019 City Council Meeting Minutes.
Attachments: [Minutes](#)
6. Proclamation in recognition of the services of Reverend Peter Hey.
Attachments: [Proclamation](#)
7. Resolution in recognition of the services of Eugene "Gene" Blake.
Attachments: [Resolution](#)
8. Resolution in honor of the services of retired Firefighter Paramedic Paul DiGeronimo.
Attachments: [Resolution](#)
9. Presentation by David Tille, New England Regional Administrator, US Department of Housing and Urban Development.
10. 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.

Items Tabled for June 6, 2019 Public Hearings

11. Resolution fixing and determining the amount of money to be appropriated by the City of Concord for the Fiscal Year 2020 ending June 30, 2020 for the General Fund, Special Revenue Funds, Enterprise Funds, Debt Service Funds and Diminimis Accounts.

Attachments: [Resolution](#)

- 11.5 Resolution for the annual capital closeout and repurposing of capital project funds; together with report from the Senior Accountant.

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

12. Resolution authorizing and appropriating for Fiscal Year 2020 (July 1, 2019 through June 30, 2019) the sum of \$14,945,128 for Capital Projects and authorizing the issuance of bonds and notes in the amount of \$11,857,500 for various Capital Projects more specifically identified in the budget document.

Attachments: [Resolution](#)

13. Ordinance amending the Code of Ordinances, Title I, General Code; Chapter 1, Government Organization, by amending Schedule I of Article 1-5, Fees, Fines and Penalties, Sewer Rates.

Attachments: [Ordinance](#)

14. Ordinance amending the Code of Ordinances; Title II, Traffic Code; Chapter 18, Parking, Article 18-3, Parking Meters and Schedule X; together with report from the Director of Redevelopment, Downtown Services, and Special Projects. (To be submitted under separate cover)

Attachments: [Ordinance](#)
[Report](#)
[Meter Expansion Zones](#)

15. Ordinance amending the Code of Ordinances; Title II, Traffic Code; Chapter 18, Parking and Schedule XXI, by amending Article 18-1, Stopping, Standing, and Parking, Section 18-1-24, Parking - Law Enforcement Vehicles; together with report from the Director of Redevelopment, Downtown Services, and Special Projects. (To be submitted under separate cover)

Attachments: [Ordinance](#)
[Report](#)**Items Tabled for June 10, 2019 Public Hearings**

16. Resolution approving the acquisition of open space watershed protection property (CIP #352) on District 5 Road, authorizing the expenditure of up to \$355,000 from the Conservation Fund, and accepting and appropriating the sum of \$300,000 in grant funds from the State of NH Aquatic Resource Mitigation Fund for this purpose; together with report from the Assistant City Planner on behalf of the Conservation Commission.

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

17. Resolution accepting and appropriating the sum of \$104,081 for the purpose of completing a Terminal Area Study at the Airport (CIP #383), including \$98,603 in Grant Funds from the Federal Aviation Administration and \$5,478 from the State of New Hampshire; together with report from the Associate Engineer.

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

18. Resolution accepting and appropriating the sum of \$19,536.84 generated from the sale of timber from City-owned, non-conservation property and transferring sum of \$19,536.84 to the Community Improvement Trust; together with report from the Deputy City Manager for Development.

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

19. Ordinance amending the Code of Ordinances, Title IV, Zoning Code; Chapter 28, Zoning Ordinance; Article 28-2, Zoning Districts and Allowable Uses; Section 28-2-3, The Zoning Map, 15 Frost Road; together with report from the Senior Planner.

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

20. Ordinance amending the Code of Ordinances, Title IV, Zoning Code; Chapter 28, Zoning Ordinance, Article 28-2, Zoning Districts and Allowable Uses, Article 28-4, Development Design Standards, Article 28-5, Supplemental Standards and Glossary for the purpose of regulating development of solar collection systems; together with report from the Assistant City Planner.

Attachments: [Ordinance](#)
[Report](#)
[Public Comments](#)
[Draft Site Plan Regulations](#)

21. Ordinance amending the Code of Ordinances, Title I, General Code; Chapter 9, Water, Article 9-6, Sewers and Drains concerning the Utility Appeals Board; together with report from the Deputy City Manager for Development.

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

22. 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, requesting authorization to change a job title from Wastewater Operations Crew Leader to Wastewater Crew Leader; together with report from the General Services Director and the Director of Human Resources and Labor Relations.

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

23. 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, to add the positions of Utility Billing Program Manager and Water Metering Operations Lead; together with a report from the Director of Human Resources and Labor Relations and the General Services Director.

