



# City of Concord

## City Council

### Meeting Minutes

---

Monday, November 13, 2017

7:00 PM

City Council Chambers  
37 Green Street  
Concord, NH 03301

---

*Non-public session in accordance with RSA 91-A:3, II (e) to discuss pending litigation; followed by non-public session in accordance with RSA 91-A: 3, II (d) to discuss property acquisition and non-public session in accordance with RSA 91-A:2, I(b) meeting with legal counsel, to begin at 5:30 p.m.*

1. Call to Order.

Mayor Bouley called the meeting to order at 7:00 p.m.

2. Invocation.

3. Pledge of Allegiance.

4. Roll Call.

**Present:** 15 - Councilor Candace Bouchard, Mayor Jim Bouley, Councilor Byron Champlin, Councilor Mark Coen, Councilor Amanda Grady Sexton, Councilor Allan Herschlag, Councilor Fred Keach, Councilor Linda Kenison, Councilor Jennifer Kretovic, Councilor Gail Matson, Councilor Keith Nyhan, Councilor Dan St. Hilaire, Councilor Stephen Shurtleff, Councilor Brent Todd, and Councilor Robert Werner

5. Approval of the Meeting Minutes.

October 10, 2017 City Council Meeting Minutes.

**Action:** Councilor St. Hilaire moved approval of the October 10, 2017 City Council meeting minutes. The motion was duly seconded and passed with no dissenting votes.

October 16, 2017 City Council Meeting Minutes.

**Action:** Councilor Champlin moved approval of the October 16, 2017 City Council meeting minutes. The motion was duly seconded and passed with no dissenting votes.

6. Resolution in honor of the services of retired Fire Lieutenant Christopher Andrews.

**Action:** Fire Lieutenant Christopher Andrews was not present.

7. Resolution in honor of the services of retired Battalion Chief William Weinhold.

**Action:** Mayor Bouley presented a resolution in recognition of Battalion Chief William Weinhold.

8. Canvass of the Votes for the Municipal Election held on November 7, 2017.

**Action:** City Clerk Janice Bonenfant provided the Canvass of the Votes for the Municipal Election held on November 7, 2017.

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

9. Presentation Concord Biosolids Planning for the Future.

**Action:** General Services Director Chip Chesley introduced Dan Driscoll, General Services Wastewater Superintendent, and Chris Dwinal, Engineer at Wright-Pierce. Mr. Chesley provided a Powerpoint presentation on biosolids. (Copy of presentation on file in the City Clerk's Office)

Councilor Coen inquired whether Class A biosolids is considered organic certified. Mr. Dwinal responded no. Councilor Coen questioned what it would take to have a biosolid certified organic. Mr. Dwinal responded that he was not sure that it can because of the presence of human pathogens that are removed through the process. Mr. Driscoll agreed adding that he was not sure if it's possible due to the nature of the material coming in that they don't have control over.

Councilor Coen asked what the city is using the Class A biosolids for that is currently used on city property. Mr. Driscoll replied that the biosolids are not currently being spread in the city due to the odors they emit, however, they are usually used on corn fields, manufactured top soil, and for growing grass turf.

Referencing the anaerobic digester, Councilor Todd questioned whether a calculation has been done in regards to what kilowatt hours they are talking about. Mr. Dwinal responded that they didn't do this as part of the study noting that there is some benefit in the heat that can be generated from the methane that is there. He stated that, moving forward, they will have to look further into what can be generated from electricity and the possibility of being able to use this to generate

electricity for the plant or other uses.

Councilor Herschlag inquired whether they have calculated a pay back period if they move forward in 2027 compared to if they stayed similar to what they currently have. Mr. Chesley explained that as they get closer to design they can look at this more; the model they have right now may not be applicable ten years from now due to some of the challenges that it has.

Councilor Herschlag asked how a cost analysis would work out. Mr. Chesley responded that the type of digester that they are looking at would be cost effective; one of the values it brings to the market place is that its a product that is much easier marketed because it is easier to handle and they would also be reducing the volume they need to move. Mr. Dwinal added, as time goes on, the technologies changes; they are becoming more readily available for smaller sized facilities. He indicated that while cost is one factor to be looked at, there are other non-monetary items that they evaluate.

