



# City of Concord

## City Council

### Meeting Minutes

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Monday, February 13, 2017

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 be held at 6:15 p.m.*

1. Call to Order.

**Action:** At 7:00 p.m., City Council came out of non-public session in accordance with RSA 91-A:3, II (d). Councilor Kretovic moved to seal the minutes of this session. The motion was duly seconded and passed with no dissenting votes.

Mayor Bouley called the regular Council meeting to order at 7:00 p.m.

2. Invocation.

3. Pledge of Allegiance.

4. Roll Call.

**Present:** 13 - Mayor Jim Bouley, Councilor Byron Champlin, Councilor Mark Coen, Councilor Amanda Grady Sexton, Councilor Allan Herschlag, Councilor Linda Kenison, Councilor Jennifer Kretovic, Councilor Gail Matson, Councilor Keith Nyhan, Councilor Dan St. Hilaire, Councilor Stephen Shurtleff, Councilor Brent Todd, and Councilor Robert Werner

**Excused:** 2 - Councilor Candace Bouchard, and Councilor Fred Keach

5. Approval of the Meeting Minutes.

January 9, 2017 City Council Meeting Minutes.

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

Councilor Kretovic stated that Councilor Herschlag has been attending the Public Utilities Commission meetings and has been letting them know that he is there representing himself as a citizen. She noted that for him to then speak to the Council, as a Councilor, she feels that they need clarification in the meetings here that he was speaking as a citizen and not as a Councilor so that there is

consistency.

Councilor Kretovic moved to amend the minutes in this manner to change page ten to reflect "Councilor Herschlag indicated..." to "Councilor Herschlag, in his capacity as a citizen, indicated..."

Councilor Herschlag noted that he doesn't fully understand what Councilor Kretovic is looking to add. He questioned whether it's because he has declared that he has attended PUC meetings and made a declaration that he wasn't representing the Council or the city in any official capacity because it's going to create a conflict later on or whether it's just to make that statement clearer.

Councilor Kretovic noted that there wasn't anything they discussed that would have presented bias at the time, however, they also don't know that there would be anything that comes before the Council in the future that would then create, because of his attendance, a bias. She feels that the Council needs to be aware that, should something else comes before this Council, they would make this decision; she feels that it's for consistency.

Councilor Herschlag noted that he would be okay with the amendment to the January Council minutes.

The minutes, as amended, passed with no dissenting votes.

6. Proclamation honoring Christopher Morgan's service and contributions as a member of the Conservation Commission within the City of Concord.

Mayor Bouley presented a proclamation honoring Christopher Morgan for his services and contributions as a Conservation Commission member.

7. Friends of the City Auditorium Presentation.

No presentation was given this evening.

8. 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.***

*Approval of the Consent Agenda*

**Action:** Councilor St. Hilaire moved approval of the consent agenda with items 9, 22 and 32 removed for discussion. The motion was duly seconded.

Councilor Herschlag placed item 9 back on the consent agenda.

The motion, as amended with items 22 and 32 being removed, passed with no dissenting votes.

**Referral to the Planning Board**

9. Communication from Richard Uchida, on behalf of GJC Associates, requesting consideration be given to rezoning portions of a set of properties located on the north and south sides of Pleasant Street; together with communication from area residents in opposition to the request. (Additional communications in opposition to the request submitted) (Pulled from consent by Councilor Herschlag)

**Action:** This communication was referred.

**Referral to the Legal Department**

10. Communication from Craig Greenman expressing his concern with the enforcement of the "no hockey on pond" rule at White Park.

**Action:** This communication was referred.

**Item Tabled for Public Hearings to be held on March 13, 2017 and April 10, 2017**

11. 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.

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

**Items Tabled for March 13, 2017 Public Hearings**

12. Resolution relative to the public highway discontinuance of a portion of Broad Cove Drive in Concord New Hampshire; together with report from the City Planner.

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

13. Resolution appropriating \$15,000 from the Economic Development Reserve to fund a Business Incubator Needs Assessment and Development Plan in partnership with the Capital Regional Development Council and the Greater Concord Chamber

of Commerce; together with a report from the Deputy City Manager - Development.

