



City of Concord

City Council

Meeting Agenda

Tuesday, November 12, 2019

7:00 PM

City Council Chambers
37 Green Street
Concord, NH 03301

Non- public session in accordance with RSA 91-A: 2, I (a) to discuss collective bargaining strategies and a 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.
3. Pledge of Allegiance.
4. Roll Call.
5. Approval of the Meeting Minutes.

October 15, 2019 City Council Meeting Minutes.

Attachments: [Minutes](#)

October 21, 2019 City Council Meeting Minutes.

Attachments: [Minutes](#)

6. Resolution in recognition of the services of Joseph "Joe" Labontee.
Attachments: [Resolution](#)
7. Agenda overview by Mayor.

Consent Agenda Items

Referral to Community Development, Legal and General Services

8. Communication from Richard French, The Works Cafe, requesting consideration be made to allowing geodesic domes to be placed on city sidewalks to allow outdoor seating for their customers in the spring, fall, and possibly the winter months within the city.
Attachments: [Communication](#)

Items Tabled for December 9, 2019 Public Hearings

9. Ordinance amending the Code of Ordinances; Title II, Traffic Code; Chapter 18, Parking, Article 18-1, Stopping, Standing and Parking, Section 18-1-16, Handicap Parking, Schedule XVIII; together with report from the Director of Redevelopment,

Downtown Services & Special Projects.

Attachments: [Ordinance](#)

[Report](#)

[Request from Temple Beth Jacob](#)

10. Ordinance amending the Code of Ordinances, Title IV, Zoning Code; Chapter 28, Zoning Ordinance, Article 28-5, Supplemental Standards; and Article 28-7, Access, Circulation, Parking and Loading; together with report from the City Planner.

Attachments: [Ordinance](#)

[Report](#)

[Request](#)

[Revised request](#)

11. Resolution authorizing and appropriating the sum of \$1,100,000 as a transfer to Reserves. Funding for this appropriation shall be entirely from Fiscal Year 2019 General Fund Assigned Fund balance; together with report from the Deputy City Manager - Finance.

Attachments: [Resolution](#)

[Report](#)

12. Resolution appropriating the sum of \$120,000 from Reserves as a supplemental appropriation to the City's General Fund for furniture/equipment purchase and replacement, education/training, and the Interstate 93 Maintenance Project; and appropriating the sum of \$77,000 from Reserves to Capital for replacement of a police cruiser (CIP #575), and additional Community Development software funding (CIP #574). Funding for these purposes shall be entirely from Reserve Accounts.

Attachments: [Resolution](#)

13. Resolution appropriating the sum of \$749,727.79 in the General Fund as a transfer to the Highway Reserve and accepting the sum of \$749,727.79 in State Municipal Aid funds; together with report from the Deputy City Manager - Finance.

Attachments: [Resolution](#)

[Report](#)

[Check Image](#)

[Additional Municipal Aid for FY's 20 and 21](#)

14. Resolution appropriating the sum of \$275,000 for the procurement of outside services to recycle solid waste and authorizing the use of Wastewater Fund Balance for this purpose; together with a report from the General Services Director.

Attachments: [Resolution](#)

[Report](#)

15. Resolution appropriating the sum of \$20,711 to support projects that enhance the

special character and vitality of Concord and accepting the sum of \$20,711 from the New Hampshire Charitable Foundation; together with report from the Deputy City Manager - Finance.

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

16. Resolution appropriating the sum of \$10,500 for outside services to study the gas holder house repairs and authorizing the use of economic development reserve funds for this purpose; together with report from the Mayor and City Manager.

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

17. Resolution determining the proposed project has a public benefit and approving an application by 135NNS L.L.C. for a nine year RSA 79-E Community Revitalization Tax Relief Incentive for the renovation of real estate located at 135 North State Street; together with report from the Director of Redevelopment, Downtown Services & Special Projects.

Attachments: [Resolution](#)
[Report](#)
[Tax Savings Calculation](#)
[79-E Application - 135 N. State Street](#)
[Historic Inventory](#)

From the City Manager

18. Positive Citizen Comments

Attachments: [Positive Citizen Comments](#)

Consent Reports

19. Diminimus gifts and donations report from the Library Director requesting authorization to accept monetary gifts totaling \$1,807.64 as provided for under the pre-authorization granted by City Council.

