



City of Concord

City Council

Meeting Agenda

Tuesday, October 12, 2021

7:00 PM

City Council Chambers
37 Green Street
Concord, New Hampshire

Consultation with legal counsel in accordance with RSA 91:A:2, I (b) to be followed by 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.
3. Pledge of Allegiance.
4. Roll Call.
5. Approval of the Meeting Minutes.

September 13, 2021 City Council Draft Meeting Minutes

Attachments: [Minutes](#)

September 20, 2021 City Council Draft Meeting Minutes.

Attachments: [Minutes](#)

6. Agenda overview by the Mayor.
7. Resolution in recognition of the services of Maintenance Technician Timothy W. Fontaine.
Attachments: [Resolution](#)
8. Introduction of Ernie Creveling, Zoning Administrator.

Consent Agenda Items

Items Tabled for November 8, 2021 Public Hearings

9. Ordinance amending the Code of Ordinances, Title V, Administrative Code; Chapter 34, Personnel Rules and Regulations; Article 34-10, Attendance; Section 34-10-3, Holidays; together with report from the City Solicitor. (Public testimony received)
Attachments: [Ordinance](#)
[Report](#)
[Public Testimony](#)

10. Ordinance amending the Code of Ordinances, Title I, General Code; Chapter 13, Public Health; Article 13-6, Noise; Section 13-6-9, Construction Noise; together with report from the City Solicitor.

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

11. Ordinance amending the Code of Ordinances, Title I, General Code; Chapter 1, Government Organization; Article 1-5, Fees, Fines and Penalties; Schedule II, Section 19-1-1, Penalties (Parking Violations); together with report from the City Solicitor.

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

12. Ordinance amending the Code of Ordinances, Title 1, General Code, Chapter 1, Government Organization, Article 1-3, Miscellaneous Regulations, amending Section 1-3-9, Ward Lines; together with report from the Redistricting Committee. (To be submitted under separate cover)

13. Resolution appropriating the sum of \$23,125 to support projects that enhance the special character and vitality of Concord and accepting the sum of \$23,125 from the New Hampshire Charitable Foundation for this purpose; together with report from the Deputy City Manager - Finance.

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

14. Resolution appropriating the sum of \$55,000 designated for conducting illegal drug related investigations and accepting \$55,000 in grant funding from the New Hampshire Department of Safety - Law Enforcement Opioid Abuse Reduction Initiative; together with report from the Police Department.

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

15. Resolution appropriating the sum of \$23,400 for groundwater management permit activities for the former Allied Leather Tannery and Amazon Reality sites located at 11, 33, and 35 Canal Street and authorizing the use of \$23,400 from Penacook Village Tax Increment Finance District fund balance; together with report from the Director of Redevelopment, Downtown Services, and Special Projects.

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

Consent Reports

16. Diminimus gifts and donations report from the City Manager requesting authorization to accept a monetary gift totaling \$4,500, as provided for under the pre-authorization granted by City Council.

Attachments: [Report](#)

17. Diminimus gifts and donations report from the Library Director requesting authorization to accept monetary gifts totaling \$8,115.89, as provided for under the pre-authorization granted by City Council.
Attachments: [Report](#)
18. Diminimus gifts and donations report from the Parks and Recreation Director requesting authorization to accept monetary gifts totaling \$6,380.22, as provided for under the pre-authorization granted by City Council.
Attachments: [Report](#)
19. Diminimus gifts and donations report from the Assistant City Planner requesting authorization to accept monetary gifts for use on City Trails totaling \$124.06, as provided for under the pre-authorization granted by City Council.
Attachments: [Report](#)
20. Report from the Deputy City Manager for Development recommending approval of a license agreement between the City and Interchange Development, LLC for the installation of a private storm water pipe under Whitney Road.
Attachments: [Report](#)
[License Agreement](#)
[Rauseo Pipe License-Exhibit 1](#)
21. Quarterly Current Use Tax Report from the Director of Real Estate Assessments.
Attachments: [Report](#)
22. Report from the Parks and Recreation Director recommending City Council approve the creation of a mural projects in a City Park.
Attachments: [Report](#)
23. Report from the Police Department regarding reimbursement provided by Granite United Way for the purchase of a computer and related software upgrades for the Department's Adverse Childhood Experiences Response Team (ACERT).
Attachments: [Report](#)

