



# City of Concord

## City Council

### Meeting Agenda

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Monday, March 11, 2019

7:00 PM

City Council Chambers  
37 Green Street  
Concord, NH 03301

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*Non-public session in accordance with RSA 91-A: 3, II (d) to discuss property acquisition to begin at 5:30 p.m.*

1. Call to Order.
2. Invocation by the Reverend Peter Hey, Wesley United Methodist Church.
3. Pledge of Allegiance.
4. Roll Call.
5. Approval of the Meeting Minutes.  
February 11, 2019 City Council Meeting Minutes.  
**Attachments:** [Minutes](#)
6. Canvass of the Votes for the Special Municipal Election held on March 5, 2019.  
**Attachments:** [Report](#)  
[Results](#)
7. Ceremonial swearing in of newly elected members of City Council.
- 7.5 Resolution in honor of the services of retired Captain/Communications Supervisor Ernest Petrin.  
**Attachments:** [Resolution](#)
8. Merrimack County Presentation.
9. 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 Planning Board**

10. Communication from BCM Environmental & Land Law, PLLC on behalf of Jeff and Nicole Kipphut requesting consideration be given to rezoning property located at 15 Frost Road, Tax Map 471Z-22, owned by Marion Clattenburg as trustee, from the Single-Family Residential District (RS) to Medium Density Residential District (RM).

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

### **Items Tabled for April 8, 2019 Public Hearings**

11. Ordinance amending the Code of Ordinances, Title I, General Code; Chapter 1, Government Organization, Article 1-5, Fees, Fines, and Penalties; together with non-ordinance fees and a report from the Deputy City Manager-Finance.  
**Attachments:** [Ordinance](#)  
[Report](#)  
[Proposed Ordinance and Non-Ordinance Fee Changes](#)
12. Ordinance amending the Code of Ordinances, Title IV, Zoning Code; Chapter 28, Zoning Ordinance, Appendix A, Application Fees for the Zoning Board of Adjustment (ZBA); together with report from the Deputy City Manager-Finance.  
**Attachments:** [Ordinance](#)  
[Report](#)

### **From the City Manager**

13. Positive Citizen Comments.  
**Attachments:** [Citizen Comments](#)

### **Consent Reports**

14. Diminimus gifts and donations report from the Library Director requesting authorization to accept monetary gifts totaling \$1,574.68 as provided for under the pre-authorization granted by City Council.  
**Attachments:** [Report](#)
15. Diminimus gifts and donations report from the Parks and Recreation Director requesting authorization to accept monetary gifts totaling \$28,009.04 as provided for under the pre-authorization granted by City Council.  
**Attachments:** [Report](#)
16. City Council 2018-2019 Quarterly Priorities Report from the City Manager.  
**Attachments:** [Report](#)
17. Report from the Fiscal Policy Advisory Committee regarding LSR 2019-0006. (Pulled from consent by Councilor Herschlag)  
**Attachments:** [Report](#)
18. Report from Deputy City Manager Finance recommending the FY 2020 Finance Committee budget review Schedule and Guidelines.

**Attachments:** [Report](#)  
[Proposed Schedule](#)  
[FY 2020 Finance Committee Guidelines](#)

19. Report from the Deputy City Manager for Development concerning the annual Economic Development Report.  
**Attachments:** [Report](#)
20. 2019 Beaver Meadow Golf Course Daily Fee Rate, Outing and Tent Fee Recommendations from the Golf Advisory Committee.  
**Attachments:** [Report](#)  
[2019 Golf Advisory Committee Recommended Daily Rates](#)
21. Report from the General Services Director in response to a referral regarding public water line extension on River Road to service 64, 65, 67, 69 and 71 River Road. (Communication from residents of River Road submitted) (Pulled from consent by Councilor Todd)  
**Attachments:** [Report](#)  
[River Road Communication](#)
22. Report from the Deputy Fire Chief requesting an expansion of scope for the 2018 Central Station Roof Replacement project, CIP #252.  
**Attachments:** [Report](#)
23. Report from the Parks and Recreation Director and the Cemetery Administrator regarding cemetery division operations.  
**Attachments:** [Report](#)
24. Report from the Fire Chief recommending the City Manager be authorized to enter into an agreement with Concord Fire Fighters Association Local 1045 to relocate the City's "Fire Gong".  
**Attachments:** [Report](#)  
[Picture](#)  
[Local 1045 - Fire Gong Agreement](#)
25. Report from the City Clerk recommending City Council set a date of June 4, 2019 for a Special Election to be held specific to the current Ward Four City Council vacancy.  
**Attachments:** [Report](#)  
[Estimated Election Expenses June 4, 2019](#)

### **Consent Resolutions**

26. Resolution authorizing the City Manager to apply for a grant for up to \$111,112 with the New Hampshire Department of Transportation (NHDOT), Bureau of Aeronautics, for the purpose of completing a Terminal Area Study at the Municipal

Airport as programmed in the Capital Budget; together with report from the Associate Engineer.

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

### **Appointments**

27. Mayor Bouley's proposed appointment to the Parks and Recreation Advisory Committee. Geoa Geer

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

28. City Manager's Proposed Appointment to the Library Board of Trustees. Charles O'Leary

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

29. City Manager's Proposed Appointment to the Heritage Commission. Michael M. Dunn

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

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

### **Public Hearings**

- 30A. 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](#)

- 30B. 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)

**Attachments:** [Ordinance](#)  
[Report](#)  
[Ruiz Letter](#)  
[August 16, 2018 Parking Committee Minutes](#)  
[Nivelle St Neighborhood Right-of-Way Letter](#)  
[Memo to File - Nivelle St Gentlemens Agreement](#)  
[Map - Proposed No Parking Zone](#)  
[Giannone Testimony](#)  
[Cooper Testimony](#)

30C. Ordinance amending the Code of Ordinances; Title II, Traffic Code; Chapter 17, Vehicles and Traffic, Article 17-6, Miscellaneous Rules, Operation of Motor Vehicles; Section 17-6-7, Truck Routes in the City of Concord; together with report from the Traffic Engineer.