Attachments: [Report](#)

20. City Council 2018-2019 Quarterly Priorities Report from the City Manager.

Attachments: [Report](#)

21. Report from the City Solicitor's Office regarding a tentative agreement with the American Federation of State, County, and Municipal Employees (AFSCME) AFL-CIO.

Attachments: [Report](#)

22. Report from the City Solicitor's Office regarding a tentative agreement with the Concord Police Supervisors Association.

Attachments: [Report](#)

23. Report from the General Services Director regarding Water Plant/Administration position realignment.

Attachments: [CC Report - WCTSwap](#)

24. Report from the Solid Waste Advisory Committee in response to a referral on single-use plastics.

Attachments: [Report](#)

25. Quarterly report from the Police and Fire Chiefs on drug overdoses and other statistics.

Attachments: [Report](#)

26. November 2019 Economic Development Report from the Economic Development Director.

Attachments: [Report](#)

27. Report from the Senior Planner summarizing the events of the October 2nd Bicycle and Pedestrian Demonstration Project and associated public feedback.

Attachments: [Report](#)

[Event Photos](#)

[Survey Questions](#)

28. Report from the City Planner recommending a housekeeping amendment to previously approved zoning changes.

Attachments: [Report](#)

[Ordinance](#)

Consent Resolutions

29. Resolution proclaiming December 2019 as Capital Region Food Program Month. (For presentation in December)

Attachments: [Resolution](#)

30. Resolution in recognition of the services of Lieutenant Cori J. Casey. (For presentation in December)

Attachments: [Resolution](#)

31. Resolution authorizing the City Manager, by way of the Police Department, to submit a grant application to the NH Department of Safety - Law Enforcement Opioid Abuse Reduction Initiative, for funding designated to assist the Department in conducting illegal drug related investigations; together with report from the Police Department.

Attachments: [Resolution](#)

[Report](#)

Appointments

32. Mayor Bouley's proposed appointments to the Energy & Environment Advisory Committee. Matthew Thorne, Dorothy Currier, Kelsey Sullivan and W. Carl Cooley
Attachments: [Appointment](#)

End of Consent Agenda

Public Hearings

- 33A. Ordinance amending the Code of Ordinances; Title II, Traffic Code; Chapter 18, Parking, Article 18-3, Parking Meters, Schedule X, South State Street and Wall Street; together with report from the Director of Redevelopment, Downtown Services & Special Projects.

Attachments: [Ordinance](#)
[Report](#)
[Meter Expansion Zones](#)

- 33B. 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, Blake Street; together with report from the Director of Redevelopment, Downtown Services & Special Projects.

Attachments: [Ordinance](#)
[Report](#)
[Zone 2 Narrow Street Recommendations](#)
[Map 1 - Study Area Wards 4, 5, & 6](#)
[Map 2 - Narrow Streets of Concern by Zone](#)
[Map 3 - Zone 4 Study Area](#)
[Zone 2 Narrow Streets Pres #1 February 4, 2019](#)
[Zone 2 Narrow Streets Pres #2 Sept. 17, 2019](#)

- 33C. Ordinance amending the Code of Ordinances; Title II, Traffic Code; Chapter 18, Parking, Article 18-1, Stopping, Standing and Parking, Schedule IX, parking prohibited during certain hours and months in designated places, Short Street and Summit Street; together with report from the Director of Redevelopment, Downtown Services and Special Projects.

Attachments: [Ordinance](#)
[Report](#)
[Zone 2 Narrow Street Recommendations](#)
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[Zone 2 Narrow Streets Pres #2 Sept. 17, 2019](#)

- 33D. Resolution appropriating the sum of \$496,800 as a transfer out to the Economic Development Reserve and accepting the sum of \$496,800 from the sale of that portion of the former Allied Leather Tannery Complex located at #33-35 Canal Street; together with report from the Director of Redevelopment, Downtown Services & Special Projects.

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

- 33E. Resolution appropriating the sum of \$170,950, to include \$108,200 to the Project Inspection Fund, and \$62,750 to the General Fund for Fiscal Year 2019 retroactive to June 30, 2019, to be funded entirely from excess revenues and fund balance in the Inspection Fund and fund balance in the General Fund; together with report from the Deputy City Manager - Finance. (Revised resolution submitted)

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

- 33F. Resolution appropriating the sum of \$52,341 for Police Department Roadway Safety Initiatives and acceptance \$52,341 in grant funds from the New Hampshire Highway Safety Agency; together with report from the Police Department.

