



# City of Concord

## City Council

### Meeting Agenda

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Monday, March 8, 2021

7:00 PM

Zoom Meeting Link:

<https://us02web.zoom.us/j/81204172709>

Telephone Dial: US + 1 929 205 6099

Landline: 877 853 5257

Webinar ID#: 812 0417 2709

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#### *COVID-19 - Public Meeting Procedures Notice*

*Due to the Covid 19/Corona Virus crisis, and in accordance with Governor Sununu's Emergency Order #12 pursuant to Executive Order 2020-04, City Council is authorized to meet electronically. The City of Concord will be utilizing the Zoom platform for this electronic meeting.*

*Please note that there is no physical location to observe and listen contemporaneously to the meeting, which was authorized pursuant to Governor Sununu's Emergency Order #12 pursuant to Executive Order 2020-04.*

*All members of City Council have the ability to communicate contemporaneously during this meeting through the Zoom platform, and the public has access to contemporaneously listen and, if necessary, participate in this meeting by following the link below, or dialing the number below and entering the ID number at the prompt. For those who want to provide public testimony in the Public Hearing portion of the meeting, and you are connected to the Zoom website, you may click on the Raise Hand icon in the Attendees Section of Zoom to make the request. When the time is appropriate, you will be recognized so you can provide your testimony. For those calling in who want to provide public testimony, dial \*9 to alert the host that you wish to speak. The host will unmute you at the appropriate time during the public hearing portion of the meeting. All participants please keep your phones and computers on mute unless speaking.*

Website address: <https://us02web.zoom.us/j/81204172709>.

Telephone Dial: US: +1 929 205 6099. If dialing from a landline, you may call in toll-free at 877 853 5257. Webinar ID#: 812 0417 2709.

Members of the public can also email questions or other public testimony to [concordcitycouncilmeeting@gmail.com](mailto:concordcitycouncilmeeting@gmail.com).

Any member of the public can also call the City of Concord at 603-230-3718 or email: [concordcitycouncilmeeting@gmail.com](mailto:concordcitycouncilmeeting@gmail.com) if they are unable to access the meeting and assistance connecting is needed.

Non-meeting in accordance with RSA 91-A: 2, I (a) to discuss collective bargaining strategies followed by a non-meeting consultation with legal counsel in accordance with RSA 91-A:2, I (b) and a non-public session in accordance with RSA 91-A:3, II (d), to discuss the acquisition, sale or lease of property to be held at 5:30 p.m.

1. Call to Order.
2. Invocation by Rajan Zed, President, Universal Society of Hinduism.
3. Pledge of Allegiance.
4. Roll Call.
5. Approval of the Meeting Minutes.

February 8, 2021 City Council Draft Meeting Minutes.

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

6. Agenda overview by the Mayor.

**\*\*Consent Agenda Items\*\***

### **Referral to Community Development and the Planning Board**

7. Communication from Reginald Moreau, Signature Homes, LLC, requesting consideration be made to rezone a portion of Map 193P, Lot 117 from residential RO and RS to residential RM.

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

### **Items Tabled for April 12, 2021 Public Hearings**

8. Resolution approving a Purchase and Sales Agreement for acquisition of real estate located at 10-12 Higgins Place; together with report from the Director of Redevelopment, Downtown Services, and Special Projects.

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

[Report](#)

[10-12 Higgins P&S Agreement Executed](#)

9. Resolution appropriating the sum of \$75,000 to support the acquisition of real estate located at 10-12 Higgins Place (CIP #635) and authorizing the use of \$75,000 in Economic Development Reserve funds for this purpose; together with report from the Director of Redevelopment, Downtown Services, and Special Projects.

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

10. Resolution appropriating the sum of \$130,000 to offset personnel costs for the Police Department to assign an officer to the Drug Task Force and accepting the sum of \$130,000 from the State of New Hampshire Department of Justice - Attorney General's Drug Task Force for this purpose; together with report from the Deputy Police Chief.

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

### **Consent Reports**

11. Diminimus gifts and donations report from the Library Director requesting authorization to accept monetary gifts totaling \$1,340.61, as provided for under the pre-authorization granted by City Council.

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

12. Diminimus gifts and donations report from the Parks and Recreation Director requesting authorization to accept monetary gifts totaling \$5,865.00, as provided for under the pre-authorization granted by City Council.

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

13. January 31, 2021 Fiscal Year to Date Financial Statements report from Deputy City Manager Finance.

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

14. Report from the Deputy City Manager Finance recommending 2021 Beaver Meadow Golf Course daily fee, cart, GHIN, range, outing, and tent rates as recommended by the Golf Course Advisory Committee.