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

From the City Manager

24. Positive Citizen Comments.

Attachments: [Positive Citizen Comments](#)

Consent Reports

25. Diminimus gifts and donations report from the Library Director requesting authorization to accept monetary gifts totaling \$2,322.06 as provided for under the pre-authorization granted by City Council.

Attachments: [Report](#)

26. Diminimus gifts and donations report from the Human Services Director requesting authorization to accept monetary gifts totaling \$124.14 as provided for under the pre-authorization granted by City Council.

Attachments: [Report](#)

27. Diminimus gifts and donations report from the Parks and Recreation Director requesting authorization to accept monetary gifts totaling \$5,699.87 as provided for under the pre-authorization granted by City Council.

Attachments: [Report](#)

28. Diminimus gifts and donations report from the Police Department requesting authorization to accept funds in the amount of \$4,393.70, ordered through a disposition issued by the Merrimack County Superior Court as forfeited property, to be turned over to the Concord Police Department Drug Enforcement Unit, as provided under preauthorization granted by City Council.

Attachments: [Report](#)

29. Fiscal Year to Date Financial Statements report from the Deputy City Manager Finance.

Attachments: [Report](#)

30. Tax Bill changes report from the Deputy City Manager - Finance.

Attachments: [Report](#)

[New Tax Bill Sample](#)

[Tax Bill insert](#)

[New Tax Bill Press Release](#)

31. FY2019 Distinguished Budget Presentation Award Report from the Director of the Office of Management & Budget.

Attachments: [Report](#)

[FY 2019 Budget Award](#)

32. Overview of the Legal Department and Review of Civil Litigation and Real Property Matters as of July 1, 2018 from the City Solicitor.

Attachments: [Report](#)

33. Quarterly report from the Police and Fire Chiefs on drug overdoses and other statistics.

Attachments: [Report](#)

34. Report from the Fire Chief on Mutual Aid for Emergency Medical Services.

Attachments: [Report](#)

35. Report from the Rules Committee recommending amendments to the Rules of the City Council.

Attachments: [Report](#)

[Council Rules - Proposed Changes](#)

36. Report from the Director of Human Resources and Labor Relations regarding the addition of a Senior Maintenance Aide to the Parks Division, Parks and Recreation Department.

Attachments: [Report](#)

37. Report from the Parks and Recreation Director regarding the upcoming 2019 outdoor pool season.

Attachments: [Report](#)

38. Report from the Parks and Recreation Director regarding proposed improvements at Terrill Park. (Pulled from the consent agenda by Councilor Herschlag)

Attachments: [Report](#)

39. Report from the Assistant City Planner recommending that the City Manager be authorized to amend an agricultural lease with Morrill Farm Dairy, LLC, for the property located at West Locke Road, Map 29Z, Lots 24 and 25, as recommended

by the Conservation Commission. (Pulled from the consent agenda by Mayor Bouley)

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

40. Social Media Outreach update report from the Public Information Officer.

Attachments: [Report](#)

Consent Resolutions

41. Resolution in recognition of the services of retired Fiscal Technician III Loretta E. Emerson. (For presentation in June)

Attachments: [Resolution](#)

42. Resolution in recognition of the services of Dan St. Hilaire. (For presentation in June) (To be submitted under separate cover)

43. Resolution in recognition of the services of Stephen Shurtleff. (For presentation in June) (To be distributed under separate cover)

44. Resolution repurposing the sum of \$18,741.35 from the 2018 Keach Pool subproject (CIP #63) for use on the 2018 Green Street Community Center Fire Suppression subproject (CIP #63); together with report from the General Services Director.

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

45. Resolution authorizing the City Manager, by way of the Police Department, to submit an application to the United States Department of Justice Bulletproof Vest Partnership Grant Program to receive funding for the purchase of ballistic vests; together with report from the Police Department.

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

46. Resolution authorizing the City Manager, by way of the Police Department, to submit a grant application to the New Hampshire Charitable Foundation Grant Program, for funding of up to \$5,000, funds designated to provide training for conducting canine assisted interviews of trauma victims; together with report from the Police Department.

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

47. Resolution authorizing the City Manager to accept and enter into a Grant Agreement for \$109,559 with the New Hampshire Department of Transportation (NH DOT), Bureau of Aeronautics, for the purpose of completing a Terminal Area Study at the airport; together with report from the Associate Engineer.

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

End of Consent Agenda

Public Hearings

48A. Resolution relative to the complete discontinuance of a public highway known as Osgood Street in Concord, NH; together with report from the Deputy City Manager Development.

