



# City of Concord

## City Council

### Meeting Minutes - Final

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Monday, June 12, 2023

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 (a)-(c) to discuss the City Manager's Evaluation and/or compensation followed by a non-public session in accordance with RSA 91-A: 3, II (d) to discuss property acquisition and a non meeting to discuss collective bargaining negotiations in accordance with RSA 91-A:2, I (a) to be held at 5:30 p.m.*

**Present:** 12 - Mayor Jim Bouley, Councilor Stacey Brown, Councilor Byron Champlin, Councilor Nathan Fennessy, Councilor Amanda Grady Sexton, Councilor Fred Keach, Councilor Jennifer Kretovic, Councilor Paula McLaughlin, Councilor Karen McNamara, Councilor Keith Nyhan, Councilor Erle Pierce, and Councilor Brent Todd

**Excused:** 1 - Councilor Candace Bouchard

**Late:** 2 - Councilor Gail Matson, and Councilor Zandra Rice Hawkins

Staff members present: City Manager Tom Aspell, Deputy City Manager - Development Matt Walsh, Deputy City Solicitor Danielle Pacik, and City Clerk Janice Bonenfant.

Mayor Bouley called the meeting to order at 5:30 P.M.

Councilor Kretovic moved to enter non-public session in accordance with RSA 91-A: 3, II (a)-(c) to discuss the City Manager's Evaluation and/or compensation followed by a non-public session in accordance with RSA 91-A: 3, II (d) to discuss property acquisition and a non-meeting to discuss collective bargaining negotiations in accordance with RSA 91-A:2, I (a). The motion was duly seconded and passed with no dissenting votes.

Councilor Stacey Brown, City Manager Tom Aspell, Deputy City Manager - Development Matt Walsh, Deputy City Solicitor Danielle Pacik, and City Clerk Janice Bonenfant left the meeting while members of City Council were in a non-public session in accordance with RSA 91-A: 3, II (a)-(c) to discuss the City Manager's Evaluation and/or compensation.

At 5:45 P.M., Councilor Brown, City Manager Tom Aspell, Deputy City Manager - Development Matt Walsh, Deputy City Manager - Finance Brian LeBrun, Deputy City Solicitor Danielle Pacik, and City Clerk Janice Bonenfant joined the meeting.

The non-public session in accordance with RSA 91-A: 3, II (d) to discuss property acquisition followed by a non-meeting to discuss collective bargaining negotiations in accordance with RSA 91-A:2, I (a) began.

Following the non-public session to discuss property acquisition, Deputy City Solicitor Danielle Pacik provided members of City Council with an update on Collective Bargaining negotiations in accordance with RSA 91-A:2, I (a).

At 6:59 P.M., Councilor Grady Sexton moved to exit the non-public session. The motion was duly seconded and passed with no dissenting votes.

In public session, Councilor Matson moved to seal the minutes of the non-public session. The motion was duly seconded and passed with no dissenting votes.

There being no additional Council business, Councilor Kretovic moved to adjourn. The motion was duly seconded and passed with no dissenting votes.

1. Call to Order

**Action:** Mayor Bouley called the meeting to order at 7:06PM.

2. Invocation by Reverend Jane Sautter, Wesley United Methodist Church.

3. Pledge of Allegiance.

4. Roll Call.

**Present:** 14 - Mayor Jim Bouley, Councilor Stacey Brown, Councilor Byron Champlin, Councilor Nathan Fennessy, Councilor Amanda Grady Sexton, Councilor Fred Keach, Councilor Jennifer Kretovic, Councilor Gail Matson, Councilor Paula McLaughlin, Councilor Karen McNamara, Councilor Keith Nyhan, Councilor Erle Pierce, Councilor Zandra Rice Hawkins, and Councilor Brent Todd

**Excused:** 1 - Councilor Candace Bouchard

5. Approval of the Meeting Minutes.

May 8, 2023 City Council Draft Meeting Minutes

**Action:** Councilor Grady-Sexton moved approval of the May 8, 2023 City Council Meeting Minutes. The motion was duly seconded and passed with no dissenting votes.