**Attachments:** [Report](#)  
[2021 Golf Advisory Daily Rates](#)

15. 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](#)

16. March 2021 Economic Development Report from the Economic Development

Director.

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

17. Report from the Senior Planner regarding the Annual Review of the Public Capital Facilities Impact Fee Ordinance.  
**Attachments:** [Report](#)
18. Report from the Airport Advisory Committee recommending the lending of select surplus airport equipment to the McAuliffe-Shepard Discovery Center.  
**Attachments:** [Report](#)
19. Recommendation from the Airport Advisory Committee to allow the NH Air National Guard to use Concord Municipal Airport property for field orienteering exercises subject to all necessary regulatory approvals and insurance/indemnification requirements.  
**Attachments:** [Report](#)  
[Field Orienteering Parcel Map](#)
20. Report authorizing the City Manager to apply for NHDOT Transportation Alternatives Program Funding.  
**Attachments:** [Report](#)

### **Appointments**

21. Proposed Reappointments to the Conservation Commission: James Owers and Kristine Tardiff.  
**Attachments:** [Appointment](#)
22. Proposed Reappointments to the Library Board of Trustees: Christopher Casco and Elizabeth (Becky) Herrmann.  
**Attachments:** [Appointment](#)

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

### **Public Hearings**

- 23A. Resolution authorizing the City Manager to enter into a Development Agreement with Interchange Development L.L.C., concerning CIP #30 Hoit Road / Whitney Road Intersection Improvement Project; together with report from the Director of Redevelopment, Downtown Services, and Special Projects. (March public hearing with final action at the April 12, 2021 City Council meeting in accordance with RSA 162-K.)

**Attachments:** [Resolution](#)  
[Report](#)  
[Development Agreement](#)  
[Exhibit 1 - Existing Conditions Plan \(Developer's Property\)](#)  
[Exhibit 2 - Developer's Master Plan](#)  
[Exhibit 3 - Condominium Plan](#)  
[Exhibit 3 - Liquor Store Elevations](#)  
[Exhibit 3 - Grocery Store Elevations](#)  
[Exhibit 4 - Public Improvements Plan](#)  
[Exhibit 5 - Canterbury Improvements Plan](#)  
[Exhibit 6 - Development Schedule](#)  
[Exhibit 7 - Demoulas Corporate Guaranty](#)

- 23B. Resolution authorizing the City Manager to accept a corporate guaranty from Demoulas Super Markets, Inc. concerning construction of a grocery store at property located on Whitney Road; together with report from the Director of Redevelopment, Downtown Services, and Special Projects. (March public hearing with final action at the April 12, 2021 City Council meeting in accordance with RSA 162-K.)

**Attachments:** [Resolution](#)  
[Report](#)  
[Exhibit 7 - Demoulas Corporate Guaranty](#)

- 23C. Resolution adopting an amended and restated Development Program and Finance Plan for the Penacook Village Tax Increment Finance (TIF) District; together with report from the Director of Redevelopment, Downtown Services, and Special Projects. (March public hearing with final action at the April 12, 2021 City Council meeting in accordance with RSA 162-K.) (Supplemental report submitted.)

**Attachments:** [Resolution](#)  
[Report](#)  
[Penacook Village TIF Development Program & Financing Plan](#)  
[Supplemental Report](#)

- 23D. Resolution appropriating the sum of \$4,780,000 for the Hoit Road / Whitney Road Intersection Improvement project (CIP #30), authorizing the issuance of Penacook Village TIF District supported bonds and notes in the sum of \$4,240,000 for this purpose, authorizing the use of \$90,750 in impact fees for this purpose, accepting \$449,250 in donations for this purpose, transferring \$193,456 in expenses from the General Capital Projects fund to the Penacook Village TIF District Capital fund for this purpose, rescinding the appropriation of \$456,000 for the Hoit Road / Whitney Road Intersection Improvement project (CIP #30), and de-authorizing the issuance of general fund supported bonds and notes in the sum of \$456,000; together with report

from the Director of Redevelopment, Downtown Services & Special Projects. (March public hearing with final action at the April 12, 2021 City Council meeting in accordance with RSA 162-K.) (Public testimony submitted.) (Additional public testimony received.)

