



City of Concord

City Council

Meeting Agenda

Monday, September 11, 2017

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 followed by a non public session to meet with legal counsel in accordance with RSA 91-A:2, I (b) to be held at 6:00 p.m.

1. Call to Order.
2. Invocation.
3. Pledge of Allegiance.
4. Roll Call.
5. Approval of the Meeting Minutes.
August 14, 2017 City Council Meeting Minutes.
Attachments: [Minutes](#)
6. Resolution in recognition of the services of Master Police Officer James R. Fallon.
Attachments: [Resolution](#)
7. Resolution in recognition of the services of Master Police Officer Matthew A. Nelson.
Attachments: [Resolution](#)
8. Resolution in honor of the services of retired Paramedic Lieutenant H. Bobby Silvestriadis.
Attachments: [Resolution](#)
9. Resolution in honor of the services of retired Firefighter Paramedic Wellington Bartels.
Attachments: [Resolution](#)
10. Resolution in honor of the services of retired Firefighter James Cournoyer.
Attachments: [Resolution](#)
11. Presentation by the Black Ice Hockey Association.
12. Citizens Bank Presentation.
13. Merrimack River Greenway Trail project presentation.
Attachments: [Merrimack River Greenway Trail Petition](#)

14. 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.

Items Tabled for October 10, 2017 Public Hearings

15. Ordinance amending the Code of Ordinances, Title I, General Code; Chapter 15, Licensing and Regulation of Businesses, Trades, and Occupations; together with report from the Deputy City Manager - Development.
Attachments: [Ordinance](#)
[Report](#)
16. Ordinance amending the Code of Ordinances, Title IV, Zoning Code, Chapter 28-9-4, Decisions by the Planning Board, Site Plan Review, Projects Exempt from Site Plan Review; together with report from the Deputy City Manager - Development.
(Supplemental report from the Planning Board submitted)
Attachments: [Ordinance](#)
[Report](#)
[Planning Board Report](#)
17. Ordinance amending the Code of Ordinances, Title IV, Zoning Code; Chapter 29.2-1-2 (b)(1) Public Capital Facilities Impact Fee Ordinance, Assessment and Collection, Computation of the Amount of Impact Fees; together with report from the Deputy City Manager - Development.
Attachments: [Ordinance](#)
[Report](#)
[Communication from Concord School District](#)
18. Ordinance amending the Code of Ordinances, Title IV, Zoning Code; Chapter 29.2-1-2 (e) Public Capital Facilities Impact Fee Ordinance, Assessment and Collection, Waivers; together with report from the Deputy City Manager - Development.
Attachments: [Ordinance](#)
[Report](#)
19. Ordinance amending the Code of Ordinances; Title II, Traffic Code; Chapter 18, Parking; Article 18.1, Stopping, Standing and Parking; relocation of two bus stops from the intersection of Main Street and Pleasant Street to the Pleasant Street crosswalk north of State Street; together with a report from the Traffic Engineer.

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

20. 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, K Street; together with report from the Director of Redevelopment, Downtown Services & Special Projects.

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

21. 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, Public Information Officer; together with report from the Deputy City Manager - Development.

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

22. Resolution appropriating \$60,000 including authorizing the issuance of bonds and notes in the amount of \$60,000 as the local agency match for the replacement of Concord Area Transit Bus Vehicles. (CIP #584); together with report from the City Engineer.

Attachments: [Resolution](#)
[Report](#)
[NHDOT Bus Replacement Purchase Order](#)

23. Resolution authorizing and appropriating the sum of \$300,000 from the Conservation Reserve Purchase of Property fund for the purchase of two parcels totaling 116 acres within the Penacook Lake watershed, located off Lakeview Drive and West Parish Road (FY2017 CIP #352), and approving the acquisition of said open space watershed protection property; together with report from the Assistant Planner on behalf of the Conservation Commission.

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

24. Resolution appropriating the sum of \$660,000 for improvements to the School Street Parking Garage (CIP #433) and authorizing the issuance of bonds and notes in the amount of up to \$660,000; together with report from the Director of Redevelopment, Downtown Services & Special Projects.

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

25. Resolution accepting and appropriating the sum of \$21,618 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](#)
[Application](#)

26. Resolution accepting and appropriating the sum of \$62,551 in grant funding from the New Hampshire Department of Safety - Law Enforcement Opioid Abuse Reduction Initiative, funds designated for conducting illegal drug related investigations; together with report from the Police Department.

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

27. Resolution accepting and appropriating the sum of \$749,030.26 in one time Highway Block Grant Funds under SB 38 as a transfer to the Highway Reserve Fund; together with report from the Deputy City Manager - Finance.

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

28. Resolution appropriating the sum of \$62,820 to the Project Inspection, Golf and Sears Block Tax Increment Finance Funds Operating Budgets for Fiscal Year 2017, retroactive to June 30, 2017 which will be fully funded from excess revenues and available fund balances; together with report from Deputy City Manager - Finance.

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

29. Resolution authorizing the City Manager to enter into a purchase and sale/development agreement with Dol-Soul Properties LLC concerning the sale and redevelopment of city owned real estate 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 and Special Projects.

