



City Council Meeting
Minutes
May 23, 2013
City Council Chambers
7:00 p.m.

1. Mayor Bouley called the meeting to order at 7:00 p.m.
2. Roll Call. Councilors Bennett, Blanchard, Mayor Bouley, Councilors Coen, DelloIacono, Grady Sexton, Keach, Kretovic, McClure, Nyhan, St. Hilaire, Shurtleff and Werner were present. Councilor Bouchard was late. Councilor Patten was excused.
3. Agenda overview by the Mayor.
4. **May 23, 2013 Public Hearing**
 - A. Public hearing on the final design of the Downtown Complete Streets Improvement Project, CIP #460. (5-56)

Action: City Manager Tom Aspell provided an overview.

Carlos Baia, Deputy City Manager-Development, introduced the design team members Gene McCarthy, McFarland-Johnson, and Jonathan Law, Carol R. Johnson Associates.

Mr. McCarthy and Mr. Law, via a powerpoint presentation, provided a detailed overview of the design being proposed to the Council. (*Complete presentation on file at the City Clerk's Office*).

Councilor St. Hilaire noted that they had received a plan for St. John's future development and it looked like they're requesting a cut out for traffic to flow off of Main Street. City Engineer Ed Roberge explained that staff met with them through the development team process looking at their overall site and, following that consultation, they looked at some other alternatives that may be a better layout for them. Referencing Storrs Street, Councilor St. Hilaire indicated that in one of their CIP's they keep pushing out a set of lights because of the traffic issues and questioned whether this was looked at to see whether it may be appropriate to address this now or would this design alleviate any foreseeable problems. Mr. Roberge responded that they looked at this explaining that it's not in an ideal situation/location now because those two signals are right on top of each other. He indicated that they think a double left and single thru south helps

alleviate the queuing at that intersection which would allow better left turn movement into Storrs Street. He stated that he feels that the improvement will help add a little of capacity to that intersection and that they will continue to monitor it.

Councilor Werner asked how many public bathrooms are appropriate in a city of this size. Mr. Law replied that he cannot provide an answer to this because he has never been involved with projects that have had bathroom components in it.

Mayor Bouley opened the public hearing.

Public Testimony

Bill Dunlap, NH Historical Society Executive Director, indicated that he was present on behalf of the board and membership to respectfully register their opposition to moving the clock tower. He stated that they have a vested interest in having good access into Eagle Square and they don't have any perception that there is an obstruction to the entrance to the square by the location of the tower as it currently exists. He noted that they feel that it's a landmark that helps mark the entrance into Eagle Square. In regards to moving the tower, Mr. Dunlap wanted to point out that there are other things that need to be included in the quote to move the tower such as any adjustments and reassembly of the clock itself.

Councilor St. Hilaire pointed out that the glass goes all the way down to the sidewalk and inquired whether there has been any problem with this breaking. Mr. Dunlap responded that, to his knowledge, there has not been any glass breakage. He added that they do wind the clock on a regular basis.

Tim Sink, Greater Concord Chamber of Commerce, noted that he was impressed with the presentation and feels that this is heading in the right direction. He stated that the Chamber has been operating the current staffed kiosk at the State House Plaza since 1929 and is where they can provide a service to helping people find points of interests. He indicated that they are happy to look and to work with the city in terms of a different type of kiosk design at the plaza.

Floyd Haines indicated that he feels that the issue of parking spaces is very important and is concerned that the plan calls for fewer parking spaces. He further noted his concern with only one lane and indicated that he would like to keep the lanes as they currently are.

Jim Rosenberg, Shaheen and Gordon, noted that it sounds like there is now a more measured proposal for the pocket park. He noted that if they are going to close traffic to the top of Phenix Avenue that there should be a clear plan for loading of trucks for Low Avenue.

Mayor Bouley pointed out that there are three dumpsters in the area and questioned whether there would be a willingness to relocate these towards Storrs Street. Mr. Rosenberg responded yes stating that his office uses them some but the restaurants rely

substantially on these. He noted that he believes that those dumpsters are primarily on their property with the exception of one corner which might go into the easement. He indicated that they would be willing to move the dumpsters. Mr. Rosenberg added that the other thing that exists between the two buildings, the Cheers building and their business, is that a lot of employees from Cheers park in this area. He noted that he believes there is an easement that allows deliveries in that location and not parking. He stated that it appears to him that there might be some manner of further relief for loading by way of reeducating everybody of the purpose of the easement.

