



City of Concord

City Council

Meeting Agenda

Monday, August 12, 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 be held at 5:30 p.m.

1. Call to Order.
2. Invocation by Andy Cutts, The Christian Science Church.
3. Pledge of Allegiance.
4. Roll Call.
5. Approval of the Meeting Minutes.
July 8, 2019 City Council Meeting Minutes.
Attachments: [Minutes](#)
6. Resolution in recognition of the services of Deputy Chief Keith G. Mitchell.
Attachments: [Resolution](#)
7. Presentation by Jamie Simchik regarding HRKNSScowork space.
8. Agenda overview by the Mayor.

Consent Agenda Items

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

Referral to the Solid Waste Advisory Committee

9. Communication from Gale Page requesting the City of Concord consider implementing single use disposable restrictions at all city events held on city property, and businesses on city property as well as consider a citywide ban on the use of styrofoam.
Attachments: [Communication](#)

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

10. Communication from Jan LaTourette requesting consideration be given for the installation of a stop sign on Country Club Lane in East Concord.

Attachments: [Communication](#)**Items Tabled for September 9, 2019 Public Hearings**

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

Attachments: [Ordinance](#)[Report](#)[Map Community Drive No Parking Zone](#)

12. Ordinance amending the Code of Ordinances; Title V Administrative Code; Chapter 30, Administrative Code, Article 30-3, Boards and Commissions, Airport Advisory Committee; together with report from the Deputy City Manager for Development.

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

13. 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, by modifying the Position of Custodian; together with report from the Director of Human Resources and Labor Relations.

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

14. Resolution accepting and appropriating the sum of \$23,065 in unmatched grant funds from the United States Department of Justice, Edward Byrne Memorial Justice Assistance Grant Program, funds designated for law enforcement related programs; together with report from the Police Department.

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

15. Resolution appropriating the sum of \$347,760 for the purpose of paved greenway trail improvements at Terrill Park (CIP #59) including accepting \$100,000 in grant funds from the Land and Water Conservation Fund (LWCF), \$69,000 in donated funds from the Friends of the Merrimack River Greenway Trail, and authorizing the issuance of bonds and notes in the amount of \$178,760 for the Terrill Park Trail Improvements Project (CIP #59); together with report from the Parks and Recreation Director and a letter of support from the Friends of the Merrimack River Greenway Trail.

Attachments: [Resolution](#)
[Report](#)
[Letter of support](#)

16. Resolution rescinding the appropriation of \$25,000 and de-authorizing the issuance of bonds and notes in the sum of \$25,000 for the 2020 Equipment Replacement Subproject (CIP #569), and appropriating the sum of \$17,000 and authorizing the issuance of bonds and notes in the sum of \$17,000 for the 2020 Loader Backhoe Subproject; together with report from the Parks and Recreation Director.

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

17. Resolution repurposing the sum of \$11,971 from the 2019 Equipment Replacement Subproject (CIP #569) for use on the 2020 Loader Backhoe Subproject (CIP #569); together with report from the Director of Parks & Recreation.

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

18. Resolution rescinding the appropriation of \$9,000 and de-authorizing the issuance of bonds and notes in the sum of \$9,000 for the 2020 Pocket Parks Subproject (CIP #258), and appropriating the sum of \$9,000 and authorizing the issuance of bonds and notes in the sum of \$9,000 for the 2020 Memorial Field subproject (CIP#557); together with report from the Parks and Recreation Director.

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

From the City Manager

19. Positive Citizen Comments.

Attachments: [Report](#)

Consent Reports

20. Diminimus gifts and donations report from the Library Director requesting authorization to accept monetary gifts totaling \$2,136.52 as provided for under the pre-authorization granted by City Council.

Attachments: [Report](#)

21. Diminimus gifts and donations report from the Parks and Recreation Director requesting authorization to accept monetary gifts totaling \$10,036.49 as provided for under the pre-authorization granted by City Council.