Councilor Herschlag asked if he was correct in assuming that, since this is ten years out, there is flexibility built in to looking at new ways to treat the biosolids; look at current technologies versus what they have today. Mr. Chesley replied that it would have been identified within this initial study.

Mayor Bouley asked, in summary, that they are being informed that in 2027 they will be looking to spend \$17 million on a new system; this figure being in current dollars. He inquired as to what is being anticipated ten years from now. Mr. Dwinal responded that they can add three to four percent every year compounded pointing out that it could be upwards of fifty percent because amounts usually double within twenty years.

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.***

*Approval of the Consent Agenda*

**Action:** Councilor St. Hilaire moved approval of the consent agenda with items 37 and 41 removed to the end of the agenda for discussion. The motion was duly seconded and passed with no dissenting votes.

**Items Tabled for December 11, 2017 Public Hearings**

11. Ordinance amending the Code of Ordinances; Title II, Traffic Code; Chapter 18, Parking, Article 18-3, Parking Meters, including Schedule X; together with report from the Parking Committee. (Supplemental report from the Director of Redevelopment, Downtown Services, and Special Projects; together with public testimony submitted)  
**Action:** This ordinance was moved to set for a public hearing.
12. Ordinance amending the Code of Ordinances; Title I, General Code; Chapter 1, Government Organization, Article 1-5, Fees, Fines, and Penalties, including Schedule I and II; together with report from the Parking Committee. (Supplemental report from the Director of Redevelopment, Downtown Services, and Special Projects; together with public testimony submitted)  
**Action:** This ordinance was moved to set for a public hearing.
13. Ordinance amending the Code of Ordinances; Title II, Traffic Code; Chapter 18, Parking, Article 18-2, Restricted Residential Parking Areas; together with report from the Parking Committee.(Supplemental report from the Director of Redevelopment, Downtown Services, and Special Projects; together with public testimony submitted)  
**Action:** This ordinance was moved to set for a public hearing.
14. Resolution determining the proposed project has a public benefit and approving an application by South Pleasant Street LLC for a six year RSA 79-E Community Revitalization Tax Relief Incentive for the renovation of real estate located at 5-7 South State Street; together with report from the Director of Redevelopment, Downtown Services and Special Projects.  
**Action:** This resolution was moved to set for a public hearing.
15. Resolution determining the proposed project has a public benefit and approving an application by South Pleasant Street LLC for a six-year RSA 79-E Community Revitalization Tax Relief incentive for the renovation of real estate located at 15-17 Pleasant Street; together with report from Director of Redevelopment, Downtown Services & Special Projects.  
**Action:** This resolution was moved to set for a public hearing.
16. 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, by amending the fee for Chapter 26 - Building Code, Section 26-16-4, Fire Prevention Schedule, Tents and Air-supported Structures; together with report from the Deputy Fire Chief.

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

17. Resolution authorizing the City Manager to continue implementation of the Revolving Loan Fund Program and appropriating the sum of \$260,586; together with report from the Director of Redevelopment, Downtown Services and Special Projects.

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

18. Resolution authorizing and appropriating the sum of \$975,000 as a transfer to reserves; funding for this appropriation shall be entirely from Fiscal Year 2017 General Fund Assigned Fund Balance; together with 2017 Year End report from Deputy City Manager-Finance.

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

19. Resolution appropriating the sum of \$50,000 from reserves as a supplemental appropriation to the City's General Fund for furniture/equipment purchase and replacement and education and training. Funding for these purposes shall be entirely from Trust Fund Reserve Accounts.

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

20. Resolution appropriating \$51,000 from the Economic Development Reserve to fund the Public Information Officer (PIO) position; together with report from the Deputy City Manager-Development.

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

21. Resolution accepting and appropriating the sum of \$11,133.46 in grant funds from the New Hampshire Highway Safety Agency, funds designated for conducting Distracted Driver Enforcement Patrols; together with report from the Police Department.