6. Agenda overview by the Mayor.

7. City Council action relative to the City Manager's employment contract.

**Action:** Mayor Bouley provided a brief overview of the City Manager's five year employment contract.

Councilor Kretovic moved approval of the City Manager's employment contract. The motion was duly seconded and passed with no dissenting votes.

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

**Action:** Councilor Champlin moved approval of the consent agenda. The motion was duly seconded and passed with no dissenting votes. Agenda item number eleven was pulled from the consent agenda by Councilor Brown for discussion.

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

**Items Tabled for July 10, 2023 Public Hearings**

8. Ordinance amending the Code of Ordinances, Title II, Traffic Code; Chapter 18, Parking, Article 18-1, Stopping, Standing and Parking, Section 18-1-8, Parking Time Limited in Designated Places, Schedule III (Two Hours between the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday), by removing time limited parking on Washington Street (Penacook) located between 75' and 150' of Village Street (formerly South Main Street); together with a report from the Deputy City Manager - Development.

**Action:** This ordinance was moved to set for a public hearing.

9. Resolution establishing an Assessing Reserve fund for the purposes of funding Assessing Department projects, appropriating the sum of \$385,000 as a transfer to the Assessing Reserve, and authorizing the use of \$385,000 from Unassigned Fund Balance for this purpose, retroactive to June 30, 2023; together with a report from the Deputy City Manager - Finance.

**Action:** This resolution was moved to set for a public hearing.

**From the City Manager**

10. Positive Citizen Comments.

**Action:** The positive comments were received and filed.

**Consent Reports**

11. Diminimus gifts and donations report from the Library Director requesting authorization to accept monetary gifts totaling \$1,675.75, as provided under the pre-authorization granted by City Council. (Pulled from consent by Councilor Brown.)  
**Action:** This item was pulled from the consent agenda for discussion.
12. Diminimus gifts and donations report from the Parks and Recreation Director requesting authorization to accept monetary gifts totaling \$198.00 as provided for under the pre-authorization granted by City Council.  
**Action:** This consent report was approved.
13. Diminimus gifts and donations report from the Fire Chief requesting authorization to accept monetary gifts totaling \$6,500 as provided for under the pre-authorization granted by City Council for the purpose of holding a tabletop active shooter drill for the Concord Fire and Police Departments.  
**Action:** This consent report was approved.
14. Retention of Tax Deeded Properties report from the Treasurer/Tax Collector.  
**Action:** This consent report was approved.
15. Report on the Pathways to Golf Event held at Beaver Meadow Golf Course on April 25 and 26, 2023 from the Beaver Meadow Golf Director of Operations.  
**Action:** This consent report was approved.
16. Report from the Associate City Engineer - Capital Projects recommending that the City Manager be authorized to execute a First Amendment to Easement agreement in conjunction with a proposed site plan submitted on behalf of Morrill Mill Pond, LLC, at 10 Whitney Road.  
**Action:** This consent report was approved.

**Consent Resolutions**

17. Resolution authorizing the City Manager to modify existing easements, or otherwise grant new easements to facilitate utility services for the new United Therapeutics hangar currently under construction at the Concord Municipal Airport; together with a report from the Deputy City Manager - Development.

**Action:** This consent resolution was approved.

### **Appointments**

18. City Manager's Proposed Appointment to the Concord Housing & Redevelopment Authority: Dana Adams.

**Action:** This appointment was approved.

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

### **Public Hearings**

- 19A. Resolution appropriating the sum of \$200,000 for the completion of a Bridge Park Feasibility Study (CIP #657) in conjunction with the New Hampshire Department of Transportation's Interstate 93 Bow-Concord project and authorizing the issuance of bonds and notes in the amount of \$200,000 for this purpose; together with a report from the Deputy City Manager - Development.