**Attachments:** [Resolution](#)  
[Report](#)  
[Public Testimony](#)  
[Additional Public Testimony](#)

23E. Resolution authoring the City Manager to enter into a Maintenance Agreement with the New Hampshire Department of Transportation concerning certain infrastructure improvements associated with CIP #30 Hoit Road / Whitney Road Intersection Improvement Project located within the U.S. Route 4 Rights-of-Way; together with report from the Director of Redevelopment, Downtown Services, and Special Projects. (March public hearing with final action at the April 12, 2021 City Council meeting in accordance with RSA 162-K.)

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

23F. Resolution appropriating the sum of \$1,692.39 as a transfer out to capital and authorizing the use of General Fund balance in the sum of \$1,692.39 for this purpose; and appropriating the sum of \$3,192.39 for the "Welcome to East Concord" gateway sign (CIP #24), and accepting the sum of \$1,500 in donations from the East Concord Garden Club and the sum of \$1,692.39 as a transfer in from the General Fund for this purpose; together with report from the Associate Engineer.

**Attachments:** [Resolution](#)  
[Report](#)  
[Exit 16 Welcome Sign](#)

23G. Resolution appropriating the sum of \$12,000 for contracting with the National League of Cities Race Equity and Leadership training and authorizing the use of \$12,000 from unassigned fund balance for this purpose; together with report from the City Manager. (Public testimony received)

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

23H. Resolution authorizing the Annual Appraisal of Real Estate at Market Value per RSA 75:8-b; together with report from the Director of Real Estate Assessments. (Public hearings to be held in February and March with action taken in April.)

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

- 23I. Resolution modifying the Elderly Exemption for the City of Concord pursuant to the provisions of RSA 72:27-a; together with report from the Director of Real Estate Assessments.  
**Attachments:** [Resolution](#)  
[Report](#)  
[2020 Final Exemption and Credit Comparison by Town](#)
- 23J. Ordinance amending the Code of Ordinances, Title V, Administrative Code; Chapter 30, Administrative Code, Article 30-3, Boards and Commissions, Board of Ethics; together with report from the City Solicitor.  
**Attachments:** [Ordinance](#)  
[Report](#)
- 23K. Resolution appropriating the sum of \$93,659.10 for compensation and fringe benefits and accepting the sum of \$93,659.10 in Federal Emergency Management Agency funds for reimbursement of personnel costs related to the deployment of Fire Department personnel to areas impacted by natural disasters; together with report from the Interim Fire Chief.  
**Attachments:** [Resolution](#)  
[Report](#)
- 23L. Resolution appropriating the sum of \$516,784.22 to reimburse for COVID-19 related expenditures, and accepting the sum of \$516,784.22 in Governor's Office for Emergency Relief and Recovery (GOFFERR) Program funds for this purpose; together with report from the Deputy City Manager Finance.  
**Attachments:** [Resolution](#)  
[Report](#)
- 23M. Resolution appropriating the sum of \$87,353.96 for election operating expenses incurred by the Concord City Clerk's Office and accepting the sum of \$87,353.96 in Elections Assistance funding under the Coronavirus Aid, Relief, and Economic Security (CARES) Act as administered by the State of New Hampshire for this purpose.  
**Attachments:** [Resolution](#)

**Public Hearing Action**

24. Resolution authorizing the City Manager to enter into a Development Agreement with Interchange Development L.L.C., concerning CIP #30 Hoit Road / Whitney Road Intersection Improvement Project; together with report from the Director of Redevelopment, Downtown Services, and Special Projects. (March public hearing with final action at the April 12, 2021 City Council meeting in accordance with RSA 162-K.)

**Attachments:** [Resolution](#)  
[Report](#)  
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[Exhibit 4 - Public Improvements Plan](#)  
[Exhibit 5 - Canterbury Improvements Plan](#)  
[Exhibit 6 - Development Schedule](#)  
[Exhibit 7 - Demoulas Corporate Guaranty](#)

25. Resolution authorizing the City Manager to accept a corporate guaranty from Demoulas Super Markets, Inc. concerning construction of a grocery store at property located on Whitney Road; together with report from the Director of Redevelopment, Downtown Services, and Special Projects. (March public hearing with final action at the April 12, 2021 City Council meeting in accordance with RSA 162-K.)

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[Report](#)  
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26. Resolution adopting an amended and restated Development Program and Finance Plan for the Penacook Village Tax Increment Finance (TIF) District; together with report from the Director of Redevelopment, Downtown Services, and Special Projects. (March public hearing with final action at the April 12, 2021 City Council meeting in accordance with RSA 162-K.) (Supplemental report submitted.)