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

22. Resolution accepting and appropriating the sum of \$24,053.78 in grant funds from the New Hampshire Highway Safety Agency, funds designated for DWI/Impaired Driver Patrols; together with report from the Police Department.

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

23. Resolution accepting and appropriating the sum of \$27,270.92 in grant funds from the New Hampshire Highway Safety Agency, funds designated for Sustained Traffic Safety Enforcement Patrols (STEP); together with report from the Police Department.

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

24. Resolution authorizing and appropriating the sum of \$93,490 for Fiscal Year 2018 operating expenses for the City-Wide Community Center; together with report from the Parks and Recreation Director.

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

25. Resolution accepting and appropriating the sum of \$20,596 from the New Hampshire Charitable Foundation to support projects that enhance the special character and vitality of Concord; together with report from the Deputy City Manager-Finance.

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

### **From the City Manager**

26. Positive Citizen Comments

**Action:** This positive comments was received and filed.

### **Consent Reports**

27. Diminimus gifts and donations report from the Library Director requesting authorization to accept monetary gifts totaling \$1,901.69 as provided for under the pre-authorization granted by City Council.

**Action:** This consent report was approved.

28. Diminimus gifts and donations report from the Director of Human Services requesting authorization to accept monetary gifts totaling \$148.87 as provided for under the pre-authorization granted by City Council.

**Action:** This consent report was approved.

29. Diminimus gifts and donations report from the Police Department requesting authorization to accept grant funding from the New Hampshire Highway Safety Agency in the amount of \$9,786.24 in order to conduct pedestrian and bicycle safety patrols, as provided for under preauthorization granted by the City Council.

**Action:** This consent report was approved.

30. Diminimus gifts and donations report from the Police Department requesting authorization to accept funding from the US Department of Justice - Bulletproof Vest Partnership Program in the amount of \$5,786.12, designated to fund fifty-percent reimbursement of qualified ballistic vests purchased by the Department, as provided for under preauthorization granted by the City Council.

**Action:** This consent report was approved.

31. Report recognizing the anonymous donation of Emperor Tulips for Main Street

**Action:** This consent report was approved.

32. Status Report from the City Manager on 2016-2017 City Council Priorities.

**Action:** This consent report was approved.

33. 2018 Fiscal Year to Date Financial Statements from Deputy City Manager - Finance.

**Action:** This consent report was approved.

34. Impact Fee Report in Compliance with RSA 674:21(VI) from Deputy City Manager-Finance.

**Action:** This consent report was approved.

35. Quarterly report from the Police and Fire Chiefs on Drug Overdoses and Other Statistics.

**Action:** This consent report was approved.

36. Report from the Deputy Fire Chief on a Change of Scope for the Assistance to Firefighters Grant Program- Sprinkler Project.

**Action:** This consent report was approved.

37. Report from the Transportation Policy Advisory Committee recommending that City Council authorize the City Manager to overspend the budget, if necessary, to keep the 10 highest-use bus stops free of snow during the 2017-2018 winter season. (Pulled from consent by Councilor Kretovic)

**Action:** This item removed to the end of the agenda for discussion.

38. Report from the City Engineer recommending that the City Manager be authorized

to accept a public storm drainage easement from Jeffrey W. and Stephanie A. Lewis of 17 Dover Street.

**Action:** This consent report was approved.

39. Report from the City Engineer requesting that the City Council authorize the NH Department of Transportation to establish nighttime detours that utilize City streets during the construction of Interstate 93/393 bridges.

**Action:** This consent report was approved.

### **Consent Resolutions**

40. Resolution repurposing the sum of \$25,000 from the 2016 Structural Repairs subproject (CIP #104) to the Equipment Process Upgrades subproject (CIP #104); together with report from the General Services Director.

**Action:** This consent resolution was approved.

41. Resolution authorizing the City Manager to enter into a revised Purchase Option Agreement Amendment #1 with the Caleb Development Corporation concerning the sale and redevelopment of City owned property at 35 Canal Street, Penacook; together with a report from the Director of Redevelopment, Downtown Services, and Special Projects. (Pulled from consent by Councilor Herschlag)

**Action:** This item removed to the end of the agenda for discussion.

42. Resolution repurposing the sum of \$38,003 in FEMA grant funds from the 2016 Sprinkler Systems Subproject (CIP #252) for the installation of an engine exhaust removal system in the Central Fire Station (CIP #252); together with report from the Deputy Fire Chief.

