



City of Concord

City Council

Meeting Agenda - Final-revised

Monday, December 12, 2022

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 followed by a non-public session in accordance with RSA 91-A: 3, II (d) to discuss property acquisition 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.

November 14, 2022 City Council draft meeting minutes.

Attachments: [Minutes](#)

6. Agenda overview by the Mayor.
7. Resolution proclaiming December 2022 as Capital Region Food Program Month.

Attachments: [Resolution](#)

Consent Agenda Items

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

Referral to the Conservation Commission

8. Communication from Megan De Vorsey, Concord resident, asking that consideration be made to adding the Broken Ground Trails to the list of Concord City trails where hunting is restricted.

Attachments: [Communication](#)

Items Tabled for January 9, 2023 Public Hearings

9. Resolution appropriating the sum of \$50,000 in the Water Production Plant Upgrades project and \$50,000 in the Hall Street Wastewater Treatment Plant Renovations project for cyber security improvement projects and accepting the sum of \$100,000 from the New Hampshire Department of Environmental Services American Rescue

Plan Act program for this purpose; together with report from the General Services Director.

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

10. Resolution appropriating the sum of \$950,000 as a transfer to Trust and authorizing the use of \$950,000 from Fiscal Year 2022 General Fund Assigned Fund Balance; together with a report from the Deputy City Manager - Finance.
Attachments: [Resolution](#)
[Report](#)
11. Resolution appropriating the sum of \$94,000 for furniture, equipment and training and authorizing the use of \$94,000 in reserve funds for these purposes.
Attachments: [Resolution](#)
12. Resolution authorizing the City Manager to submit an application in an amount of up to \$500,000 and to accept and appropriate grant proceeds of up to \$500,000 of Community Development Block Grant funds to support acquisition and redevelopment of real estate located at 6 South State Street to create 8 units of housing to support persons exiting homelessness; together with a report from the Interim Deputy City Manager - Development.
Attachments: [Resolution](#)
[Report](#)
[Coalition to End Homelessness CDBG Proposal](#)
13. Resolution re-adopting the City's Anti-Displacement and Relocation Policy Statement and Procedures in support of the City's Community Development Block Grant Application to the New Hampshire Community Development Finance Authority to support acquisition of real estate and development of residential dwelling units at 6 South State Street by the Concord Coalition to End Homelessness; together with a report from the Interim Deputy City Manager - Development.
Attachments: [Resolution](#)
[Report](#)
14. Resolution authorizing the City Manager to submit an application in an amount of up to \$500,000 and to accept and appropriate grant proceeds of up to \$500,000 of Community Development Block Grant funds to support acquisition and renovation of real estate located at 27 Warren Street by the Crisis Center of Central New Hampshire to create programmatic office space to provide support services to victims of domestic violence; together with report from the Interim Deputy City Manager - Development.

Attachments: [Resolution](#)
[Report](#)
[Crisis Center of Central NH CDBG Proposal](#)

15. Resolution re-adopting the City's Anti-Displacement and Relocation Policy Statement and Procedures in support of the City's Community Development Block Grant application to the New Hampshire Community Development Finance Authority to support acquisition and redevelopment of real estate located at 27 Warren Street to provide programmatic office space for the Crisis Center of Central New Hampshire for the purposes of providing supportive services to victims of domestic violence; together with a report from the Interim Deputy City Manager - Development.

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

16. Resolution re-adopting the City of Concord's Housing and Community Development Plan; together with reports from the Interim Deputy City Manager - Development.

Attachments: [Resolution](#)
[Report \(CCEH\)](#)
[Report \(CCCNH\)](#)

From the City Manager

17. Positive Citizen Comments

Attachments: [Report](#)

Consent Reports

18. Diminimus gifts and donations report from the Library Director requesting authorization to accept monetary gifts totaling \$1,215.21, as provided under the pre-authorization granted by City Council.

Attachments: [Report](#)

19. Diminimus gifts and donations report from the City Planner requesting authorization to accept a donation of \$252, as provided for under the pre-authorization granted by City Council.

Attachments: [Report](#)

20. Report from the General Services Director requesting the City Manager be authorized to apply for and accept grant funds from the New Hampshire Department of Environmental Services.