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

14. Resolution appropriating the sum of \$1,850,000 for the purpose of the design, permitting, right-of-way, and construction for the North Pembroke Road Bridge Replacement Project (Concord -Pembroke 14841, CIP #478), including accepting and appropriating \$1,480,000 in New Hampshire State Bridge Aid Program funds, accepting and appropriating \$330,000 in donations from the Town of Pembroke, NH as a portion of the local agency match for this project, and authorizing the issuance of bonds and notes in the amount of \$40,000 for the remaining portion of the local agency match for this project; together with report from the City Engineer.

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

15. Ordinance Amending the Code of Ordinances, Title IV, Zoning Code; Chapter 29.2, Public Capital Facilities Impact Fees Ordinance; Article 29.2-1-2, Assessment and Collection; together with report from the City Planner.

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

16. Ordinance amending the Code of Ordinances, Title IV, Zoning Code, Chapter 28, Zoning Ordinance, Article 28-8-2, Nonconforming Lots, Uses and Structures; Section 28-8-2, Determination of a Nonconformity; together with a report from the City Planner.

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

17. Ordinance amending the Code of Ordinances. Title V, Administrative Code; Chapter 31, Purchasing and Contract Procedure; Article 31-1, Purchasing Procedure; Section 31-1-3 Purchasing Procedures and 31-1-4 Disposition of Surplus Personal Property; thereby changing purchasing and disposal limits; together with report from the Purchasing Manager.

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

### **From the City Manager**

18. Positive Citizen Comments.

**Action:** This positive comments was received and filed.

**Consent Reports**

19. Diminimus gifts and donations report from the Library Director requesting authorization to accept monetary gifts totaling \$2,603.00 as provided for under the pre-authorization granted by City Council.

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

20. Diminimus gifts and donations report from the Parks and Recreation Director requesting authorization to accept monetary gifts totaling \$2,020.30 as provided for under the pre-authorization granted by City Council.

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

21. Status report from the City Manager on 2016-2017 City Council Priorities.

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

22. Report from the Deputy City Manager - Development concerning St. Paul's School's follow-up regarding the discontinued portions of Silk Farm Road.  
(Pulled from consent by Councilor Herschlag)

**Action:** This item was removed to end of agenda for discussion.

23. Report from the Ad-hoc Events Committee.

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

24. Fiscal Year to Date Financial Statements from the Deputy City Manager - Finance.

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

25. Report from the Police and Fire Chiefs on Drug Overdoses and Other Statistics for Calendar Year 2016.

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

26. Report from the Parks and Recreation Director on the cemetery operations.

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

27. Quarterly Current Use Change Tax Report from the Director of Real Estate Assessments.

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

28. Report from the City Planner recommending that the Unit Fees of the Public Capital Facilities Impact Fee Ordinance not be increased in 2017 based on the inflationary rates.

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

### **Consent Resolutions**

29. Resolution authorizing the City Manager to enter into a municipal agreement with the Town of Pembroke, New Hampshire and the State of New Hampshire Department of Transportation (NHDOT), for State Bridge Aid Program funding in conjunction with the design, permitting, right-of-way, and construction of the North Pembroke Road Bridge Replacement Project (CIP #478); together with report from the City Engineer.

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

30. Resolution repurposing the sum of \$130,010.67 from the 2016 Equipment Design subproject (CIP #104) to the 2016 Equipment Process Upgrade subproject (CIP #104); together with report from the General Services Director.

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

31. Resolution repurposing the sum of \$15,000 from the 2016 Penacook Street Pump Station upgrades subproject (CIP #372) to the 2017 Pump Station #5 Screen/Basket Replacement subproject (CIP #372); together with report from the General Services Director.

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

### **Consent Communications**

32. Street closure request from United Progressives of New Hampshire for a community march to be held Monday, February 20, 2017 from 3:45 to 4:45 p.m. (Pulled from consent by City Manager Aspell)

**Action:** This item was removed to end of agenda for discussion.

33. Street closure request from the New Hampshire Breast Cancer Coalition for a NHBCC March Down Main Street event to be held on Sunday, October 1, 2017.