**Action:** This consent resolution was approved.

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

### **Public Hearing Action (Public hearings held on October 10, 2017)**

43. 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)

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

44. 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.

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

45. 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.

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

### **Reports**

46. Report from the City Planner in response to a request to re-zone land off of Whitney Road from Industrial (IN) to Urban Commercial (CU) and release covenants.

**Action:** City Planner Heather Shank provided a brief overview.

Councilor Shurtleff inquired whether it's the Planning Board that wants to have a public hearing or are they asking the Council to hold one. Ms. Shank responded that the recommendation within the report was that the applicant find a planning consultant to facilitate a public meeting outside of the Planning Board or City Council setting and return to the Planning Board with results of that meeting.

Councilor Shurtleff pointed out that they did have a meeting in Penacook to discuss this and asked if the feedback from that would suffice or whether they want a more formalized one with a Planning Department representative present. Ms. Shank responded that her understanding is that the Penacook meeting was a presentation of an idea so the recommendation is to have more of a visioning session; there wasn't a comprehensive discussion about the site and the surroundings.

Councilor Herschlag indicated that the last time that the Rauseos came to the Council to have the covenants lifted, there was standing room only and people

were speaking against it. He noted that the fact that nobody is here this evening speaks volumes. If he understands the discussions at the Planning Board correctly, there was a difference as to what the public meeting was to accomplish. His understanding was that the recommendation was made by the Planning Board for the Council to act or not act but that the public meeting was more for zoning and for ideas of suggestions to move forward - the public meeting wasn't related to discussion on the covenants. Ms. Shank responded that to be correct.

Councilor Coen noted that it seems unusual that the request for a public hearing or charette about a project doesn't include the Planning Board or Council. He inquired as to why the recommendation for not having either one host this. Ms. Shank responded that a Planning Board and Council environment is very different from an interactive/visioning session in which you are trying to receive public participation. She added that members of the Planning Board or Council would be invited and/or encouraged to participate. Councilor Coen indicated that the Council has held charettes in the past including the Main Street project.

Councilor Keach questioned the process asking if the recommendation from the Planning Board will come back to Council for a public hearing and a vote.

Mayor Bouley pointed out that there are two recommendations clarifying that no other entity within the city has the authority to rezone something which means this would come back to Council. In terms of removing the covenants, he noted that they can do this tonight if they choose to do so; the zoning change would have to come back to the Council.

Councilor Todd is trying to get a sense from the Planning Board and whether they are expecting Ms. Shank to return to the Planning Board with information based on what she heard at the public meeting. Ms. Shank replied that they are expecting the applicant to return with their results and she would also participate in sharing information.

Councilor Shurtleff asked if one of the questions being asked of the Council is that they let the Planning Board know that they would like to see a public meeting. Mayor Bouley responded that the way he reads the report, there are two issues: rezoning and covenants.

Councilor Shurtleff asked if the covenants are something they can remove or not remove this evening. Mayor Bouley responded that it's up to the Council.

For the public record, City Clerk Janice Bonenfant stated that she received nineteen communications within the City Clerk's email in support of a grocery store in that location. She indicated that she was handed a communication this evening from the Rauseos; a clarification in follow up to the article in yesterday's Concord Monitor about this project. (Communications on file in the City Clerk's Office)

Referencing the nearby incinerator, Councilor St. Hilaire indicated that its going for repermitting. He questioned whether that will affect whatever they do this evening. Ms. Shank replied that she is not aware of any impact that would have.

Councilor Shurtleff noted that he believes it wouldn't impact what the Rauseos are doing on their abutting property.

Councilor Champlin asked if it would be fair to say that part of the intent of the Planning Board in asking the Rauseos to host this charette was the fact that the Planning Board felt this was an important piece of property; one that really needs some considered approach in terms of its development and that the desire was to give the community and neighbors an opportunity to come in and talk about vision and what the vision for the gateway should be. Ms. Shank responded yes.