**Action:** City Manager Aspell provided a brief overview of this item which includes the evaluation of suitable locations for a bridge park or other pedestrian bridge over the high speed rail corridor and I-93, generally between I-93 Exits 13 and 14, to connect downtown Concord to the Merrimack River within the context of natural and man-made constraints. The study would also include the development of concept plan for said structures including cross sectional views, layout plans, and renderings. These plans would demonstrate how said structure(s) would connect to Storrs Street, the Merrimack River, and Loudon Road (if viable) as well as private property acquisitions and major infrastructure improvements that would be necessitated to make such structure(s) feasible. Lastly, the study would develop preliminary cost estimates for each concept.

Fee proposals ranged from approximately \$175,000 to \$575,000. Staff is recommending a budget of \$200,000. City Administration anticipates the study will take approximately 12-14 months to complete.

Mayor Bouley opened the public hearing.

Aaron Fracht-Monroe, a Concord resident, thanked the Council for continuing the project.

There being no further public testimony, Mayor Bouley declared the hearing closed.

- 19B. Resolution appropriating the sum of \$142,000 for an existing conditions report and to create a Park Master Plan for the Memorial Field Complex (CIP #557) and authorizing the issuance of bonds and notes in the sum of \$71,050 and accepting the sum of \$70,950 as a donation from the Concord School District for this purpose; together with a report from the Parks & Recreation Director and a communication from the Concord School District.

**Action:** City Manager Aspell provided a brief overview of this item which includes the review of options for the Memorial Field Complex and to explore opportunities to work together on needed improvements. Both the City and Concord School District agreed that the first step in the planning phase is to work together and consult a vendor to help evaluate the existing site, develop a new master plan for the site, and develop a plan for future joint investments.

As part of a Facility Condition and Master Planning phase, there will be a review of soil conditions, site drainage, field and site improvements, a new track layout, and a review of whether the site can support the addition of an artificial turf field and other needed amenities. There will also be public meetings to listen to needs of the community.

The cost of the Master Planning Process is \$141,900. The attached resolution is for the full cost of the Facility Condition and Master Planning Phase. Concord School District plans to contribute financially. If funded, this phase will begin in June 2023 and is anticipated to take up to ten months to complete.

Mayor Bouley opened the public hearing. There being no public testimony, Mayor Bouley declared the hearing closed.

### **Public Hearing Action**

20. Resolution appropriating the sum of \$200,000 for the completion of a Bridge Park Feasibility Study (CIP #657) in conjunction with the New Hampshire Department of Transportation's Interstate 93 Bow-Concord project and authorizing the issuance of bonds and notes in the amount of \$200,000 for this purpose; together with a report from the Deputy City Manager - Development.

**Action:** Councilor Champlin moved approval. The motion was duly seconded.

Councilor Brown expressed concern regarding a feasibility study for a deck park.

General discussion followed regarding the public testimony heard in previous meetings as well as the desire by Councilors and the community to explore what is feasible for the area and to use the study as an opportunity for creative long term design and impact. It was also discussed that the spirit of this resolution is to connect the eastern and western halves of the City.

Councilor Brown moved to amend the proposed resolution to remove language regarding I-93. The motion was not seconded and did not continue.

Councilor Champlin's motion passed with a roll call vote with one dissenting vote.

**Yes:** 13 - Mayor Bouley, Councilor Champlin, Councilor Fennessy, Councilor Grady Sexton, Councilor Keach, Councilor Kretovic, Councilor Matson, Councilor McLaughlin, Councilor McNamara, Councilor Nyhan, Councilor Pierce, Councilor Rice Hawkins, and Councilor Todd

**No:** 1 - Councilor Brown

**Excused:** 1 - Councilor Bouchard

21. Resolution appropriating the sum of \$142,000 for an existing conditions report and to create a Park Master Plan for the Memorial Field Complex (CIP #557) and authorizing the issuance of bonds and notes in the sum of \$71,050 and accepting the sum of \$70,950 as a donation from the Concord School District for this purpose; together with a report from the Parks & Recreation Director and a communication from the Concord School District.

