



City of Concord

City Council

Meeting Agenda - Final-revised

Monday, February 13, 2023

7:00 PM

City Council Chambers
37 Green Street
Concord, NH 03301

1. Call to Order.
2. Invocation by Reverend Emilia Halstead, First Congregational Church.
3. Pledge of Allegiance.
4. Roll Call.
5. Approval of the Meeting Minutes.

January 9, 2023 City Council Draft Meeting Minutes.

Attachments: [Minutes](#)

6. 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

7. Communication from Robert Spiegelman requesting consideration be made to reduce the amount of organic food waste in trash.

Attachments: [Referral](#)

Items Tabled for March 13, 2023 Public Hearings

8. Resolution authorizing the City Manager to enter into a lease agreement with United Therapeutics Corporation concerning Development Zone 3D at the Concord Municipal Airport; together with a report from the Interim Deputy City Manager - Community Development.

Attachments: [Resolution](#)
[Staff Report](#)
[Airport Development Zones \(North\)](#)
[Lease](#)
[Architectural Renderings](#)
[Site Plan](#)

9. Resolution modifying the Elderly Exemption for the City of Concord pursuant to the provisions of RSA 72:27-a; together with a report from the Director of Real Estate Assessments.

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

10. Report from the Director of Real Estate Assessments recommending the City Manager be authorized to enter into a Payment in Lieu of Taxes Agreement between the City of Concord and Briar Hydro Associates for its hydroelectric facilities at the Rolfe Canal Falls, Penacook Upper Falls, and Penacook Lower Falls.

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

11. Report from the Director of Real Estate Assessments requesting the City Manager be authorized to renew the Voluntary Payment in Lieu of Taxes Agreement between Fellowship Housing Opportunities, Inc. and Affiliates and the City of Concord.

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

12. Resolution appropriating the sum of \$150,809.22 as a transfer to the Opioid Abatement Reserve and accepting the sum of \$150,809.22 in Opioid Litigation Settlement funds for this purpose; together with a report from the Deputy City Manager - Finance.

Attachments: [Resolution](#)
[Report](#)
[October 11 2022 letter from Attorney General's Office](#)

13. Resolution appropriating the sum of \$34,000 in the Downtown Complete Streets Improvement project (CIP #460) to purchase concrete barriers to facilitate outdoor dining activities in on-street parking spaces and authorizing the use of \$34,000 from the Economic Development Reserve for this purpose; together with a report from the Interim Deputy City Manager - Development.

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

14. Resolution accepting the terms of both a 2020 and a 2021 Critical Infrastructure/Water-related Catastrophe Equipment grant, appropriating the sum of \$25,000 in the Fire/NH Dept of Safety Grants and Donations project for the purchase of water rescue and related equipment, and accepting the sum of \$25,000 in NH Department of Safety State Homeland Security Program funding for this purpose; together with a report from the Fire Chief.

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

From the City Manager

15. Positive Citizen Comments.

Attachments: [Report](#)

Consent Reports

16. Diminimus gifts and donations report from the Library Director requesting authorization to accept monetary gifts totaling \$2,177.89, as provided under the pre-authorization granted by City Council.

Attachments: [Report](#)

17. Quarterly Status Report from the City Manager on 2022-2023 City Council Priorities. (Pulled from consent by Councilor Brown.)

Attachments: [Report](#)

18. December 31, 2022 Fiscal Year to Date Financial Statements report from the Deputy City Manager - Finance.

Attachments: [Report](#)

19. Fiscal Year 2022 Annual Comprehensive Financial Report (ACFR) from the Deputy City Manager - Finance.

Attachments: [Report](#)

[Concord NH ACFR22](#)

[Concord NH FY22 SAR](#)

20. Report from the Community Development Specialist and the Interim Deputy City Manager - Development requesting City Council authorize the City of Concord to host the annual Wings and Wheels Event at the Concord Municipal Airport.

Attachments: [Report](#)

21. Report from the Ad-hoc Outdoor Dining and Food Truck Committee recommending changes to the City's Outdoor Dining Permit Program. (Pulled from consent by Councilor Nyhan.)