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

34. Street closure request from the Arthritis Foundation for their Annual Jingle Bell Run to be held on Sunday, December 17, 2017.

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

### **Appointments**

35. Mayor Bouley's proposed appointments to the Committee for Concord's Plan to End Homelessness. Karen Emis-Williams, Kara Wyman and Rosemary Heard

**Action:** This appointment was approved.

36. City Manager's proposed appointment to the Conservation Commission. Stefan Mattlage

**Action:** This appointment was approved.

37. Mayor Bouley's proposed appointment to the Everett Arena Advisory Committee. Joe Farrelly

**Action:** This appointment was approved.

38. City Manager's proposed reappointment to the Heritage Commission. J. Richard Jacques, Sr.

**Action:** This appointment was approved.

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

### **Public Hearings**

39. Resolution accepting and appropriating the sum of \$100,000 in grant funds from the NH Department of Environmental Services Aquatic Resource Mitigation Grant Program to be used towards the design and construction of a culvert replacement and stream bed restoration along Mill Stream at Portsmouth Street, CIP #83; together with a report from the City Engineer.

**Action:** City Manager Tom Aspell provided brief overview.

Councilor Herschlag asked what the city's portion of this project will be. Mr. Aspell responded that the city is responsible for all the remaining costs - it will be added to the previously appropriated funds in the amount of \$275,000; approximately a \$400,000 project.

Councilor St. Hilaire indicated that a skim coat was recently done on Mill Street and inquired whether this would affect the paving in this area. City Engineer Ed Roberge responded that their work will be coordinated with gas work and General Services work being done. He believes that what is going to happen is that General

Services is going to avoid this area and then they are going to complete this section in conjunction to what General Services has done.

Councilor St. Hilaire inquired as to how this would coincide with the roundabout construction. Mr. Roberge explained that this is completely away from the roundabout project.

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

### **Public Hearing Action**

40. Resolution accepting and appropriating the sum of \$100,000 in grant funds from the NH Department of Environmental Services Aquatic Resource Mitigation Grant Program to be used towards the design and construction of a culvert replacement and stream bed restoration along Mill Stream at Portsmouth Street, CIP #83; together with a report from the City Engineer.

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

### **Appointments by the Mayor**

### **Reports**

41. Report from the City Engineer on available project funding in conjunction with the Downtown Complete Streets Improvement Project (CIP 460).

**Action:** Mayor Bouley asked if there was any Council objection in removing item 44 from Unfinished Business to include that with this item. There was no Council objection.

Councilor St. Hilaire moved to remove item 44 from the table. The motion was duly seconded and passed with no dissenting votes.

City Manager Tom Aspell provided a brief overview.

Councilor Coen inquired in regards to a surplus. Mr. Aspell replied that there is an unspent balance of \$1.165 million. Councilor Coen indicated that his personal interest is the uplighting, the lighting that was presented to Council by the consultants. He noted that they now have the opportunity to look at the options for the lighting and whether they want to appropriate the dollars in surplus to do so. He stated the concern with the parking garages and the lack of lighting from the



garages to Main Street.

Mr. Aspell indicated that since the numbers are a few years old, if Council wants staff to explore any of these items they would go back, refresh all the numbers and come back to Council. If they want to do any improvements, construction would begin in the Spring.

Mayor Bouley noted that there are a lot of items within page two that he would like to have; the lighting to the parking garages particularly on the Warren Street section is really important to him because it's a safety issue. He feels that there can always be more signage and resurfacing Bicentennial Square is overdue. He stated that there are a lot of healthy wants and pointed out breakdowns within the report: returning money to traffic impact fees - this makes sense to him because this would go to help pay the Exit 16 roundabout and if they didn't do this they would potentially need to bond more dollars for this project; the reduction to the bond anticipation notes for the south end portion - he feels that it makes sense to put this money back because they all want to get a healthy project out of the Employment Security Building. He stated that it does leave a balance of \$672,000. With upcoming budgetary costs, although it would be wonderful to do all these items, he feels that the appropriate way to do it would be to take the items they really want to accomplish downtown or elsewhere and place them in a CIP project so that they are acknowledged that these need to be done and they would pay for them when they can afford to do so. In the meantime, the Mayor feels that they should take this money and simply use it towards helping to offset any increases to the budget.