Attachments: [Resolution](#)
[Report](#)
[Request for Discontinuance](#)
[Alosa Petition to Discontinue](#)
[Map](#)

48B. Resolution appropriating the sum of \$7,500 from the Urban Tree Trust Fund for the purposes of planting trees on City property and within public rights-of-way, as recommended by the Conservation Commission; together with report from the Assistant City Planner.

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

48C. Resolution authorizing and appropriating the sum of \$5,000 from Unassigned Fund Balance for the purpose of recruiting and training one School Resource Officer; together with report from the Police Department.

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

48D. Report from the General Services Director recommending a public hearing be held to determine whether to designate a portion of Island Road as an emergency lane in accordance with RSA 231:59-a. (Public testimony received)

Attachments: [Report](#)
[Island Road Petition](#)
[Island Road Public Testimony](#)

48E. 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; together with report from the Director of Redevelopment, Downtown Services & Special Projects.

Attachments: [Ordinance](#)
[Report](#)
[Narrow Streets Study Area Map](#)
[Narrow St Study Zone & St of Potential Concern Map](#)
[Neighborhood Forum October 22, 2018](#)
[Neighborhood Forum January 28, 2019](#)
[Summary of Recommendations](#)

- 48F. Ordinance amending the Code of Ordinances; Title II, Traffic Code; Chapter 18, Parking, Article 18-1, Stopping, Standing and Parking, Section 18-1-7.1, Parking Prohibited During Certain Hours and Months in Designated Places, Schedule IX; together with report from the Director of Redevelopment, Downtown Services & Special Projects.

Attachments: [Ordinance](#)
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[Summary of Recommendations](#)

- 48G. Ordinance amending the Code of Ordinances; Title II, Traffic Code; Chapter 17, Vehicles and Traffic, Article 17-4, Operation of Motor Vehicles, Section 17-4-3, One-Way Streets, Schedule VI; together with report from the Director of Redevelopment, Downtown Services & Special Projects.

Attachments: [Ordinance](#)
[Report](#)
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[Neighborhood Forum October 22, 2018](#)
[Neighborhood Forum January 28, 2019](#)
[Summary of Recommendations](#)

- 48H. Ordinance amending the Code of Ordinances, Title IV, Zoning Code; Chapter 28, Zoning Ordinance, Article 28-2, Zoning Districts and Allowable Uses, Section 28-2-3, The Zoning Map, Village Street rezoning; together with report from the Deputy City Manager Development. (Report from the Planning Board submitted) (Public testimony received)

Attachments: [Ordinance](#)
[Report](#)
[Existing Zoning Map](#)
[Proposed Zoning Map](#)
[Planning Board Report](#)
[Public Testimony](#)

Public Hearing Action

49. Resolution relative to the complete discontinuance of a public highway known as Osgood Street in Concord, NH; together with report from the Deputy City Manager Development.

Attachments: [Resolution](#)
[Report](#)
[Request for Discontinuance](#)
[Alosa Petition to Discontinue](#)
[Map](#)

50. Resolution appropriating the sum of \$7,500 from the Urban Tree Trust Fund for the purposes of planting trees on City property and within public rights-of-way, as recommended by the Conservation Commission; together with report from the Assistant City Planner.

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

51. Resolution authorizing and appropriating the sum of \$5,000 from Unassigned Fund Balance for the purpose of recruiting and training one School Resource Officer; together with report from the Police Department.

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

52. Report from the General Services Director recommending a public hearing be held to determine whether to designate a portion of Island Road as an emergency lane in accordance with RSA 231:59-a. (Public testimony received)

Attachments: [Report](#)
[Island Road Petition](#)
[Island Road Public Testimony](#)

53. 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; together with report from the Director of Redevelopment, Downtown Services & Special Projects.

Attachments: [Ordinance](#)
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[Neighborhood Forum October 22, 2018](#)
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54. Ordinance amending the Code of Ordinances; Title II, Traffic Code; Chapter 18, Parking, Article 18-1, Stopping, Standing and Parking, Section 18-1-7.1, Parking Prohibited During Certain Hours and Months in Designated Places, Schedule IX; together with report from the Director of Redevelopment, Downtown Services & Special Projects.

Attachments: [Ordinance](#)
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[Neighborhood Forum October 22, 2018](#)
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[Summary of Recommendations](#)

55. Ordinance amending the Code of Ordinances; Title II, Traffic Code; Chapter 17, Vehicles and Traffic, Article 17-4, Operation of Motor Vehicles, Section 17-4-3, One-Way Streets, Schedule VI; together with report from the Director of Redevelopment, Downtown Services & Special Projects.