Attachments: [Resolution](#)
[Report](#)
[Purchase and Sales Agreement](#)

30. Ordinance amending the Code of Ordinances, Title IV, Zoning Code; Chapter 28, Zoning Ordinance; together with report from the Director of Redevelopment, Downtown Services & Special Projects. (Supplemental report from the Planning Board submitted)

Attachments: [Ordinance](#)
[Report](#)
[Map](#)
[Planning Board Report](#)

31. Ordinance amending the Code of Ordinances, Title IV, Zoning Code; Chapter 29.2, Public Capital Facilities Impact Fees Ordinance, Article 29.2-1-3, Administration, Section (g) Incentives for Redevelopment of Blighted, Underutilized, Abandoned, or Contaminated Buildings and Table 4 "City Priority Redevelopment Projects"; together with report from the Director of Redevelopment, Downtown Services & Special Projects.

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

32. 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)

Attachments: [Resolution](#)
[Revised Development Program & Finance Plan](#)
[Report](#)
[Supplemental Report](#)

33. 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.

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

34. 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.

Attachments: [Resolution](#)
[Report](#)
[Revised Development Program & Finance Plan](#)

From the City Manager

35. Positive Citizen Comments.

Attachments: [Citizen Comments](#)

Consent Reports

36. Diminimus gifts and donations report from the Library Director requesting authorization to accept monetary gifts totaling \$2,169.04 as provided for under the pre-authorization granted by City Council.
Attachments: [Report](#)
37. Report from the Deputy City Manager - Finance recommending an adjustment to the Golf Fund General Overhead charges. (Pulled from consent by Councilor Herschlag)
Attachments: [Report](#)
38. Report from the General Services Director regarding Concord Regional Solid Waste Resource Recovery Cooperative (CRSWRRC) Reserve Funds.
Attachments: [Report](#)
39. Report from the Parks and Recreation Director regarding the Monument Preservation Team at Old North Cemetery.
Attachments: [Report](#)
40. Report from the Parks and Recreation Director on the Adopt A Grave Program.
Attachments: [Report](#)
[Adopt a Grave Brochure](#)
41. Report from the Associate Engineer recommending the use of unexpended water project funds to supplement the repair of the roads programed for new water main installation in the FY2017 Water Main Replacement Project.
Attachments: [Report](#)

Consent Resolutions

42. Resolution in recognition of the services of Philip H. Bilodeau, P.E.
Attachments: [Resolution](#)
43. Resolution authorizing the City Manager to accept a Conservation Easement at 40 Farmwood Road as a contribution from Public Service of New Hampshire, D/B/A Eversource Energy for conservation purposes; together with report from the City Planner on behalf of the Conservation Commission.
Attachments: [Resolution](#)
[Report](#)
44. Resolution authorizing the City Manager to enter into a purchase option agreement amendment with Caleb Development Corporation concerning the sale and redevelopment of city owned property at 35 Canal Street, Penacook; together with report from the Director of Redevelopment, Downtown Services & Special Projects.

(Pulled from consent by Councilor Herschlag)

Attachments: [Resolution](#)
[Report](#)
[Subdivision Plan - After Lot Line Adjustment](#)
[Color Site Plan](#)

45. Resolution authorizing the City Manager to renew and extend a purchase and sales agreement with the Penacook Community Center concerning city owned property located on Village Street; together with report from the Director of Redevelopment, Downtown Services & Special Projects.

Attachments: [Resolution](#)
[Report](#)
[P&S Agreement Executed](#)

Consent Communications

46. Street closure request for the 66th Annual Concord Christmas Parade to be held on Saturday, November 18th at 9:30 a.m.

Attachments: [Request](#)

47. Street closure request for the 16th Annual Rock 'N Race to benefit the Payson Center for Cancer Care to be held on Thursday, May 17, 2018.

Attachments: [Request](#)

Appointments

48. Proposed Appointment of Laura Scott to the Zoning Board of Adjustment.

Attachments: [Appointment](#)
[Resume](#)

49. Mayor Bouley's proposed reappointments to the Transportation Policy Advisory Committee. Craig Tufts and Sheila Zakre

Attachments: [Appointment](#)

End of Consent Agenda

Public Hearings

- 50A. Ordinance amending the Code of Ordinances, Title V, Administrative Code; Chapter 35, Classification and Compensation Plan, Schedule D of Article 35-2, Class Specification Index, to add the position of Environmental Compliance Manager at the Water Treatment Plant Division; together with report from the Director of Human Resources and Labor Relations and the General Services Director.

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

50B. Resolution accepting and appropriating the sum of \$852,591.97 in previously collected street damage fees as a transfer to the Highway Reserve Fund retroactive to June 30, 2017; together with report from the Deputy City Manager - Finance.

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

50C. Resolution appropriating the sum of \$120,000 as a transfer to Highway Reserve for the Road Improvement Program, using anticipated revenues from Street Cutting Excavation Fees as the funding source; together with report from the Deputy City Manager - Finance.