Councilor Champlin supports the Mayor's proposal of placing these projects in the CIP. He feels that using the available funds to mitigate the impact on the tax rate is prudent.

Councilor Herschlag indicated that Councilor Champlin's comments reflects his sentiments.

Councilor St. Hilaire noted that Main Street looks great right now and feels that it makes sense from a fiscal perspective to follow the Mayor's proposal.

Councilor Coen feels that the downtown project is 95 percent complete and looks great; the extra 5 percent with the uplighting and the trees will make the project truly complete. He noted that he feels strongly that it would finish off Main Street and feels that if it get puts into CIPs it may never happen - they have the funds now to

finish the project.

Councilor Herschlag reiterated his agreement with the Mayor's proposal and feels that it's more prudent to use this money to meet the city's current obligations than to take on new projects.

Councilor Kretovic noted her agreement with Councilor Coen that if they don't do this they may never do it. She supports getting an update on what the costs and options may be noting that this isn't any different than the community center in which they took a step back, looked at many options and found something that was a good compromise for the community.

Mayor Bouley thought they already did the step back; they didn't spend the money right away because they wanted to see what was going to be available and what was going to happen. In hindsight, he is glad they waited because \$672,000 is almost two percent of the tax rate. He feels that Main Street is 100 percent complete and have had 100 percent success. He noted that they can always add more bells and whistles in the future and he would be one that supports many of those items but also feels that they have to be fiscally responsible.

Councilor St. Hilaire moved to adopt the item 41 report and instruct the City Manager to take the remaining available amount using it during the budget process to offset any increases. The motion was duly seconded.

Councilor St. Hilaire inquired whether his motion would adequately deals with item 44 which was taken off the table.

Councilor St. Hilaire amended his motion to include taking the remaining items that were discussed in the previous correspondence and ask the City Manager to put these in the CIP to be considered during the next budget process. The motion was duly seconded and passed with one dissenting vote.

42. Reports from the Police Chief and the Parking Committee in response to a referral from City Council regarding on-street parking on narrow public streets.

**Action:** City Manager Tom Aspell provided a brief overview.

Councilor Coen inquired as to what percentage of streets in Concord meet the minimum requirements in todays standards for a width of a street. Police Chief Osgood responded that they have met internally as staff to go over some of the

problematic streets; there are over 500 streets and they have narrowed it down to 30 or 40. Fire Chief Andrus clarified that the number is 53.

Councilor Shurtleff asked if the City Manager currently has the authority to ban parking on city streets in emergency conditions such as narrowing. Mr. Aspell responded that those departments have the authority to post streets without checking with him; they can post as no parking and coordinate with General Services to remove the snow in those areas.

Councilor Champlin thanked the Parking Committee, the Police and Fire Chiefs, and the General Services for looking into this. He noted, as the minutes of the report from the Parking Committee indicates, this was prompted by constituents of his who also emphasized to him that it's not just a winter parking issue but a year round issue; there are a handful of streets where this is a problem in which if there are two cars park on opposite sides of the street, it creates a safety issue. He wants to ensure that this is known.

Referencing the Police Chief's report, Councilor Herschlag indicated that it asks Council to look at eliminating on street overnight parking seasonally for the winter. He inquired whether this is on those streets or would it be citywide. Chief Osgood responded that it would be citywide. Mr. Aspell added that has been the Police Department's position for years.

Councilor Herschlag indicated that he believes one of the reasons that Council did away with the overnight parking ban was an economic development issue to try to get more people to live in the core area. He asked whether this would still be a consideration for maintaining overnight parking. Mr. Aspell responded that when they did the analysis what they were talking about at that time is how they can encourage upper story development, particularly in downtown, and would financiers be more inclined to loan dollars for the redevelopment of those properties if they allowed overnight parking for residents. He noted that the experience that they have had is that the answer is yes but the practice is no. He stated that he feels that it has had no effect on increased economic development for those buildings adding that it doesn't mean that they shouldn't have overnight parking in different areas throughout the city.