Consent Resolutions

24. Resolution proclaiming December 2021 at Capital Region Food Program Month.
(For presentation in December)
Attachments: [Resolution](#)

Appointments

25. Mayor Bouley's Redistricting Committee Appointments.
Attachments: [Appointments](#)

26. Mayor Bouley's proposed appointment to the Everett Arena Advisory Committee.
Jeffrey M. Cain.

Attachments: [Appointment](#)

27. City Manager's Appointment to the Heritage Commission: Althea Barton

Attachments: [Report](#)

[Resume](#)

End of Consent Agenda

Public Hearings

- 28A. Ordinance amending the Code of Ordinances; Title II, Traffic Code; Chapter 18, Parking; Article 18-1, Stopping, Standing and Parking; Schedule VII, Bus and Taxicab Stands; together with report from the Transportation Engineer.

Attachments: [Ordinance](#)

[Report](#)

[Map](#)

- 28B. Ordinance amending the Code of Ordinances; Title II, Traffic Code; Chapter 18, Parking, Article 18-1, Stopping, Standing and Parking, Section 18-1-7.1, Parking Prohibited During Certain Hours and Months in Designated Places, Schedule IX, Jackson Street; together with report from the Director of Redevelopment, Downtown Services, and Special Projects.

Attachments: [Ordinance](#)

[Report](#)

- 28C. 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, Schedules I and Ia, Whitney Road; together with report from the Director of Redevelopment, Downtown Services, and Special Projects.

Attachments: [Ordinance](#)

[Report](#)

[Interchange Development Master Plan](#)

[Map - No Stopping, Standing, Or Parking](#)

[Interchange Development LLC No Parking Request to City Council](#)

- 28D. Resolution appropriating the sum of \$20,000 for the addition of a Fiscal Tech II at the Beaver Meadow Golf Course, funding for which shall be provided from anticipated excess revenues for Fiscal Year 2022; together with report from the Deputy City Manager for Finance.

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

- 28E. Resolution appropriating the sum of \$21,527 for Police Department Roadway Safety Initiatives and accepting the sum of \$21,527 in grant funds from the New Hampshire Highway Safety Agency; together with report from the Police Department.

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

- 28F. Resolution appropriating the sum of \$32,000 for the general operations and maintenance of the Concord Municipal Airport and accepting the sum of \$32,000 in American Rescue Plan Act funding as administered by the New Hampshire Department of Transportation Bureau of Aeronautics for this purpose; together with report from the Deputy City Manager for Development.

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

- 28G. Resolution appropriating the sum of \$180,000, to include \$20,000 to the Inspection Fund and \$160,000 to the Golf Fund for Fiscal Year 2021, retroactive to June 30, 2021, to be funded from excess revenues in the Golf Fund and fund balance in the Inspection Fund, together with report from the Deputy City Manager for Finance.

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

- 28H. Resolution establishing Birch Street as an Emergency Lane under RSA 231:59-a; together with report from the General Services Director.

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

Public Hearing Action

29. Pursuant to RSA 53-C:3-a, the City Council, as statutory Franchising Authority for the City of Concord, will conduct a public hearing to consider whether it will grant a cable television franchise to provide Cable Services, for the franchise applicant, Atlantic Broadband (NH-ME), LLC (“Atlantic”), to install, construct and operate a cable television system in Concord.

The public hearing will, at a minimum, consider the following as applied to Atlantic’s prospective cable service in Concord:

- I. The financial ability of Atlantic to perform.
- II. The ability of Atlantic to provide adequate and technically sound facilities, equipment and signal quality.
- III. That Atlantic will offer adequate channel capacity and appropriate facilities for public, educational, or governmental use, taking into account available technology,

subscriber interest, and cost.

IV. That Atlantic will not discriminate among customers for providing basic service.

V. That Atlantic will provide reasonable service quality in terms of available technology, subscriber interest, and cost.

VI. That Atlantic will construct and install a cable system which conforms to all applicable state and federal laws and regulations and the National Electric Safety Code.

VII. That Atlantic will have competent staff able to provide prompt, adequate service, and to respond comprehensively to customer complaints or problems.