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

50D. Resolution de-authorizing the sum of \$34,000 in bond authorizations from the Stormwater Improvements Project (CIP #83), authorizing the issuance of bonds and notes for up to \$34,000 and appropriating said funds for the exit 16/Mountain Road/Shawmut Street Roundabout Project (CIP #24); together with report from the City Engineer. (Revised resolution submitted)

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

50E. Ordinance amending the Code of Ordinances, Title 1, General Code, Chapter 1, Government Organization, Article 1-3, Miscellaneous Regulations, Ward Lines; together with report from the City Solicitor.

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

Public Hearing Action

51. Ordinance amending the Code of Ordinances, Title V, Administrative Code; Chapter 35, Classification and Compensation Plan, Schedule D of Article 35-2, Class Specification Index, to add the position of Environmental Compliance Manager at the Water Treatment Plant Division; together with report from the Director of Human Resources and Labor Relations and the General Services Director.

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

52. Resolution accepting and appropriating the sum of \$852,591.97 in previously collected street damage fees as a transfer to the Highway Reserve Fund retroactive to June 30, 2017; together with report from the Deputy City Manager - Finance.

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

53. Resolution appropriating the sum of \$120,000 as a transfer to Highway Reserve for the Road Improvement Program, using anticipated revenues from Street Cutting Excavation Fees as the funding source; together with report from the Deputy City Manager - Finance.

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

54. Resolution de-authorizing the sum of \$34,000 in bond authorizations from the Stormwater Improvements Project (CIP #83), authorizing the issuance of bonds and notes for up to \$34,000 and appropriating said funds for the exit 16/Mountain Road/Shawmut Street Roundabout Project (CIP #24); together with report from the City Engineer. (Revised resolution submitted)

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

55. Ordinance amending the Code of Ordinances, Title 1, General Code, Chapter 1, Government Organization, Article 1-3, Miscellaneous Regulations, Ward Lines; together with report from the City Solicitor.

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

Reports

56. Report on the new Recreation Building/Skate House at White Park from the Parks and Recreation Director.

Attachments: [Report](#)

New Business

57. Discussion on setting a date for a public meeting regarding Keno, to be held on or before October 23, 2017. (Solicitor's report as approved by City Council on August 14, 2017 attached)

Attachments: [Report](#)

Unfinished Business

58. Report from the Rules Committee recommending revisions to the current Rules of the City Council. (Item tabled, no action taken, at the June 8, 2015 City Council meeting).

Attachments: [Report](#)
[Proposed Council Rules](#)

Report from the City Solicitor as well as a copy of the current and proposed Rules submitted for the September 11, 2017 Council meeting.

Attachments: [Report](#)
[Proposed Amendment to City Council Rules - As Proposed](#)
[Proposed Amendment to City Council Rules - Clean Version](#)
[Current Rules of the City Council](#)

59. 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)

Attachments: [Resolution](#)
[Report](#)
[Planning Board Approved Rendering & Plans](#)

Comments, Requests by Mayor, City Councilors

Comments, Requests by the City Manager

Consideration of items pulled from the consent agenda for discussion.

** Items 37 and 44 have been pulled from the consent agenda for discussion.*

Consideration of Suspense Items

- Sus1. Item Tabled for October 10, 2017 Public Hearings

Ordinance amending the Code of Ordinances, Title 1, General Code; Chapter 1, Government Organization; Article 1-6, Code of Ethics; together with report from the City Solicitor.

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

- Sus2. Report recommending that the City Council grant a license to Liberty Utilities across the City parcels known as Map 45, Block 6, Lot 20 and Map 45, Block 6, Lot 8, for the purpose of providing natural gas service to the New Hampshire Historical Society building at 6 Eagle Square.

Attachments: [Report](#)
[License Agreement](#)
[Exhibit 1 - Revised Storrs St Design Map](#)

Adjournment

Information

- Inf1. June 14, 2017 Conservation Commission Meeting Minutes.
Attachments: [Minutes](#)
- Inf2. June 14, 2017 Conservation Commission Trails Subcommittee Meeting Minutes.
Attachments: [Minutes](#)
- Inf3. July 12, 2017 Conservation Commission Trails Subcommittee Meeting Minutes.
Attachments: [Minutes](#)
- Inf4. July 18, 2017 Traffic Operations Committee Meeting Minutes.
Attachments: [Minutes](#)
- Inf5. July 27, 2017 Transportation Policy Advisory Committee Meeting Minutes.
Attachments: [Minutes](#)
- Inf6. August 8, 2017 Architectural Design Review Committee Minutes.
Attachments: [Minutes](#)
- Inf7. August 10, 2017 Transportation Policy Advisory Committee Meeting Minutes.
Attachments: [Minutes](#)
- Inf8. August 15, 2017 Traffic Operations Committee Meeting Minutes.
Attachments: [Minutes](#)
- Inf9. August 21, 2017 Fiscal Policy Advisory Committee Draft Meeting Minutes.
Attachments: [Minutes](#)
- Inf10. Communication from the New Hampshire Division of Historical Resources informing City Council that the Concord Gas Light Company Gasholder House will soon be considered by the New Hampshire State Historical Resources Council for nomination to the National Register of Historic Places.
Attachments: [Communication](#)