Councilor St. Hilaire noted that he hopes they can look at some options for younger people so that they can stay downtown.

Mayor Bouley indicated that the Police Chief, Fire Chief, and General Services Director has the authority from the City Manager to place emergency no parking signs on the streets in case of them being impassable. He inquired as to how many times they have placed these signs up this year. General Services Director Chip Chesley responded that they have done this once this year. He stated that they will begin posting streets within the next few weeks to begin removing snow from them.

Mayor Bouley asked what it takes personnel to see so they can say the street is a problem or that a street is impassable and unsafe. Chief Osgood responded that it's a communication issue between the departments to come up with a timeline. Mayor Bouley pointed out an issue on Albin Street in which a plow truck had to back up all the way down the street because cars were parked in such a way that the truck could not get through. Mr. Chesley indicated that there are instances that General Services does have to call the Police Department during a snowstorm advising them that they cannot get down certain streets. Mayor Bouley asked that, if this happens, why wouldn't this be one of those situations in which they place the emergency no parking signs. If plow trucks cannot get through then emergency vehicles are not going to make it through either. Mr. Aspell indicated that the answer is that they are giving people enough time to make an intelligent decision to determine whether or not they should be parking there but people are not making the right decision. Mayor Bouley stated that he is worried that emergency vehicles cannot get through on certain streets. He noted that when staff sees issues, he is hoping that they are willing to speak up to identify a problem and maybe they will need to post the street; maybe some residents haven't made the right decision but feels that public safety trumps all this other stuff.

Councilor St. Hilaire knows of someone that lives on one of the streets on the list that was unaware of this process because of being a new resident to Concord. He noted that part of this is communication because some people are not willfully just leaving their cars on the streets.

Mayor Bouley pointed out that they all do a excellent job in getting the message out on the website, tweets, facebook and snow emergency alerts. He feels that they are doing a good job getting the word out the best they can but it's those in between events.

Councilor Herschlag wonders, if what the Mayor is suggesting, that those streets that traditionally have an issue is that staff is more proactive in posting those signs. He wonders if it makes more sense that they could get ahead earlier in a storm

rather than later. Mr. Chesley indicated that a possible option is that there is no on-site parking on specific streets during the winter time. Councilor Herschlag asked if it would make sense to post those streets no parking until staff has an opportunity to remove snow and then open them back up again to parking. Mr. Chesley stated that the difficulty with this is that the indecisiveness during storms begins to contribute to some of the problems.

Councilor Kenison indicated that it is her understanding that after narrowing down to the 53 problem streets, that the Parking Committee is going to look at these streets individually to come up with some kind of recommendations such as parking on one side during the winter, etc. She hopes they can resolve some of these issues for longer term.

Referencing Councilor Kenison's remarks, Mayor Bouley feels that this is the way they should go but hopes that if staff sees a specific problem or if a street becomes impassable, that there is communication there to protect the public safety of the citizens.

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

### **New Business**

### **Unfinished Business**

43. Report from the Rules Committee recommending revisions to the current Rules of the City Council. (Item tabled, no action taken, at the June 8, 2015 City Council meeting).

**Action:** This item remains on the table.

44. Supplemental report from the City Engineer outlining lighting alternatives for the Downtown Complete Streets Improvement Project (CIP460).

**Action:** This item was removed from the table and action on this taken with item 41.

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

Councilor Todd announced that the annual PVA brunch will take place at the Merrimack Valley High School cafeteria beginning at 8:30 a.m. on Saturday.

Councilor Herschlag explained that the Granite United Way administers a free program for income tax filing assistance for tax preparation for low to moderate

income families who earn a household income \$64,000 or less. For contact, people can call 211 or visit online at [nhtaxhelp.org](http://nhtaxhelp.org) or at [myfreetaxes.com](http://myfreetaxes.com).