Councilor Kretovic stated that she has a conflict of interest due to an indirect professional association with Mr. Rauseo and therefore will not be voting on this item.

Councilor Herschlag indicated that one of the urgencies to move forward with economic development on this property is that, over the years, the assessed value of Wheelabrator has dropped almost in half. He noted that this is an important piece of property that will allow the community to reduce the impact of the potential loss of assessed value would have. He urged his fellow Councilors to vote to remove the covenants this evening and to move forward as quickly as possible with having community input as to how this property could best be developed to maximize not only the potential economic value but also to meet the needs of the community.

Councilor Todd clarified that the Planning Board has not yet offered any recommendations or suggestions on what they might potentially like to see for zoning/rezoning in this location. Ms. Shank indicated that they felt favorably towards the idea of the gateway performance but weren't comfortable making any

specific recommendation until a community meeting.

Councilor Todd noted that they are really only looking at the issues of the covenants this evening. He feels that there are a number of reasons to removing the covenants because, with the current design plans the Rausesos have, they would really need to weigh on decisions on zoning; this is an opportunity for the public to speak and for this to become a grass roots project.

Councilor Shurtleff move to remove the covenants on this property. The motion was duly seconded and passed with no dissenting votes. Councilor Kretovic took Rule Six.

47. Report from the Parking Committee regarding adoption of proposed recommendations for the Parking Strategic Plan.

**Action:** Mayor Bouley pointed out that there will be a public hearing next month on this item. He indicated that he asked Matt Walsh, Director of Redevelopment, Downtown Services & Special Projects, to do a presentation this evening to save time next month. He hopes that the presentation will initiate questions, things to think about, and give some attention to the public so they have some thoughts.

Mr. Walsh provided a detailed powerpoint presentation contained within his report.

Councilor Herschlag noted that, currently, the recommendation is not to charge any fees for Saturday parking in garages and inquired as to how this would impact the revenue going from 50 cents to 75 cents on parking garages and lots. Mr. Walsh responded that he would provide this information to the Council.

Councilor Herschlag noticed that they are taking most of the general fund contribution out but there is additional costs to the general fund. He pointed out the \$475,000 savings to the general fund but, when looking at new general fund costs, its \$361,000. He questioned whether the actual savings would only be approximately \$110,000. Referencing page seven of the presentation, Mr. Walsh responded that its a cumulative calculation explaining that if they add up all the blue bars and add up all the red bars over those five years, the difference ends up being over \$475,000.

Councilor Herschlag questioned that when it comes to what the general fund is contributing or the cost of the general fund, are there any savings to the general fund or are those costs just being shifted. Referencing the first page of the pro

forma, he indicated that when looking at 2023 and go down to the yellow it appears that the total cost to the general fund is \$362,648. Looking at the savings to the general fund because the parking fund isn't contributing \$475,000, he inquired whether the \$362,000 was additional costs to the general fund or are those dollars that have to come from property taxes or other sources. He asked whether the fees that are being collected for the parking fund outpacing the costs to the general fund. Mr. Walsh responded that at the end of the day, if nothing changes, there's a cost to the general fund - that cost in FY19 will be approximately \$450,000. He indicated that if the system is changed and all the recommendations he discussed is implemented, there's still going to be a cost to the general fund but that cost is reduced - that cost in FY19 will be approximately \$316,000. He added that the recommendations also structure the relationship between the parking fund and the general fund.

Councilor St. Hilaire inquired whether the city still uses the boot on vehicles that have unpaid tickets. Mr. Walsh responded that they do. Mr. Walsh pointed out that within the data he presented about unpaid tickets, approximately one-third are Concord and Penacook residents.

Referencing the expanded metered parking around the federal building, Councilor St. Hilaire questioned why they would have residents pay for parking on Saturdays and between 5:00 p.m. to 7:00 p.m. Mayor Bouley noted that he believes Councilor St. Hilaire is describing what the experience was in Manchester in which they went to citywide and then gradually scaled it back until they got to Elm Street; the intention was not to go after what he described.