**Attachments:** [Resolution](#)  
[Report](#)  
[Penacook Village TIF Development Program & Financing Plan](#)  
[Supplemental Report](#)

27. Resolution appropriating the sum of \$4,780,000 for the Hoit Road / Whitney Road Intersection Improvement project (CIP #30), authorizing the issuance of Penacook Village TIF District supported bonds and notes in the sum of \$4,240,000 for this purpose, authorizing the use of \$90,750 in impact fees for this purpose, accepting \$449,250 in donations for this purpose, transferring \$193,456 in expenses from the General Capital Projects fund to the Penacook Village TIF District Capital fund for this purpose, rescinding the appropriation of \$456,000 for the Hoit Road / Whitney Road Intersection Improvement project (CIP #30), and de-authorizing the issuance of general fund supported bonds and notes in the sum of \$456,000; together with report



from the Director of Redevelopment, Downtown Services & Special Projects. (March public hearing with final action at the April 12, 2021 City Council meeting in accordance with RSA 162-K.) (Public testimony submitted.) (Additional public testimony received.)

**Attachments:** [Resolution](#)  
[Report](#)  
[Public Testimony](#)  
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28. Resolution authoring the City Manager to enter into a Maintenance Agreement with the New Hampshire Department of Transportation concerning certain infrastructure improvements associated with CIP #30 Hoit Road / Whitney Road Intersection Improvement Project located within the U.S. Route 4 Rights-of-Way; together with report from the Director of Redevelopment, Downtown Services, and Special Projects. (March public hearing with final action at the April 12, 2021 City Council meeting in accordance with RSA 162-K.)

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29. Resolution appropriating the sum of \$1,692.39 as a transfer out to capital and authorizing the use of General Fund balance in the sum of \$1,692.39 for this purpose; and appropriating the sum of \$3,192.39 for the "Welcome to East Concord" gateway sign (CIP #24), and accepting the sum of \$1,500 in donations from the East Concord Garden Club and the sum of \$1,692.39 as a transfer in from the General Fund for this purpose; together with report from the Associate Engineer.

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30. Resolution appropriating the sum of \$12,000 for contracting with the National League of Cities Race Equity and Leadership training and authorizing the use of \$12,000 from unassigned fund balance for this purpose; together with report from the City Manager. (Public testimony received)

**Attachments:** [Resolution](#)  
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31. Resolution authorizing the Annual Appraisal of Real Estate at Market Value per RSA 75:8-b; together with report from the Director of Real Estate Assessments. (Public hearings to be held in February and March with action taken in April.)

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

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34. Resolution appropriating the sum of \$93,659.10 for compensation and fringe benefits and accepting the sum of \$93,659.10 in Federal Emergency Management Agency funds for reimbursement of personnel costs related to the deployment of Fire Department personnel to areas impacted by natural disasters; together with report from the Interim Fire Chief.

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

35. Resolution appropriating the sum of \$516,784.22 to reimburse for COVID-19 related expenditures, and accepting the sum of \$516,784.22 in Governor's Office for Emergency Relief and Recovery (GOFFERR) Program funds for this purpose; together with report from the Deputy City Manager Finance.

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

36. Resolution appropriating the sum of \$87,353.96 for election operating expenses incurred by the Concord City Clerk's Office and accepting the sum of \$87,353.96 in Elections Assistance funding under the Coronavirus Aid, Relief, and Economic Security (CARES) Act as administered by the State of New Hampshire for this purpose.

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

### **Reports**

### **New Business**

### **Unfinished Business**

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

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

**Consideration of Suspense Items**

Sus1 Report from the Deputy City Solicitor regarding the Concord Fire Officer's Association collective bargaining agreement.

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

**Adjournment**

**Information**

- Inf1 July 23, 2020, August 27, 2020 and October 22, 2020 Transportation Policy Advisory Committee Meeting Minutes.  
**Attachments:** [Minutes](#)  
[Minutes](#)  
[Minutes](#)
- Inf2 January 22, 2020 and August 4, 2020 Public Transportation Subcommittee of the Transportation Policy Advisory Committee Meeting Minutes.  
**Attachments:** [Minutes](#)  
[Minutes](#)
- Inf3 January 12, 2021 Regional Utility Utilization Committee Draft Meeting Minutes.  
**Attachments:** [Minutes](#)
- Inf4 February 1, 2021 Concord Public Library Board of Trustee Meeting Minutes.  
**Attachments:** [Minutes](#)
- Inf5 February 16, 2021 Airport Advisory Committee Draft Meeting Minutes.  
**Attachments:** [Minutes](#)
- Inf6 Communication from Comcast notifying the City about upcoming changes to Xfinity TV services.  
**Attachments:** [Comcast Communication](#)