Attachments: [Report](#)

[Regulations](#)

[Design Guidelines REV 01-13-2023](#)

[December 6, 2022 Minutes](#)

[January 10, 2023 Draft Minutes](#)

Consent Resolutions

22. Resolution repurposing the sum of \$30,025.00 from the Fire Station Improvements Station Location Study subproject (CIP #252) for use on the Fire Station Improvements Station 1 Apparatus Bay Reconstruction subproject (CIP #252); together with a report from the Fire Chief.
Attachments: [Resolution](#)
[Report](#)
23. Resolution authorizing the City Manager or his designee to apply for grant funding in the amount of \$6,400 through a FEMA Homeland Security grant, when available, for the purpose of conducting a table-top active shooter exercise with Fire and Police command staff; together with a report from the Deputy Fire Chief.
Attachments: [Resolution](#)
[Report](#)
24. Resolution authorizing the City Manager to issue a license to the Best Revenge L.L.C. for the installation of an awning within the City's South Main Street rights-of-way at property located at 67 South Main Street; together with a report from the Interim Deputy City Manager - Development.
Attachments: [Resolution](#)
[Report](#)

Appointments

25. City Manager's Appointments to the Zoning Board of Adjustment: Christopher Carley, Nicholas Wallner, James Monahan, Andrew Winters, and Laura Spector-Morgan.
Attachments: [Report](#)

End of Consent Agenda

Public Hearings

- 26A. Ordinance amending the Code of Ordinances; Title V, Administrative Code; Chapter 34, Personnel Rules and Regulations, Article 34-10, Attendance; Holidays by adding the observance of Juneteenth; together with a report from the Director of Human Resources and Labor Relations.
Attachments: [Ordinance](#)
[Report](#)
- 26B. Ordinance amending the Code of Ordinances, Title V, Administrative Code; Chapter 34, Personnel Rules and Regulations, Article 34-11, Leave; together with a report from the Human Resources & Labor Relations Director.

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

- 26C. Resolution appropriating the sum of \$39,250.00 for Paid Family Medical Leave and \$11,500.00 for referral bonuses as new benefits for City employees and authorizing the use of \$50,750.00 from General Fund Unassigned Fund Balance for this purpose; together with a report from the Human Resources and Labor Relations Director.
(Revised resolution and report submitted.)

Attachments: [Resolution](#)
[Report](#)
[Revised Resolution](#)
[Report - Updated Resolution](#)

- 26D. 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; Assistant Information Technology Director; together with a report from the Director of Human Resources and Labor Relations.

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

- 26E. Resolution appropriating the sum of \$250,000 in the Hall Street Wastewater Treatment Plant Renovations project (CIP #104) for the installation of a photovoltaic solar array at the Hall Street Wastewater Treatment Plant and applying for and accepting the sum of \$250,000 from the New Hampshire Department of Environmental Services American Rescue Plan Act program for this purpose; together with a report from the General Services Director.

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

- 26F. Resolution appropriating the sum of \$100,000 in the Hall Street Wastewater Treatment Plant Renovations project (CIP #104) to conduct a process evaluation at the Hall Street Wastewater Treatment Plant and applying for and accepting \$100,000 from the New Hampshire Department of Environmental Services American Rescue Plan Act program for this purpose; together with a report from the General Services Director.

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

- 26G. Resolution re-adopting the Optional Veterans' Tax Credit for the City of Concord pursuant to the provisions of RSA 72:28; together with a report from the Director of Real Estate Assessments.

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

26H. Resolution re-adopting the All Veterans' Tax Credit for the City of Concord pursuant to the provisions of RSA 72:28-b; together with a report from the Director of Real Estate Assessments.

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

26I. Resolution appropriating the sum of \$13,941.00 in the Grants and Donations Fund CPL Foundation project to assist the Library's mission in providing a variety of equitable services to patrons at the Concord Public Library and accepting the sum of \$13,941.00 in donations from the Concord Public Library Foundation for this purpose; together with a report from the Library Director.

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

26J. Resolution appropriating the sum of \$75,000 to implement a lead service line inventory and accepting the sum of \$75,000 from the New Hampshire Department of Environmental Services Lead Service Line Inventory Grant Program for this purpose; together with a report from the General Services Director.

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

26K. Resolution establishing a Bridge Reserve Fund for the purposes of capital repairs, replacements and/or supplemental funding toward the New Hampshire Department of Transportation Municipal Bridge Aid Program to City bridges as programmed in the annual Capital Improvements Plan (CIP), appropriating the sum of \$1,959,113.76 as a transfer to said Bridge Reserve fund, and accepting the sum of \$1,959,113.76 for this purpose; together with a report from the Interim City Engineer.

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

Public Hearing Action

27. Ordinance amending the Code of Ordinances; Title V, Administrative Code; Chapter 34, Personnel Rules and Regulations, Article 34-10, Attendance; Holidays by adding the observance of Juneteenth; together with a report from the Director of Human Resources and Labor Relations.

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

28. Ordinance amending the Code of Ordinances, Title V, Administrative Code; Chapter 34, Personnel Rules and Regulations, Article 34-11, Leave; together with a report from the Human Resources & Labor Relations Director.

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

29. Resolution appropriating the sum of \$39,250.00 for Paid Family Medical Leave and \$11,500.00 for referral bonuses as new benefits for City employees and authorizing the use of \$50,750.00 from General Fund Unassigned Fund Balance for this purpose; together with a report from the Human Resources and Labor Relations Director.
(Revised resolution and report submitted.)

