



# City of Concord

## City Council

### Meeting Agenda

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Monday, June 10, 2019

7:00 PM

City Council Chambers  
37 Green Street  
Concord, NH 03301

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*Non-public session in accordance with RSA 91-A: 2, I (a) to discuss collective bargaining strategies followed by a 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 Rabbi Robin Nafshi from the Temple Beth Jacob.
3. Pledge of Allegiance.
4. Roll Call.
5. Approval of the Meeting Minutes.  
May 13, 2019 City Council Meeting Minutes.  
**Attachments:** [Minutes](#)  
May 20, 2019 City Council Meeting Minutes.  
**Attachments:** [Minutes](#)
6. Canvass of the Votes for the Special Municipal Election held on June 4, 2019.  
**Attachments:** [Canvass of the Votes](#)
7. Ceremonial swearing in of newly elected Ward Four City Councilor.
8. City Council action relative to the City Manager's evaluation, in accordance with Section 21(b) of the City Charter.
9. Resolution in recognition of the services of retired Fiscal Technician III Loretta E. Emerson.  
**Attachments:** [Resolution](#)
10. Resolution in recognition of the services of Dan St. Hilaire.  
**Attachments:** [Resolution](#)
11. Resolution in recognition of the services of Stephen Shurtleff.  
**Attachments:** [Resolution](#)
12. Proclamation in recognition of Concord Community TV's 20th Anniversary.  
**Attachments:** [Proclamation](#)

13. 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 Community Development and the Planning Board**

14. Communication from Gallagher, Callahan & Gartrell, on behalf of their client the ROI Irrevocable Trust, Christine M. Windler, Trustee, requesting consideration be given to rezoning parcels identified as Concord Tax Map 110, Block H3, Lot 3 and Map 110, Block I2, Lot 3, from Open Space Residential District (RO) to Gateway Performance District (GWP).

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

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

15. Communication from Kelly LaFave requesting consideration be given to safety improvements at the intersection of Mountain Road, Hoit Road and East Side Drive in Concord.

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

#### **Items Tabled for July 8, 2019 Public Hearings**

16. Resolution accepting the terms of the First Responder Comprehensive Addiction and Recovery Act (FR-CARA) Grant and accepting and appropriating the sum of \$136,999 to continue the Mobile Integrated Healthcare (MIH) Program, pending NH Fire Standards and Training & EMS approval and Governor and Council approval; together with report from the Fire Chief.

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

17. Resolution accepting and appropriating the sum of \$130,460 as a supplemental appropriation for the Mobile Integrated Healthcare (MIH) program, pending NH Fire Standards and Training & EMS approval and Governor and Council approval.

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

18. Resolution appropriating the sum of \$1,000,000 in Reserve Funds as a transfer to the Highway Reserve Fund retroactive to June 30, 2019; together with report from the Deputy City Manager - Finance.

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

19. Discretionary Preservation Easement renewal request, per RSA 79-D, for property located at 233 Hopkinton Road owned by the Sally Stouten Hatch Revocable Trust.

**Attachments:** [Report](#)  
[Discretionary Easement Application](#)  
[Heritage Commission Evaluation](#)  
[May 2, 2019 Heritage Commission Minutes](#)  
[Plot Plan](#)  
[Receipts](#)  
[Aerial Photograph](#)  
[Photos](#)

20. Resolution accepting and appropriating the sum of \$71,874 for residential granite curb cost sharing as part of the annual roadway surface improvements project (CIP #78); together with report from the General Services Director.

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

### **From the City Manager**

21. Positive Citizen Comments

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

### **Consent Reports**

22. Diminimus gifts and donations report from the Library Director requesting authorization to accept monetary gifts totaling \$1,115.48 as provided for under the pre-authorization granted by City Council.

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

23. Report authorizing the City Manager to enter into a Purchase and Sales Agreement with the New Hampshire Adjutant General's Department to sell +/- 3.5 acres of Airport property located at the northeast corner of Regional Drive and Airport Road identified as 45 Airport Road.