Councilor Champlin extended his appreciation as Ward Four City Councilor to General Services, Parks and Recreation, and the Black Ice Hockey Tournament for an outstanding event this past weekend.

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

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

*\* Items 9, 22 and 32 have been pulled from the consent agenda for discussion.*

22. Report from the Deputy City Manager - Development concerning St. Paul's School's follow-up regarding the discontinued portions of Silk Farm Road.  
(Pulled from consent by Councilor Herschlag)

**Action:** Councilor Herschlag indicated that he read the letter received from St. Paul's and is concerned that it may not meet all the requirements of the agreement. He noted that he asked the City Engineer as to the last time Dunbarton Road was paved - the section from Pleasant Street to the gated section of Silk Farm Road; the response received was that General Services reclaimed and paved Dunbarton Road in 1998 prior to the discontinuance related to the Langley Parkway project. He highlighted that the agreement reads: St. Paul's hereby grants the city a public right of way easement for pedestrians, bicycles and emergency vehicle access over the discontinued portions of the public ways formerly known as Dunbarton Road and Silk Farm Road lying within the St. Paul's School campus pursuant to the Langley Parkway agreement. He noted that the parkway agreement provided that St. Paul's School continue to maintain those former public ways as internal roadways within the St. Paul's School property to at least the same size and condition of other school roads currently in use for emergency vehicles, pedestrian and bicycle traffic. Councilor Herschlag stated that as he understands, if they were to look at the narrowest possible way the only road that is currently used for that is the section of Dunbarton Road from Pleasant Street to the gated section which is in exceptionally good condition. What the agreement, as he understands requires, is that the gated section be maintained in a similar manner or at least the same standard. He pointed out that what St. Paul's has indicated they will do, in their letter, is to patch the current road which he feels is not bringing it up to similar standards that the other section of the road is currently in. He requests that the city ask St. Paul's to abide by the agreement that was signed in 2010 and 2011.

Mayor Bouley questioned whether St. Paul's has complied with the agreement.

Deputy City Solicitor Danielle Pacik responded that there is an open question as to whether they are in compliance with it and is something that staff can look into further.

Councilor Kretovic indicated that given the fact that it's winter she doesn't feel that this is the time to evaluate the road. She pointed out that they have been plowing the road, more so now that the City Manager has sent the letter. She is satisfied that they are stating that they will inspect the road at the end of each winter.

Councilor Herschlag noted that he doesn't believe that what St. Paul's has suggested they will do satisfies the agreement.

Councilor Herschlag moved to approve this item with the understanding that the Legal Department will review this document and report back to Council with their opinion. There was no second to the motion.

Councilor Kretovic noted that St. Paul's has been a good community partner for the city and feels that when they push little items such as this, the city forgets that they are a private school and can close off their road. She indicated that they have to think in terms of that the city is fortunate for what St. Paul's shares because they have many properties outside of their main campus that all enjoy. This is something that the Transportation Policy Advisory Committee, with regards to the Pedestrian and Bicycle Subcommittee, has looked at several times and do see that there is deterioration on the road but they don't see that it's not impassable for bicycles or pedestrians which is what their main concern was for this road to begin with. She feels that in the condition that it is in today, it is reasonably accessible to emergency vehicles. She stated that she feels that there are roads in the Concord community that are in far worse shape than this one.

Councilor Nyhan moved to accept the report. The motion was duly seconded.

Following brief Council discussion, the motion to approve passed with no dissenting votes.

32. Street closure request from United Progressives of New Hampshire for a community march to be held Monday, February 20, 2017 from 3:45 to 4:45 p.m. (Pulled from consent by City Manager Aspell)

**Action:** City Manager Tom Aspell pointed out that the request is for the closure of

South Main Street between Storrs and Pleasant Streets and of North Main Street between Pleasant Street and the State House on February 20th. He noted his concern with the impact on the community, the businesses community and the traveling public in this area with a complete closure of this street. He stated that they have done a major renovation project downtown in which the sidewalks have been widened and suggests that if an event wants to take place, that it takes place on the sidewalk and not closing Main Street.