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

- 33G. Resolution appropriating the sum of \$50,000 for distribution to families and individuals in need in the Concord community and accepting the sum of \$50,000 as an anonymous donation; together with report from the Police Department.

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

- 33H Resolution appropriating the amount of \$35,000 for funding of a Homeland Security Training Exercise in conjunction with the Merrimack Valley School District and accepting the sum of \$35,000 in unmatched grant funding from the New Hampshire Department of Safety, Division of Homeland Security and Emergency Management;

together with report from the Police Department.

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

- 33I. Resolution appropriating the sum of \$15,536.94 to fund fifty percent of ballistic vest purchases made by the Concord Police Department and accepting the sum of \$15,536.94 from the Department of Justice, Office of Justice Programs, Bulletproof Vest Partnership Program; together with report from the Police Department.

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

- 33J. Resolution appropriating the sum of \$12,500 for a library renovation/expansion conceptual analysis (CIP #68) and accepting the sum of \$12,500 from the Concord Public Library Foundation as a donation for this purpose; together with report from the Library Director.

Attachments: [Resolution](#)
[Report](#)
[Communication from the Library Foundation](#)

- 33K. Resolution appropriating the sum of \$8,500 for stewardship fees and operation costs for the Fisk Road Easement to Five Rivers Conservation Trust and authorizing the transfer of \$8,500 from the Conservation Reserve to the Conservation Property Fund; together with report from the Assistant City Planner.

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

- 33L. Resolution approving the acquisition of open space property located off of Hot Hole Pond Road for conservation purposes and authorizing the expenditure of up to \$3,600 from the Conservation Trust Fund for this purpose, as recommended by the Conservation Commission; together with report from the Assistant City Planner.

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

Public Hearing Action

34. Ordinance amending the Code of Ordinances; Title II, Traffic Code; Chapter 18, Parking, Article 18-3, Parking Meters, Schedule X, South State Street and Wall Street; together with report from the Director of Redevelopment, Downtown Services & Special Projects.

Attachments: [Ordinance](#)
[Report](#)
[Meter Expansion Zones](#)

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

Attachments: [Ordinance](#)

[Report](#)

[Zone 2 Narrow Street Recommendations](#)

[Map 1 - Study Area Wards 4, 5, & 6](#)

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[Zone 2 Narrow Streets Pres #1 February 4, 2019](#)

[Zone 2 Narrow Streets Pres #2 Sept. 17, 2019](#)

36. Ordinance amending the Code of Ordinances; Title II, Traffic Code; Chapter 18, Parking, Article 18-1, Stopping, Standing and Parking, Schedule IX, parking prohibited during certain hours and months in designated places, Short Street and Summit Street; together with report from the Director of Redevelopment, Downtown Services and Special Projects.

Attachments: [Ordinance](#)

[Report](#)

[Zone 2 Narrow Street Recommendations](#)

[Map 1 - Study Area Wards 4, 5, & 6](#)

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[Zone 2 Narrow Streets Pres #1 February 4, 2019](#)

[Zone 2 Narrow Streets Pres #2 Sept. 17, 2019](#)

37. Resolution appropriating the sum of \$496,800 as a transfer out to the Economic Development Reserve and accepting the sum of \$496,800 from the sale of that portion of the former Allied Leather Tannery Complex located at #33-35 Canal Street; together with report from the Director of Redevelopment, Downtown Services & Special Projects.

Attachments: [Resolution](#)

[Report](#)

38. Resolution appropriating the sum of \$170,950, to include \$108,200 to the Project Inspection Fund, and \$62,750 to the General Fund for Fiscal Year 2019 retroactive to June 30, 2019, to be funded entirely from excess revenues and fund balance in the Inspection Fund and fund balance in the General Fund; together with report from the Deputy City Manager - Finance. (Revised resolution submitted)

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

39. Resolution appropriating the sum of \$52,341 for Police Department Roadway Safety Initiatives and acceptance \$52,341 in grant funds from the New Hampshire Highway Safety Agency; together with report from the Police Department.

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

40. Resolution appropriating the sum of \$50,000 for distribution to families and individuals in need in the Concord community and accepting the sum of \$50,000 as an anonymous donation; together with report from the Police Department.