**Action:** Councilor Nyhan moved approval. The motion was duly seconded and passed with no dissenting votes.

General discussion was held regarding working with Concord School District as well as the value of Memorial Field to the community.

**Reports**

22. Report from the Parks and Recreation Director requesting the City Manager be authorized to enter into a Memorandum of Understanding (MOU), between the City of Concord and Second Start, regarding room use at the City Wide Community Center.

**Action:** City Manager Aspell provided an overview of this report, and Councilor Champlin described the use of a room at the City's City-Wide Community Center to provide English as a second language and adult tutoring classes to City of Concord adult residents per the report.

General discussion followed regarding the storage of materials and flexibility of availability.

Councilor Fennessy moved approval of the report. The motion was duly seconded and passed with no dissenting votes.

**New Business**

Councilor Brown discussed appointments to City boards and commissions specifically with the Recreation & Parks Advisory Committee.

Councilor Brown moved to suspend the rules and appoint two members to the Recreation & Parks Advisory Committee. The motion was not seconded and did not continue.

General discussion followed regarding the process for appointments to various boards and commissions and the review of interested candidates' credentials.

Councilor Rice Hawkins requested that the names of individuals requesting consideration for appointment to a board or committee be listed on Council packets with the date applied for greater transparency.

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

Councilor Todd noted Human Resources and Labor Relations Director Jennifer Johnston for her partnership between the City of Concord and the Virtual Learning Academy Charter School (VLACS) which is the only state-approved public online high school in New Hampshire. Students are being provided information about work opportunities with the City of Concord.



Councilor Brown acknowledged that Monday will be Juneteenth.

Councilor Champlin thanked the Penacook Village Association and the Concord Veterans' Council for their coordination and hosting of Memorial Day parades.

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

### **Consideration of items pulled from the Consent Agenda**

11. Diminimus gifts and donations report from the Library Director requesting authorization to accept monetary gifts totaling \$1,675.75, as provided under the pre-authorization granted by City Council. (Pulled from consent by Councilor Brown.)

**Action:** This report was pulled from the consent agenda by Councilor Brown.

Councilor Brown discussed a library return bin.

Councilor Nyhan moved to accept the report. The motion was duly seconded and passed with no dissenting votes.

### **Adjournment**

**Action:** At 7:47 PM, there being no additional Council business, Councilor Keach moved approval to adjourn. The motion was duly seconded and passed with no dissenting votes.

### **Information**

- Inf1 May 1, 2023 Concord Public Library Board of Trustee Meeting Minutes.

**Action:** This Information item was received and filed.

- Inf2 May 2, 2023 Diversity, Equity, Inclusion, Justice and Belonging (DEIJB) Committee Draft Meeting Minutes.

**Action:** This Information item was received and filed.

- Inf3 May 4, 2023 Diversity, Equity, Inclusion, Justice and Belonging (DEIJB) Committee Draft Meeting Minutes.

**Action:** This Information item was received and filed.

Inf4 May 6, 2023 Diversity, Equity, Inclusion, Justice and Belonging (DEIJB) Committee Draft Meeting Minutes.

**Action:** This Information item was received and filed.

Inf5 May 10, 2023 Ad-Hoc Beaver Meadow Building Committee Draft Meeting Minutes.

**Action:** This Information item was received and filed.

Inf6 May 11, 2023 Golf Course Advisory Committee Draft Meeting Minutes.

**Action:** This Information item was received and filed.

Inf7 May 18, 2023 Finance Committee Meeting Minutes.

**Action:** This Information item was received and filed.

Inf8 May 22, 2023 Finance Committee Meeting Minutes.

**Action:** This Information item was received and filed.

Inf9 May 25, 2023 Finance Committee Meeting Minutes.

**Action:** This Information item was received and filed.

*A true copy, I attest:*

*Elisabeth Harrington  
Deputy City Clerk*