Councilor Shurtleff asked whether there is a time period in which street closure requests must be into the City Clerk's Office. Mr. Aspell responded that the permit requests as he understands is thirty days and should be received two weeks prior to a meeting. City Clerk Janice Bonenfant added that staff deadlines are typically ten days prior to a Council meeting but they do, on occasions, accept items closer to the meeting date.

Councilor Shurtleff noted his concern with this request for such a big event coming in so late. He is concerned with closing down Main Street and how it may affect the downtown merchants business during a holiday.

Councilor Werner pointed out that many of these types of events have been on the sidewalks as far as he can remember. He inquired as to what department would communicate back to the applicant that they should consider filing the proper paperwork to make sure they have authority on the sidewalk. Mr. Aspell responded that the applicant would contact Code Administration to work on the permit.

Following brief Council discussion, Councilor Nyhan moved to disapprove the street closure with all the appropriate notifications to the applicant.

Mayor Bouley noted that they are not discouraging them from holding the event. Councilor Nyhan agreed clarifying that he is moving to just disapprove the Main Street closure.

The motion was duly seconded and passed with no dissenting votes.

### **Consideration of Suspense Items**

**Action:** Councilor Nyhan moved to suspend the rules to introduce suspense items not previously advertised. The motion was duly seconded and passed with no dissenting votes.



Sus1. Report outlining recommendations from the Council's Gully Hill Committee.

**Action:** City Manager Tom Aspell provided a brief overview.

Referencing a three year lease, Councilor Champlin questioned whether there was any discussion in terms of a shorter lease. Mr. Aspell responded that there was discussion explaining that some people wanted a one year lease and others were looking at a five year lease; the committee compromised on a three year lease with a two year option all of which needs to be approved by City Council.

Councilor Kretovic moved approval of the committee report. The motion was duly seconded.

Councilor St. Hilaire indicated that it wasn't referenced within the report that they didn't think that the city would be doing anything tangible on this property within the next three years. He questioned whether the trail could be possibly be put in within the next three years. Mr. Aspell responded yes explaining that when they design the lease it should be in such a way that the trail or other items can happen. There needs to be an opportunity to get out of the lease so there needs to be flexibility on both sides.

The motion to approve passed with no dissenting votes.

Sus2. Referral to the Fiscal Policy Advisory Committee (FPAC)

Community Revitalization Tax Relief Program (RSA 79-E) Application submitted by Jonathan Chorlian for property located at 54 Pleasant Street, former Sacred Heart Church property.

**Action:** Councilor Nyhan moved to refer this item to the Fiscal Policy Advisory Committee. The motion was duly seconded and passed with no dissenting votes.

### **Adjournment**

The time being 8:29 p.m., Councilor Grady Sexton moved to adjourn the meeting. The motion was duly seconded and passed with no dissenting votes.

*A true copy; I attest:*

*Michelle Mulholland  
Deputy City Clerk*

**Information**

Inf1. August 11, 2016 Golf Advisory Committee Meeting Minutes.

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

Inf2. September 15, 2016 Recreation and Parks Advisory Committee Meeting Minutes.

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

Inf3. November 22, 2016 and January 17, 2017 Concord's Plan to End Homelessness Meeting Minutes.

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

Inf4. December 15, 2016 Recreation Parks Advisory Committee Meeting

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

Inf5. December 15, 2016 Transportation Policy Advisory Committee Meeting Minutes

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

Inf6. December 21, 2016 Tax Exemption Policy Committee Draft Meeting Minutes.

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

Inf7. January 9, 2017 Concord Public Library Board of Trustees Meeting Minutes.

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

Inf8. January 17, 2017 Fiscal Policy Advisory Committee Draft Meeting Minutes.

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

Inf9. January 17, 2017 Traffic Operations Committee Meeting Minutes.

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

Inf10. Annual Customer Notice from Comcast Cable.

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

Inf11. Communication/update from the Concord Coalition to End Homelessness.

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

Inf12. University of New Hampshire Cooperative Extension Merrimack County 2016 Annual Report.

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