Attachments: [Report](#)

21. Report from the Parks and Recreation Director on winter outdoor recreation opportunities.

Attachments: [Report](#)

22. Report from the City Solicitor's Office regarding a tentative agreement with the Concord Police Supervisor's Association.
Attachments: [Report](#)
23. Report from the City Solicitor's Office regarding a tentative agreement between the City of Concord and the Concord Police Patrolmen's Association.
Attachments: [Report](#)
24. Report from the City Solicitor's Office regarding a tentative agreement with the American Federation of State, County, and Municipal Employees, AFL-CIO (AFSCME)
Attachments: [Report](#)
25. Report from the City's Transportation Engineer in regards to Capital Improvement Project (CIP) #520, Intersection Safety Improvements at the Lilac Street/Borough Road intersection.
Attachments: [Report](#)
26. Report from the City Planner, on behalf of the Heritage Commission, in response to a request from the Division of Historical Resources and the Department of Transportation to install a historical marker sign honoring former Concord resident Elizabeth Gurley Flynn.
Attachments: [Report](#)
[Request](#)
[Sight Lines](#)
27. June 30, 2022 Trust Reports / MS-9 and MS-10 from the City Treasurer/Tax Collector.
Attachments: [Report](#)
[MS9](#)
[MS10](#)

Consent Resolutions

28. Resolution authorizing the City Manager to apply for up to \$3,000,000 of New Hampshire Department of Transportation Congestion Mitigation and Air Quality Program funds to support the cost of design, permitting, and construction of Capital Improvement Project (CIP #31) Broadway/West Street Intersection Improvements; together with a report from the Interim City Engineer.

Attachments: [Resolution](#)
[Report](#)
[Map](#)
[2012 City Council Report](#)
[CNHRPC Support Letter](#)

Appointments

29. Mayor Bouley's proposed appointments to an Ad-Hoc Beaver Meadow Building Committee: Councilor's Fennessy, Bouchard and Kretovic, Mark Coen, Tom Croteau, Linda Matlage, Christopher Mulleavey and Noemi Weirwille. (Pulled from consent by Councilor Brown.)

Attachments: [Appointments](#)

30. Mayor Bouley's proposed appointment to the Community Development Advisory Committee, Kalamoh Donzo.

Attachments: [Appointment](#)

31. City Manager's Proposed Reappointments to the Heritage Commission: Michael Dunn, J. Richard Jaques, Sr., Jim Spain, Carol Durgy Brooks, and Bryant F. Tolles.

Attachments: [Report](#)

32. Mayor Bouley's proposed appointment to the Public Safety Board, Andrew Biemer.

Attachments: [Appointment](#)

33. Mayor Bouley's Proposed Appointment to the Transportation Policy Advisory Committee Appointment; Boyd Smith.

Attachments: [Appointment](#)

End of Consent Agenda

Public Hearings

- 34A. Ordinance amending the Code of Ordinances, Title III, Building and Housing Codes; Chapter 26, Building Regulations; together with a report from the Code Administrator.

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

- 34B. Ordinance amending the Code of Ordinances, Title III, Building and Housing Codes; Chapter 27, Housing Maintenance and Occupancy Code; together with a report for each from the Code Administrator.

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

- 34C. Resolution appropriating the sum of \$20,455.30 for residential granite curb cost sharing and developer reimbursement for off-site improvements along South State Street as part of the Roadway Surface Improvements project (CIP #78) and accepting the sum of \$20,455.30 for this purpose; together with a report from the General Services Director.
Attachments: [Resolution](#)
[Report](#)
- 34D. Resolution appropriating the sum of \$24,960.24 as a transfer to the Opioid Abatement Reserve and accepting the sum of \$24,960.24 in Opioid Litigation Settlement funds for this purpose; together with a report from Deputy City Manager-Finance.
Attachments: [Resolution](#)
[Report](#)
[Opioid Abatement DOJ Award Letter](#)
- 34E. Resolution appropriating the sum of \$35,000 to clean up an abandoned homeless camp on City-owned land at 58 Locke Road and authorizing the use of General fund balance for this purpose; together with a report from the Assistant City Planner.
Attachments: [Resolution](#)
[Locke Road - Report](#)
[Photos](#)
- 34F. Resolution appropriating the sum of \$45,000 for conducting illegal drug related investigations and accepting \$45,000 in grant funding from the New Hampshire Department of Safety - Law Enforcement Opioid Abuse Reduction Initiative Grant for this purpose; together with a report from the Deputy Chief of Police.
Attachments: [Resolution](#)
[Report](#)
- 34G. Resolution appropriating the sum of \$1,300,000 for the acquisition of real estate to be developed at #76 Community Drive, Penacook for the purpose of establishing a new Penacook Branch Library and Community Center (CIP #650), authorizing the City Manager to enter into a purchase and sale agreement with the Boys and Girls Club of Central New Hampshire to acquire said real estate, authorizing the issuance of bonds and notes in the sum of \$1,300,000 for this purpose, and authorizing the divestment of city owned property located at #3 Merrimack Street, Penacook, together with other vacant City land located at the intersection of Sanders and Merrimack Street, Penacook (tax map parcel 1412p-57) upon completion of the new Penacook Branch Library and Community Center at #76 Community Drive; together with a report from the Interim Deputy City Manager - Development. (Public testimony received.) (Supplemental report, supplemental Purchase and Sales Agreement and additional public testimony received.)