Attachments: [Report](#)

22. City Council 2018-2019 Quarterly Priorities Report from the City Manager.

Attachments: [Report](#)

23. Quarterly Report from the Police and Fire chiefs on drug overdoses and other statistics
Attachments: [Report](#)
24. August 2019 Economic Development Report from the Economic Development Director.
Attachments: [Report](#)
25. Report from the Associate Engineer requesting authorization for the expenditure of funds for additional drainage repairs and improvements be completed on the apron at the airport, FY2020, CIP#75 General Airport Repairs.
Attachments: [Report](#)
26. Report from the Senior Planner regarding a temporary bicycle and pedestrian demonstration project.
Attachments: [Report](#)
[Plan](#)

Consent Resolutions

27. Resolution authorizing the City Manager to enter into a municipal agreement with the State of New Hampshire Department of Transportation (NHDOT) for State Bridge Aid Program funding in conjunction with the design, permitting, right-of-way, and construction of the Hooksett Turnpike Bridge Replacement Project (CIP#361); together with a report from the Associate Engineer.
Attachments: [Resolution](#)
[Report](#)
28. Resolution authorizing the City Manager to enter into a municipal agreement with the State of New Hampshire Department of Transportation (NHDOT), for State Bridge Aid Program funding in conjunction with the design, permitting, right-of-way, and construction of the Birchdale Road Bridge Replacement Project (CIP#498); together with report from the Associate Engineer.
Attachments: [Resolution](#)
[Report](#)
29. Resolution authorizing the City Manager to submit an application to the United States Department of Justice - Edward Byrne Memorial Justice Assistance Grant Program for funds designated for law enforcement related programs; together with report from the Police Department.
Attachments: [Resolution](#)
[Report](#)

30. Resolution authorizing the City Manager to enter into off-site improvement agreements regarding redevelopment to the former NH Employment Security Site; together with report regarding redevelopment of the former NH Employment Security site located at 32 South Main Street. (Pulled from consent by Councilor Hatfield)

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

Consent Communications

Appointments

31. Mayor Bouley's proposed appointment to the Regional Planning Commission and the Rules Committee. Councilor Meredith Hatfield

Attachments: [Appointments](#)

End of Consent Agenda

Public Hearings

- 32A. Resolution accepting and appropriating the sum of \$55,000 in funding from the Adverse Childhood Experience Response Team (ACERT) Program administered through the Merrimack County Child Advocacy Center, funds designated for overtime expenses incurred by the Police Department for ACERT Program activities; together with report from the Deputy Chief of Police.

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

- 32B. Resolution accepting and appropriating the sum of \$24,972.80 in grant funding from the New Hampshire Project Safe Neighborhoods Initiative Grant Program for funding designated to address violent crime in the community; together with report from the Police Chief.

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

- 32C. 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, modifying positions within Legal and Parking; together with report from the Director of Human Resources and Labor Relations.

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

- 32D. 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, adding the position of HVAC Technician; together with report from the General Services Director and the Director of Human Resources and Labor

Relations.

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

Public Hearing Action

33. Resolution accepting and appropriating the sum of \$55,000 in funding from the Adverse Childhood Experience Response Team (ACERT) Program administered through the Merrimack County Child Advocacy Center, funds designated for overtime expenses incurred by the Police Department for ACERT Program activities; together with report from the Deputy Chief of Police.

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

34. Resolution accepting and appropriating the sum of \$24,972.80 in grant funding from the New Hampshire Project Safe Neighborhoods Initiative Grant Program for funding designated to address violent crime in the community; together with report from the Police Chief.

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

35. 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, modifying positions within Legal and Parking; together with report from the Director of Human Resources and Labor Relations.

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

36. 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, adding the position of HVAC Technician; together with report from the General Services Director and the Director of Human Resources and Labor Relations.

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

37. 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. (Public hearing held on July 8, 2019) (Supplemental report submitted)

Attachments: [Resolution](#)
[Report](#)
[SBTIF Development Program and Financing Plan](#)
[Supplemental Report](#)

38. Resolution authorizing the City Manager to enter into agreements pertaining to a public private partnership for utility improvements within the Sears Block Tax Increment Finance District; together with report from the Director of Redevelopment, Downtown Services & Special Projects. (Public hearing held on July 8, 2019)

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

39. Resolution appropriating the sum of \$150,000 for utility improvements within the Sears Block Tax Increment Finance District and authorizing the issuance of bonds and notes in the amount of up to \$150,000; together with report from the Director of Redevelopment, Downtown Services & Special Projects. (Public hearing held on July 8, 2019)

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

40. Resolution authorizing the City Manager to enter into a purchase and sale/development agreement with Dol-Soul Properties, L.L.C. concerning the sale and redevelopment of city owned real estate located at 32-34 South Main Street and 33 South State Street known as the former New Hampshire Employment Security Property; together with report from the Director of Redevelopment, Downtown Services & Special Projects. (Public hearing held on July 8, 2019) (Public testimony submitted)

Attachments: [Resolution](#)
[Report](#)
[Eighth Amendment to Purchase and Sales Agreement](#)
[Public Testimony Employment Security Building](#)

41. Resolution appropriating the sum of \$3,500,000 for the redevelopment 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 \$3,500,000; together with report from the Director of Redevelopment, Downtown Services & Special Projects. (Public hearing held on July 8, 2019)

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

Reports

42. Report from the Solicitor's Office regarding House Bill (HB) 480-FN, Sports Betting; together with communication from the New Hampshire Lottery.