Councilor Matson noted that the ability to pay via phone app was discussed and asked if its believed there would be an increase in payment by this. Mr. Walsh asked if the question was in regards to paying for the meter or paying for the ticket. Councilor Matson indicated either. Mr. Walsh responded that if the person is from Massachusetts, they are probably already using it because its very prevalent in the metro areas. He feels that its a customer service item that could greatly improve somebody's experience here in the city. He further feels that being able to pay a ticket online, especially if its a platform that can be done via a phone, would help with the amount of delinquent tickets they have.

Councilor Herschlag questioned whether they are going to see a reduction in credit card fees, a surcharge charge if using a credit card, and would they make a distinction between somebody paying with an app and somebody paying with an

actual credit card.

Councilor St. Hilaire added that he hopes they make sure that the meters are EMV compliant so they don't incur the costs for fraud.

**New Business**

**Unfinished Business**

48. 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)

**Action:** This item remains on the table.

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

Councilor Todd announced a new event being held on Saturday, December 2nd - a holiday wreath and craft raffle at the Penacook Community Center from 10:00 a.m. to 3:00 p.m.

Councilor Todd announced a public information session on Exit 17 - Whitney Road potential development at the National Safety Council offices on 2 Whitney Road on Saturday, December 2nd from 4:00 p.m. to 5:30 p.m. There will be site visits available 3:00 p.m. to 4:00 p.m. to tour the property.

Councilor Champlin reminded everyone that registration is open for the Ugly Sweater 5K in connection with the White Park Winter Festival to be held on January 20th.

Councilor Champlin announced that there will be a Ward Four constituent open house at the Kimball Jenkins Estate Carriage House on Wednesday, November 29th at 6:00 p.m.

Councilor Bouchard indicated that she received a lot of input on Tuesday from constituents in regards to transportation issues. She recommended that the Transportation Policy Advisory Committee look at these three issues: people have started using Christian Avenue as a short cut to avoid construction on Loudon Road; the intersection at the newly reconfigured Old Loudon Road and Portsmouth Street doesn't appear to be safe or working; residents in Woodcrest neighborhood have a concern with the new Dairy Queen development which has a direct opposing driveway from Woodcrest. Concerns to be forwarded to the Transportation Policy Advisory Committee.

Councilor Bouchard announced the upcoming Christmas Parade to be held on Saturday, November 18th beginning at 9:30 a.m. on Loudon Road.

Councilor St. Hilaire indicated that last year many residents within Ward Ten did not get their leaves picked up and hopes that General Services is still geared up to continue their leaf pick up despite the snowstorm today.

Mayor Bouley stated that in June the Council appropriated \$30,000 for a cold weather shelter and asked of Council this evening to authorize the City Manager to spend the dollars. He indicated that the Concord Coalition to End Homelessness is working on a capital campaign to build a winter shelter behind their current location on North Main Street noting that they are willing to operate the shelter for the winter months. He stated that they would like to open up a little earlier than the past and are looking for a start time of mid December. His hope is to get a positive vote to appropriate those dollars with one caveat - that it wouldn't be going to the United Way as in the past but with the fiscal agent being the Concord Coalition to End Homelessness. He added that if a motion is made that it be made that the dollars be spent specifically and only for the cold weather shelter.

Councilor Shurtleff moved to authorize the City Manager to spend those dollars specifically for the cold weather shelter and not to be commingled with any other funds. The motion was duly seconded and passed with no dissenting votes.

Mayor Bouley wanted to ask Administration to come back with a resolution that would repeal the Economic Development Advisory Committee. He explained that the committee has served its purpose over the years but, over time and since they have hired a new Economic Development Director, he feels that the committee is no longer effective. He noted what they need to be more effective in doing is that strike force effort that is targeted towards whatever industry or business that may be appropriate and that they give the Economic Development Director the ability to assemble those people who would best serve whatever the particular purpose is. There was no Council objection to the resolution request.

Mayor Bouley noted the passing of former Mayor William Veroneau.