Attachments: [Resolution](#)
[Report](#)
[P&S Agreement](#)
[#3 Merrimack St Historic Inventory \(1990\)](#)
[#3 Merrimack St Facility Conditions Report \(2020\)](#)
[#3 Merrimack St Renovation Cost Estimate \(February 2021\)](#)
[Renderings \(Birds Eye\) \(Draft\)](#)
[Rendering & Floor Plan \(Draft\)](#)
[Site Plan \(Draft April 2022\)](#)
[Public testimony](#)
[Supplemental Report](#)
[Supplemental P&S Agreement](#)
[Additional Public Testimony](#)

Public Hearing Action recessed from the November 14, 2022 Council Meeting

35. New Hampshire Department of Transportation proposed changes to I-93 Bow/Concord. (Public testimony received.)

Attachments: [Public Testimony I-93](#)
[Additional Public Testimony I-93](#)

Public Hearing Action

36. Ordinance amending the Code of Ordinances, Title III, Building and Housing Codes; Chapter 26, Building Regulations; together with a report from the Code Administrator.

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[Report](#)

37. Ordinance amending the Code of Ordinances, Title III, Building and Housing Codes; Chapter 27, Housing Maintenance and Occupancy Code; together with a report for each from the Code Administrator.

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[Report](#)

38. Resolution appropriating the sum of \$20,455.30 for residential granite curb cost sharing and developer reimbursement for off-site improvements along South State Street as part of the Roadway Surface Improvements project (CIP #78) and accepting the sum of \$20,455.30 for this purpose; together with a report from the General Services Director.

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

39. Resolution appropriating the sum of \$24,960.24 as a transfer to the Opioid Abatement Reserve and accepting the sum of \$24,960.24 in Opioid Litigation Settlement funds for this purpose; together with a report from Deputy City Manager-Finance.
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[Opioid Abatement DOJ Award Letter](#)
40. Resolution appropriating the sum of \$35,000 to clean up an abandoned homeless camp on City-owned land at 58 Locke Road and authorizing the use of General fund balance for this purpose; together with a report from the Assistant City Planner.
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[Photos](#)
41. Resolution appropriating the sum of \$45,000 for conducting illegal drug related investigations and accepting \$45,000 in grant funding from the New Hampshire Department of Safety - Law Enforcement Opioid Abuse Reduction Initiative Grant for this purpose; together with a report from the Deputy Chief of Police.
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42. Resolution appropriating the sum of \$1,300,000 for the acquisition of real estate to be developed at #76 Community Drive, Penacook for the purpose of establishing a new Penacook Branch Library and Community Center (CIP #650), authorizing the City Manager to enter into a purchase and sale agreement with the Boys and Girls Club of Central New Hampshire to acquire said real estate, authorizing the issuance of bonds and notes in the sum of \$1,300,000 for this purpose, and authorizing the divestment of city owned property located at #3 Merrimack Street, Penacook, together with other vacant City land located at the intersection of Sanders and Merrimack Street, Penacook (tax map parcel 1412p-57) upon completion of the new Penacook Branch Library and Community Center at #76 Community Drive; together with a report from the Interim Deputy City Manager - Development. (Public testimony received.) (Supplemental report, supplemental Purchase and Sales Agreement and additional public testimony received.)

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[Renderings \(Birds Eye\) \(Draft\)](#)
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[Site Plan \(Draft April 2022\)](#)
[Public testimony](#)
[Supplemental Report](#)
[Supplemental P&S Agreement](#)
[Additional Public Testimony](#)

New Business

Unfinished Business

43. Ordinance amending the Code of Ordinances, Title I, General Code; Chapter 1, Government Organization, Article 1-6, Code of Ethics; together with a report from the Rules Committee. (Supplemental ordinance and report submitted.) (Public testimony received.) (Supplemental ordinance and report from the Rules Committee submitted.)

Attachments: [Ordinance](#)
[Report](#)
[Supplemental Ordinance](#)
[Supplemental Report](#)
[Public Testimony](#)
[Supplemental Ordinance 12-22](#)
[Report 12-22](#)

Comments, Requests by Mayor, City Councilors

Comments, Requests by the City Manager

Consideration of items pulled from the Consent Agenda

29. Mayor Bouley's proposed appointments to an Ad-Hoc Beaver Meadow Building Committee: Councilor's Fennessy, Bouchard and Kretovic, Mark Coen, Tom Croteau, Linda Matlage, Christopher Mulleavey and Noemi Weirwille. (Pulled from consent by Councilor Brown.)

Attachments: [Appointments](#)

Adjournment**Information**

- Inf1 September 20, 2022 Traffic Operations Committee Meeting Minutes.
Attachments: [Minutes](#)
- Inf2 November 7, 2022 Concord Public Library Board of Trustee Meeting Minutes.
Attachments: [Minutes](#)
- Inf3 Information Regarding Xfinity Services and Pricing.
Attachments: [Information](#)
- Inf4 Proposed Merrimack County Budget for Calendar Year 2023.
Attachments: [Merrimack County Proposed Budget](#)