Attachments: [Report](#)
[Communication NH Lottery](#)

New Business**Unfinished Business**

43. 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](#)

44. 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](#)

45. 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) (Supplemental ordinance and report submitted along with communication from the Conservation Commission)

Attachments: [Ordinance](#)
[Report](#)
[Public Comments](#)
[Draft Site Plan Regulations](#)
[Revised Report](#)
[Supplemental Ordinance](#)
[Supplemental Report](#)
[Communication from the Conservation Commission](#)
[Conservation Commission letter to Planning Board](#)

45A. The Energy and Environment Advisory Committee Strategic Plan with a report from the Senior Planner

Attachments: [Report](#)
[100% strategic plan cover sheet](#)
[Strategic Plan - CEEC Final Draft 7-31-19 \(1\)](#)

Comments, Requests by Mayor, City Councilors

Comments, Requests by the City Manager

Consideration of items pulled from the consent agenda for discussion

** Item 30 has been pulled from the consent agenda.*

Consideration of Suspense Items

Referral to the Public Safety Board

Sus1 Communication from Monique Scharlotte, Concord resident, expressing her concerns with the increased frequency of violent crime in Concord, the increasing opioid epidemic, and the expanding homeless/transient population.

Attachments: [Communication](#)

Adjournment

Information

- Inf1. April 4, 2019 Heritage Commission Meeting Minutes.
Attachments: [Minutes](#)
- Inf2. April 10, 2019 Conservation Commission Meeting Minutes.
Attachments: [Minutes](#)
- Inf3. April 10, 2019 Trails Committee Meeting Minutes.
Attachments: [Minutes](#)
- Inf4. April 17, 2019 Planning Board Meeting Minutes.
Attachments: [Minutes](#)
- Inf5. April 25, 2019 Transportation Policy Advisory Committee Meeting Minutes.
Attachments: [Minutes](#)
- Inf6. April 30, 2019 Architectural Design Review Committee Meeting Minutes.
Attachments: [Minutes](#)
- Inf7. May 2, 2019 Everett Arena Advisory Meeting Minutes.
Attachments: [Minutes](#)
- Inf8. May 2, 2019 Heritage Commission Meeting Minutes.
Attachments: [Minutes](#)
- Inf9. May 8, 2019 Conservation Commission Meeting Minutes.
Attachments: [Minutes](#)
- Inf10. May 8, 2019 Trails Committee Meeting Minutes.
Attachments: [Minutes](#)
- Inf11. May 15, 2019 Planning Board Meeting Minutes.
Attachments: [Minutes](#)
- Inf12. May 28, 2019 Traffic Operations Committee Meeting Minutes
Attachments: [Minutes](#)
- Inf13. June 4, 2019 Architectural Design Review Committee Meeting Minutes.
Attachments: [Minutes](#)
- Inf14. June 5, 2019 Transportation Policy Advisory Committee Meeting Minutes.
Attachments: [Minutes](#)
- Inf15. June 13, 2019 Golf Course Advisory Committee Draft Meeting Minutes.
Attachments: [Minutes](#)
- Inf16. June 25, 2019 Traffic Operations Committee Meeting Minutes.

Attachments: [Minutes](#)

Inf17. Memorandum to City Council from the Deputy City Solicitor re. Intent to Negotiate.

Attachments: [Memorandum](#)

Inf18. Communication from Donna Soucy, Senate President and Stephen Shurtleff, Speaker of the House, regarding State of New Hampshire budget.

Attachments: [Communication](#)

Inf19. Case Study - Energy Efficiency at Concord Citywide Community Center.

Attachments: [Case Study](#)

Inf20. July 10, 2019 and July 31, 2019 Executive Council Meeting Reports from Executive Councilor Andru Volinsky.

Attachments: [Executive Council Reports](#)