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

30D. Resolution rescinding the bond authorization of \$1,150,000 for the Multi-Purpose Skate House at White Park (CIP #51) and establishing the funding sources for this project as follows: \$575,000 from donations, \$175,000 from Recreation Reserve, and \$400,000 from General Fund Unassigned Fund Balance; and appropriating \$400,000 from General Fund Unassigned Fund Balance to transfer to CIP #51; together with report from the Deputy City Manager - Finance.

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

30E. Resolution authorizing and appropriating the sum of \$30,200 as additional funding for the Beaver Meadow Event Tent subproject (CIP #107) and authorizing and appropriating the sum of \$30,200 as a transfer to capital; together with report from the Deputy City Manager - Finance.

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

30F. Resolution adopting the All Veteran's Tax Credit 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](#)

30G. 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](#)

### **Public Hearing Action**

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)

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

32. 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 Nivelle Street; together with report from the Director of Redevelopment, Downtown Services & Special Projects. (Public testimony received)

**Attachments:** [Ordinance](#)  
[Report](#)  
[Ruiz Letter](#)  
[August 16, 2018 Parking Committee Minutes](#)  
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[Memo to File - Nivelle St Gentlemens Agreement](#)  
[Map - Proposed No Parking Zone](#)  
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33. Ordinance amending the Code of Ordinances; Title II, Traffic Code; Chapter 17, Vehicles and Traffic, Article 17-6, Miscellaneous Rules, Operation of Motor Vehicles; Section 17-6-7, Truck Routes in the City of Concord; together with report from the Traffic Engineer.

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

34. Resolution rescinding the bond authorization of \$1,150,000 for the Multi-Purpose Skate House at White Park (CIP #51) and establishing the funding sources for this project as follows: \$575,000 from donations, \$175,000 from Recreation Reserve, and \$400,000 from General Fund Unassigned Fund Balance; and appropriating \$400,000 from General Fund Unassigned Fund Balance to transfer to CIP #51; together with report from the Deputy City Manager - Finance.

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

35. Resolution authorizing and appropriating the sum of \$30,200 as additional funding for the Beaver Meadow Event Tent subproject (CIP #107) and authorizing and appropriating the sum of \$30,200 as a transfer to capital; together with report from the Deputy City Manager - Finance.

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

36. Resolution adopting the All Veteran's Tax Credit 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](#)

37. 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](#)

## **Reports**

### **New Business**

38. Presentation by the City Solicitor in response to a request from Councilor Herschlag, that the City Solicitor meet with City Council to review City Council Rules 6 a, b, c & d and City Ordinance 1-6, Code of Ethics.

### **Unfinished Business**

39. 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)

**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](#)

40. Report from the Senior Planner regarding a temporary bicycle demonstration project. (Pulled from the consent agenda by Councilor Herschlag) (Revised report submitted)

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

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

**Comments, Requests by the City Manager**

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

*\* Items 17 and 21 have been pulled from the consent agenda for discussion.*

**Consideration of Suspense Items**

- Sus1 Request from the Concord Energy and Environment Committee asking that City Council and City Administration consider supporting bills on municipal aggregation and an increase in the net metering cap. (Communication from Mayor Craig submitted)

**Attachments:** [Request](#)  
[NH Renewable Energy Legislation](#)  
[Hanover and Nashua Letter of Support SB 286](#)  
[Communication Mayor Craig](#)

**Adjournment**



**Information**

- Inf1 October 16, 2018 Transportation Policy Advisory Committee, Public Transportation Subcommittee Meeting Minutes.  
**Attachments:** [Minutes](#)
- Inf2 November 5, 2018 Transportation Policy Advisory Committee Bicycle & Pedestrian Meeting Minutes.  
**Attachments:** [Minutes](#)
- Inf3 November 15, 2018 Transportation Policy Advisory Committee Meeting Minutes.  
**Attachments:** [Minutes](#)
- Inf4 December 3, 2018 Transportation Policy Advisory Committee Bicycle & Pedestrian Meeting Minutes.  
**Attachments:** [Minutes](#)
- Inf5 January 7, 2019 Transportation Policy Advisory Committee Bicycle & Pedestrian Meeting Minutes.  
**Attachments:** [Minutes](#)
- Inf6 January 24, 2019 Transportation Policy Advisory Committee Meeting Minutes.  
**Attachments:** [Minutes](#)
- Inf7 February 4, 2019 Concord Public Library Board of Trustees Meeting Minutes.  
**Attachments:** [Minutes](#)
- Inf8 February 6, 2019 Executive Council Meeting Report from Executive Councilor Andru Volinsky.  
**Attachments:** [Report](#)
- Inf9 February 14, 2019 Golf Course Advisory Committee Draft Meeting Minutes.  
**Attachments:** [Minutes](#)
- Inf10 February 26, 2019 Fiscal Policy Advisory Committee Draft Meeting Minutes.  
**Attachments:** [Minutes](#)
- Inf11 Xfinity Channel Updates notification from Comcast Cable.  
**Attachments:** [Comcast Communication](#)
- Inf12 Communication from the University of New Hampshire notifying City Council that Marc Moore has achieved the status of Safety Champion.  
**Attachments:** [Communication](#)
- Inf13 Concord Parks and Recreation Departments Spring Brochure.  
**Attachments:** [Concord Parks and Rec Spring Brochure](#)

Inf14 Communication from Governor Christopher T. Sununu.

Attachments: [Letter](#)