Attachments: [Resolution](#)
[Report](#)
[Revised Resolution](#)
[Report - Updated Resolution](#)

30. 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; Assistant Information Technology Director; together with a report from the Director of Human Resources and Labor Relations.

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

31. Resolution appropriating the sum of \$250,000 in the Hall Street Wastewater Treatment Plant Renovations project (CIP #104) for the installation of a photovoltaic solar array at the Hall Street Wastewater Treatment Plant and applying for and accepting the sum of \$250,000 from the New Hampshire Department of Environmental Services American Rescue Plan Act program for this purpose; together with a report from the General Services Director.

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

32. Resolution appropriating the sum of \$100,000 in the Hall Street Wastewater Treatment Plant Renovations project (CIP #104) to conduct a process evaluation at the Hall Street Wastewater Treatment Plant and applying for and accepting \$100,000 from the New Hampshire Department of Environmental Services American Rescue Plan Act program for this purpose; together with a report from the General Services Director.

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

33. Resolution re-adopting the Optional Veterans' Tax Credit for the City of Concord pursuant to the provisions of RSA 72:28; together with a report from the Director of Real Estate Assessments.

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

34. Resolution re-adopting the All Veterans' Tax Credit for the City of Concord pursuant to the provisions of RSA 72:28-b; together with a report from the Director of Real Estate Assessments.

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

35. Resolution appropriating the sum of \$13,941.00 in the Grants and Donations Fund CPL Foundation project to assist the Library's mission in providing a variety of equitable services to patrons at the Concord Public Library and accepting the sum of \$13,941.00 in donations from the Concord Public Library Foundation for this purpose; together with a report from the Library Director.

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

36. Resolution appropriating the sum of \$75,000 to implement a lead service line inventory and accepting the sum of \$75,000 from the New Hampshire Department of Environmental Services Lead Service Line Inventory Grant Program for this purpose; together with a report from the General Services Director.

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

37. Resolution establishing a Bridge Reserve Fund for the purposes of capital repairs, replacements and/or supplemental funding toward the New Hampshire Department of Transportation Municipal Bridge Aid Program to City bridges as programmed in the annual Capital Improvements Plan (CIP), appropriating the sum of \$1,959,113.76 as a transfer to said Bridge Reserve fund, and accepting the sum of \$1,959,113.76 for this purpose; together with a report from the Interim City Engineer.

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

Reports

New Business

Unfinished Business

38. Ordinance amending the Code of Ordinances, Title I, General Code; Chapter 1, Government Organization, Article 1-6, Code of Ethics; together with a report from the Rules Committee. (Supplemental ordinance and report submitted.) (Public testimony received.) (Supplemental ordinance and report from the Rules Committee submitted.) (Additional supplemental ordinance and report from the City Solicitor submitted.) (Supplemental ordinance and report from the City Solicitor submitted, Feb 2023.)

Attachments: [Ordinance](#)
[Report](#)
[Supplemental Ordinance](#)
[Supplemental Report](#)
[Public Testimony](#)
[Supplemental Ordinance 12-22](#)
[Report 12-22](#)
[Supplemental Ordinance 1-23](#)
[Supplemental Report 1-23](#)
[Supplemental Ordinance 2-23](#)
[Supplement Report 2-23](#)

Comments, Requests by Mavor, City Councilors

Comments, Requests by the City Manager

Consideration of items pulled from the Consent Agenda

17. Quarterly Status Report from the City Manager on 2022-2023 City Council Priorities.
(Pulled from consent by Councilor Brown.)

Attachments: [Report](#)

21. Report from the Ad-hoc Outdoor Dining and Food Truck Committee recommending changes to the City's Outdoor Dining Permit Program. (Pulled from consent by Councilor Nyhan.)

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[January 10, 2023 Draft Minutes](#)

Adjournment

Information

- Inf1 January 18, 2022 Tax Exemption Policy Committee Approved Meeting Minutes.
Attachments: [Minutes](#)
- Inf2 January 5, 2023 Tax Exemption Policy Committee Draft Meeting Minutes.
Attachments: [Minutes](#)
- Inf3 January 9, 2023 Concord Public Library Board of Trustee Meeting Minutes.
Attachments: [Janaury 2023 Trustee Meeting Minutes](#)
- Inf4 January 11, 2023 Ad-Hoc Beaver Meadow Building Committee Draft Meeting Minutes.
Attachments: [Minutes](#)
- Inf5 January 12, 2023 Golf Course Advisory Committee Draft Meeting Minutes.
Attachments: [Minutes](#)
- Inf6 January 17, 2023 Fiscal Policy Advisory Committee Draft Meeting Minutes.
Attachments: [Minutes](#)