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

41. Resolution appropriating the amount of \$35,000 for funding of a Homeland Security Training Exercise in conjunction with the Merrimack Valley School District and accepting the sum of \$35,000 in unmatched grant funding from the New Hampshire Department of Safety, Division of Homeland Security and Emergency Management; together with report from the Police Department.

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

42. Resolution appropriating the sum of \$15,536.94 to fund fifty percent of ballistic vest purchases made by the Concord Police Department and accepting the sum of \$15,536.94 from the Department of Justice, Office of Justice Programs, Bulletproof Vest Partnership Program; together with report from the Police Department.

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

43. Resolution appropriating the sum of \$12,500 for a library renovation/expansion conceptual analysis (CIP #68) and accepting the sum of \$12,500 from the Concord Public Library Foundation as a donation for this purpose; together with report from the Library Director.

Attachments: [Resolution](#)
[Report](#)
[Communication from the Library Foundation](#)

44. Resolution appropriating the sum of \$8,500 for stewardship fees and operation costs for the Fisk Road Easement to Five Rivers Conservation Trust and authorizing the transfer of \$8,500 from the Conservation Reserve to the Conservation Property Fund; together with report from the Assistant City Planner.

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

45. Resolution approving the acquisition of open space property located off of Hot Hole Pond Road for conservation purposes and authorizing the expenditure of up to \$3,600 from the Conservation Trust Fund for this purpose, as recommended by the Conservation Commission; together with report from the Assistant City Planner.

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

Reports

New Business

Unfinished Business

46. Ordinance amending the Code of Ordinances, Title IV, Zoning Code; Chapter 28, Zoning Ordinance, Article 28-2, Zoning Districts and Allowable Uses, Article 28-4, Development Design Standards, Article 28-5, Supplemental Standards and Glossary for the purpose of regulating development of solar collection systems; together with report from the Assistant City Planner. (Revised report submitted) (Supplemental ordinance and report submitted along with communication from the Conservation Commission) (Action tabled at the September 9, 2019 Council meeting)

Attachments: [Ordinance](#)
[Report](#)
[Public Comments](#)
[Draft Site Plan Regulations](#)
[Revised Report](#)
[Supplemental Ordinance](#)
[Supplemental Report](#)
[Communication from the Conservation Commission](#)
[Conservation Commission letter to Planning Board](#)

47. Ordinance amending the Code of Ordinances, Title IV, Zoning Code; Chapter 28, Zoning Ordinance; Article 28-5, Supplemental Standards; Section 28-5-50, Keeping of Chickens as Pets Accessory to a Residential Use; together with a report from the City Planner. (Ordinance referred to the Public Safety Advisory Board at the October 15, 2019 City Council meeting)

Attachments: [Ordinance](#)
[Report](#)
[Request](#)
[Public Testimony](#)
[Additional Public Testimony](#)
[Additional Public Testimony 2](#)

Comments, Requests by Mavor, City Councilors

Comments, Requests by the City Manager

Consideration of Suspense Items

Sus1. Canvass of the Votes for the Municipal Election held on November 5, 2019.

Attachments: [Report](#)
[Canvass of Votes](#)

Adjournment

Information

- Inf1. May 7, 2019 Heritage Commission Meeting Minutes.
Attachments: [Minutes](#)
- Inf2. June 6, 2019 Heritage Commission Meeting Minutes.
Attachments: [Minutes](#)
- Inf3. July 17, 2019 Planning Board Meeting Minutes.
Attachments: [Minutes](#)
- Inf4. June 19, 2019 Planning Board Meeting Minutes.
Attachments: [Minutes](#)
- Inf5. September 9, 2019 Golf Course Advisory Committee Draft Meeting Minutes.
Attachments: [Minutes](#)
- Inf6. September 30, 2019 Public Safety Board Draft Meeting Minutes.
Attachments: [Minutes](#)
- Inf7. October 3, 2019 Airport Advisory Committee Draft Meeting Minutes.
Attachments: [Minutes](#)
- Inf8. October 7, 2019 Concord Public Library Trustee Meeting Minutes.
Attachments: [Minutes](#)
- Inf9. October 21, 2019 Fiscal Policy Advisory Committee Draft Meeting Minutes.
Attachments: [Minutes](#)
- Inf10. Communication from Comcast Cable informing customers about upcoming changes in service to customers.
Attachments: [Communication](#)
- Inf11. Communication from Comcast outlining the latest news about their Internet Essentials program.
Attachments: [Communication](#)