VIII. That Atlantic will have reasonable rules and policies for line extensions and disconnects, customer deposits, and billing practices.

Interested parties are encouraged to attend the hearing and offer testimony on cable-related matters.

For more information on the public hearing, please call the City Manager's Office at (603) 225-8570. (Public hearing on this item was held September, 20, 2021) (Report from the City Solicitor, Supplemental information from Atlantic Broadband and public testimony submitted)

Attachments: [Report](#)

[Cogeco Communications 2020 Annual Report](#)

[Atlantic Broadband Power Point Presentation](#)

[Atlantic Broadband Public Hearing Responses](#)

[Atlantic Broadband Public Testimony](#)

30. Ordinance amending the Code of Ordinances; Title II, Traffic Code; Chapter 18, Parking; Article 18-1, Stopping, Standing and Parking; Schedule VII, Bus and Taxicab Stands; together with report from the Transportation Engineer.

Attachments: [Ordinance](#)

[Report](#)

[Map](#)

31. Ordinance amending the Code of Ordinances; Title II, Traffic Code; Chapter 18, Parking, Article 18-1, Stopping, Standing and Parking, Section 18-1-7.1, Parking Prohibited During Certain Hours and Months in Designated Places, Schedule IX, Jackson Street; together with report from the Director of Redevelopment, Downtown Services, and Special Projects.

Attachments: [Ordinance](#)

[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, Schedules I and Ia, Whitney Road; together with report from the Director of Redevelopment, Downtown Services, and Special Projects.

Attachments: [Ordinance](#)

[Report](#)

[Interchange Development Master Plan](#)

[Map - No Stopping, Standing, Or Parking](#)

[Interchange Development LLC No Parking Request to City Coun](#)

33. Resolution appropriating the sum of \$20,000 for the addition of a Fiscal Tech II at the Beaver Meadow Golf Course, funding for which shall be provided from anticipated excess revenues for Fiscal Year 2022; together with report from the Deputy City Manager for Finance.

Attachments: [Resolution](#)

[Report](#)

34. Resolution appropriating the sum of \$21,527 for Police Department Roadway Safety Initiatives and accepting the sum of \$21,527 in grant funds from the New Hampshire Highway Safety Agency; together with report from the Police Department.

Attachments: [Resolution](#)

[Report](#)

35. Resolution appropriating the sum of \$32,000 for the general operations and maintenance of the Concord Municipal Airport and accepting the sum of \$32,000 in American Rescue Plan Act funding as administered by the New Hampshire Department of Transportation Bureau of Aeronautics for this purpose; together with report from the Deputy City Manager for Development.

Attachments: [Resolution](#)

[Report](#)

36. Resolution appropriating the sum of \$180,000, to include \$20,000 to the Inspection Fund and \$160,000 to the Golf Fund for Fiscal Year 2021, retroactive to June 30, 2021, to be funded from excess revenues in the Golf Fund and fund balance in the Inspection Fund, together with report from the Deputy City Manager for Finance.

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[Report](#)

37. Resolution establishing Birch Street as an Emergency Lane under RSA 231:59-a; together with report from the General Services Director.

Attachments: [Resolution](#)

[Report](#)

Reports

38. Department Update/Presentation by Human Services Director, Karen Emis-Williams.

New Business**Unfinished Business****Comments, Requests by Mayor, City Councilors****Comments, Requests by the City Manager****Adjournment****Information**

Inf1 September 9, 2021 Golf Course Advisory Committee Draft Meeting Minutes.

Attachments: [Minutes](#)

Inf2 September 14, 2021 Concord Public Library Board of Trustee Meeting Minutes.

Attachments: [Minutes](#)

Inf3 September 21, 2021 Ad Hoc Beaver Meadow Golf Course Clubhouse Committee Draft Meeting Minutes.

Attachments: [Minutes](#)

Inf4 Invitation for Mayor Bouley, Members of City Council, and City Manager Aspell to march in the Christmas Parade to be held on Saturday, November 20, 2021, as well as attend Tree Lighting festivities on November 26, 2021.

Attachments: [Invitation](#)

Inf5 Parks and Recreation Department Winter Brochure.

Attachments: [Brochure](#)