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[Report](#)
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[Narrow St Study Zone & St of Potential Concern Map](#)
[Neighborhood Forum October 22, 2018](#)
[Neighborhood Forum January 28, 2019](#)
[Summary of Recommendations](#)

56. Ordinance amending the Code of Ordinances, Title IV, Zoning Code; Chapter 28, Zoning Ordinance, Article 28-2, Zoning Districts and Allowable Uses, Section 28-2-3, The Zoning Map, Village Street rezoning; together with report from the Deputy City Manager Development. (Report from the Planning Board submitted) (Public testimony received)

Attachments: [Ordinance](#)
[Report](#)
[Existing Zoning Map](#)
[Proposed Zoning Map](#)
[Planning Board Report](#)
[Public Testimony](#)

Reports

New Business

Unfinished Business

57. Everett Arena Beer and Wine Service Initiative report from the General Services Director. (Report referred to the Public Safety Advisory Board at the February 2019 Council meeting) (Report from the Public Safety Board submitted)

Attachments: [Report](#)
[Attachment #1 - B&W Pro Forma with MR Tax](#)
[Attachment #2 - Peer Rink Rates](#)
[Attachment #3 - Arena Layout for B&W Service](#)
[Attachment #4 - Feedback from Everett Customers](#)
[Attachment #5 - Current Arena Attendance](#)
[Arena Alcohol License Q&A.pdf](#)
[Public Safety Board Report](#)

58. 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, by amending Schedule I to add / modify parking prohibitions on Nivelles Street; together with report from the Director of Redevelopment, Downtown Services & Special Projects. (Public testimony received) (Action table at the March 11, 2019 City Council meeting)

Attachments: [Ordinance](#)
[Report](#)
[Ruiz Letter](#)
[August 16, 2018 Parking Committee Minutes](#)
[Nivelles St Neighborhood Right-of-Way Letter](#)
[Memo to File - Nivelles St Gentlemens Agreement](#)
[Map - Proposed No Parking Zone](#)
[Giannone Testimony](#)
[Cooper Testimony](#)

59. Report authorizing the City Manager to enter into a license to allow temporary access

through City property (MBL 614/Z 51), located at the intersection of Denis Drive and Guay Street, for a private landowner's purpose of harvesting trees from their adjacent private parcel. (Action on this item tabled at the April 8, 2019 Council meeting)

Attachments: [Report](#)

[Ltr from Daniel Prescott & GIS map](#)

Comments, Requests by Mayor, City Councilors

Comments, Requests by the City Manager

Consideration of items pulled from the consent agenda for discussion.

** Items 38 and 39 have been pulled from the consent agenda for discussion.*

Consideration of Suspense Items

Adjournment

Information

- Inf1 February 28, 2019 Transportation Policy Advisory Committee Meeting Minutes.
Attachments: [Minutes](#)
- Inf2 March 2019 Executive Council Meeting Report from Executive Councilor Andru Volinsky.
Attachments: [Report](#)
- Inf3 March 14, 2019 Golf Course Advisory Committee Draft Meeting Minutes.
Attachments: [Minutes](#)
- Inf4 March 19, 2019 Traffic Operations Committee Meeting Minutes.
Attachments: [Minutes](#)
- Inf5 March 25, 2019 Public Safety Board Draft Meeting Minutes.
Attachments: [Minutes](#)
- Inf6 March 28, 2019 Transportation Policy Advisory Committee Meeting Minutes.
Attachments: [Minutes](#)
- Inf7 April 1, 2019 Concord Public Library Board of Trustees Meeting Minutes.
Attachments: [Minutes](#)
- Inf8 April 9, 2019 Rules Committee Draft Meeting Minutes.
Attachments: [Minutes](#)
- Inf9 April 16, 2019 Traffic Operations Committee Meeting Minutes
Attachments: [Minutes](#)
- Inf10 Invitation from the Concord Veteran's Council to participate in their annual Memorial Day Parade/Ceremony to be held on Monday, May 27, 2019.
Attachments: [Invitation](#)
- Inf11 Communication from the Arbor Day Foundation congratulating the City of Concord on earning recognition as a 2018 Tree City USA.
Attachments: [Communication](#)
- Inf12 Communication from Comcast notifying subscribers of a monthly rate increase for Acorn TV.
Attachments: [Comcast Communication](#)
- Inf13 News release from Eversource Energy notifying the public that they are seeking approval for System Reliability and Clean Energy Investments.
Attachments: [News Release](#)
- Inf14 Summer/Fall Brochure from the Parks and Recreation Department.

Attachments: [Brochure](#)