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

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

37. Report from the Transportation Policy Advisory Committee recommending that City Council authorize the City Manager to overspend the budget, if necessary, to keep the 10 highest-use bus stops free of snow during the 2017-2018 winter season. (Pulled from consent by Councilor Kretovic)

**Action:** Councilor Kretovic clarified that the phrasing of "overspending the budget" is strongly worded explaining that they already have six to eight of the bus stops that are ten of the highest used covered under the current operation in the city; this is about adding an additional two to four. She noted that the request that's in the report to over spend the budget is really about giving the City Manager some leeway to find some additional resources within General Services to take care of that but not to just randomly spend the budget.

Councilor Kretovic moved approval of the report. The motion was duly seconded and passed with no dissenting votes.

41. Resolution authorizing the City Manager to enter into a revised Purchase Option Agreement Amendment #1 with the Caleb Development Corporation concerning the sale and redevelopment of City owned property at 35 Canal Street, Penacook; together with a report from the Director of Redevelopment, Downtown Services, and Special Projects. (Pulled from consent by Councilor Herschlag)

**Action:** Councilor Herschlag noted that during the presentation made at the Penacook Elementary School, Caleb Development and the city stated to the community members present that this project would be work force housing, that preferences would be given to the elderly, and because the majority of the units would be one bedroom, there would be very few children coming into the community. He indicated that they now found out that a number of those statements were not accurate or those making the presentation were misinformed. He stated that these are not work force housing according to definitions by State RSA 674:58 to 61 which indicates that in order for something to be considered work force housing, the majority of the units have to be two bedrooms or more. He noted that they were told there would be elderly preferences but indicated that unless the project is age restricted, that preference cannot be given to the project and they would not be eligible for the low income tax credits that they are applying for. Councilor Herschlag stated that its frustrating for him that a developer would not be aware of these restrictions and definitions. He indicated that the community's goal of redeveloping this site was to have a mix of retail, commercial business and residential uses and, as he understands, the goal of the city was to maximize the potential taxable value of this property. In addition to these goals, he further understood that the site would be a gateway or entry way to spur redevelopment and economic development for the village; the development was supposed to be both a welcoming focal point and to architecturally represent the best the village has to offer.

Councilor Herschlag moved to set this resolution for a public hearing in December or at some point in the future. The motion failed not receiving a second.

Councilor Kretovic moved approval of the resolution. The motion was duly seconded and passed with one dissenting vote by Councilor Herschlag.

### **Adjournment**

The time being 9:28 p.m., Councilor Kretovic moved to adjourn the meeting. The motion was duly seconded and passed with no dissenting votes.

*A true copy; I attest:*

*Michelle Mulholland  
Deputy City Clerk*

**Information**

Inf1. July 19, 2017 Planning Board Meeting Minutes.

**Action:** Information item received and filed.

Inf2. August 10, 2017 Conservation Commission Meeting Minutes.

**Action:** Information item received and filed.

Inf3. August 16, 2017 Planning Board Meeting Minutes.

**Action:** Information item received and filed.

Inf4. August 24, 2017 Transportation Policy Advisory Committee Meeting Minutes.

**Action:** Information item received and filed.

Inf5. September 12, 2017 Architectural Design Review Committee Meeting Minutes.

**Action:** Information item received and filed.

Inf6. September 19, 2017 Committee for Concord's Plan to End Homelessness Meeting Minutes.

**Action:** Information item received and filed.

Inf7. September 19, 2017 Golf Course Advisory Committee Meeting Minutes.

**Action:** Information item received and filed.

Inf8. September 28, 2017 Transportation Policy Advisory Committee Meeting Minutes

**Action:** Information item received and filed.

Inf9. October 2, 2017 Concord Public Library Board of Trustees Meeting Minutes.

**Action:** Information item received and filed.

Inf10. October 3, 2017 Draft Sears Block TIF District Advisory Committee Meeting Minutes.

**Action:** Information item received and filed.

Inf11. October 19, 2017 Golf Course Advisory Committee Draft Meeting Minutes.

**Action:** Information item received and filed.

Inf12. October 16, 2017 Fiscal Policy Advisory Committee Draft Meeting Minutes.

**Action:** Information item received and filed.