**Attachments:** [Report](#)  
[Final P&S w Adjutant General](#)  
[Map of Area Proposed for Sale](#)

24. Report from the Parks and Recreation Director on Perkins Chapel Improvements.

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

25. Skate House Charitable Contribution Agreement, together with report to Council.

**Attachments:** [Report](#)  
[Charitable Contribution Agreement](#)

26. Report from the Deputy City Manager - Development requesting authorization for the City Manager to enter into a License Agreement with CCA North Corp for the Bank

of NH Stage marquee sign at 16-18 South Main Street. (Revised license agreement submitted) (Pulled from consent by Councilor Herschlag)

**Attachments:** [Report](#)  
[License](#)  
[Revised License](#)

### **Consent Resolutions**

27. Resolution in recognition of the services of Master Police Officer William J. Brouillet. (For presentation in July)

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

28. Resolution authorizing the City Manager or his designee to apply for funding through the New Hampshire Project First Grant Program administered by the New Hampshire Department of Safety; together with report from the Fire Chief.

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

29. Resolution repurposing the sum of \$70,205.00 from the Records Management Microfilm Conversion Project (CIP #490) to the Video System Replacement Project (CIP #607); together with report from the Police Department.

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

### **Consent Communications**

#### **Appointments**

30. City Manager's proposed re-appointments to the Library Board of Trustees. Lisa Calgaard Sands and Jeremy Clemans

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

### **From the Mayor**

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

### **Public Hearings**

31A. 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. (Revised resolution and supplemental report submitted) (Public testimony submitted)

**Attachments:** [Resolution](#)  
[Report](#)  
[Plans](#)  
[Revised Resolution](#)  
[Supplemental Report](#)  
[Public Testimony](#)

- 31B. 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](#)

- 31C. 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](#)

- 31D. 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](#)

- 31E. 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. (Revised report submitted)

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

- 31F. 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](#)

- 31G. 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](#)

- 31H. 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](#)

### **Public Hearing Action**

32. 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. (Revised resolution and supplemental report submitted) (Public testimony submitted)

**Attachments:** [Resolution](#)  
[Report](#)  
[Plans](#)  
[Revised Resolution](#)  
[Supplemental Report](#)  
[Public Testimony](#)

33. 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](#)

34. 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](#)
35. 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](#)
36. 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. (Revised report submitted)  
**Attachments:** [Ordinance](#)  
[Report](#)  
[Public Comments](#)  
[Draft Site Plan Regulations](#)  
[Revised Report](#)
37. 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](#)
38. Ordinance amending the Code of Ordinances, Title V, Administrative Code; Chapter 35, Classification and Compensation Plan, Schedule D of Article 35-2, Class Specification Index, 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](#)
39. 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](#)

### **Appointments by the Mayor**

### **Reports**

### **New Business**

### **Unfinished Business**

40. 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](#)

41. 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](#)

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

**Comments, Requests by the City Manager****Consideration of items pulled from the Consent Agenda**

*\* Item 26 was pulled from the consent agenda for discussion.*

**Consideration of Suspense Items****Refferal to the Police Department**

Sus1 Communication from Kevin Coates, 45 Community Drive, requesting consideration be made to traffic safety improvements, specific to speeding traffic, on both Community Drive and High Street in Penacook.

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

**Adjournment**

**Information**

- Inf1. January 9, 2019 Conservation Commission Meeting Minutes.  
**Attachments:** [Minutes](#)
- Inf2. February 7, 2019 Heritage Commission Meeting Minutes.  
**Attachments:** [Minutes](#)
- Inf3. February 13, 2019 Conservation Commission Meeting Minutes.  
**Attachments:** [Minutes](#)
- Inf4. March 7, 2019 Heritage Commission Meeting Minutes.  
**Attachments:** [Minutes](#)
- Inf5. March 13, 2019 Conservation Commission Meeting Minutes.  
**Attachments:** [Minutes](#)
- Inf6. March 28, 2019 Transportation Policy Advisory Committee Meeting Minutes.  
**Attachments:** [Minutes](#)
- Inf7. April 18, 2019 Golf Course Advisory Committee Draft Meeting Minutes.  
**Attachments:** [Minutes](#)
- Inf8. May 1, 2019 Executive Council Meeting Report from Executive Councilor Andru Volinsky.  
**Attachments:** [Report](#)
- Inf9. May 6, 2019 Concord Public Library Board of Trustees Meeting Minutes.  
**Attachments:** [Minutes](#)
- Inf10. May 9, 2019 Golf Course Advisory Committee Draft Meeting Minutes.  
**Attachments:** [Minutes](#)
- Inf11. Budget Report from Concord TV.  
**Attachments:** [Report](#)
- Inf12. Communication from Comcast notifying the City of Concord about upcoming changes in services for Comcast customers.  
**Attachments:** [Communication](#)
- Inf13. Communication from FEMA regarding Field Survey in Support of Floodplain Mapping Updates in the Contoocook Watershed.  
**Attachments:** [FEMA Communication](#)