Councilor Werner indicated that he had seen eight cars wedged in between the buildings and feels that this is one issue that does need to be addressed. He added that he has public health concerns about the state of the dumpsters both aesthetic and public health concerns.

Roy Schweiker noted that it concerns him that he hasn't heard anything in regards to the steam. City Manager Tom Aspell responded that they are anticipating hearing about this by the end of the month. Mr. Schweiker noted his concerns with not having steam because he feels that this is what will draw people downtown. He spoke in favor of angled parking downtown so that there are as many spaces as can be. In regards to the water feature, he feels that it is being proposed in the wrong place because there is always something going on at the plaza. He spoke of his concerns with the costs of trees, the trash receptacles, lighting, granite, and underground utilities.

Gretchen Peters, Puppy Love Hot Dogs owner, stated that she sees the public's frustration with parking on a daily basis. She stated that project looks beautiful but questioned where the balance is between function and beauty. She noted that her customers' major complaint is the lack of available parking downtown and feels that this project has not met the demand for parking on North Main Street. She asked that Council make parking a priority.

Mayor Bouley asked what Ms. Peters thought of some of the other aspects of the project. Ms. Peters indicated that she worries about wider sidewalks because she feels that this will keep customers farther away from the merchants. Speaking on behalf of her customers, she indicated that they do not want parallel parking.

Dennis Gilbreath indicated that his wife owns the business Say It In Stitches and noted that they are also concerned with parking for their customers. He stated that he would like to see diagonal parking on both sides without reducing any parking spaces. He noted that since the business is on Phenix Avenue they are also concerned with how deliveries will be made within this area. He inquired as to why there needs to be bike lanes on Main Street noting that he sees this as a serious hazard both for the bicyclists and vehicles. Lastly, he advocated for non-electronic signs noting that he would like to see the city maintain a quiet NH look downtown.

Mark Ciborowski, advisory committee member, noted that this is an incredible opportunity to upgrade infrastructure and to give a spruced up look to a project to a downtown which is not broken but is tired. He stated that the plans have come a long

way and a lot of elements are starting to tie together. He indicated that his core issue is giving up two lanes of travel and in doing this, eight feet is being added in the width of the sidewalks but that the furniture zone area is taken up by a tremendous amount of landscaping. He indicated that he likes the idea of a more tree lined look of a street with flush grates in the sidewalk and feels that by doing this, you can really not lose all that sidewalk width as functional width; one of the benefits with wider sidewalks is more seating for eating establishments. Mr. Ciborowski spoke in favor of diagonal parking on both sides of North Main Street, Pleasant Street to Loudon Road, both for the vibrancy and economic vitality of the city. He pointed out that if they eliminate 17 to 18 spaces that represents a 13 percent reduction and would be a critical loss to the businesses. He noted that he feels that the sidewalks should be made to be a little wider on the east side with the rationale being that there are 59 first floor businesses from Hill Avenue to Loudon Road on the east side and only 30 on the west side. He noted his support of the snow melt system. Lastly, he pointed out that the construction period is critical and that PR will be a critical component during this time.

Mr. Aspell explained that the current budget carries \$634,500 for the snow melt system in the core area.

Mayor Bouley asked Mr. Ciborowski how he felt about the proposal for the lights. Mr. Ciborowski responded that he likes a historic look but feels that the cost is high. The Mayor inquired whether he liked that they included banners, planters, and electricity. Mr. Ciborowski replied that he doesn't know if they need to include all those functions. The Mayor asked him how he felt about the benches. Mr. Ciborowski responded that the benches largely fit into the planting areas and would like to see them incorporated more at the nodes. The Mayor asked how he liked the bike racks. Mr. Ciborowski indicated that he likes them. The Mayor asked how he felt about the newspaper racks. Mr. Ciborowski noted that he doesn't want them looking cluttered like they currently do in front of the Eagle Hotel. The Mayor inquired as to his thoughts on the way finding signs as proposed. Mr. Ciborowski noted that he feels that they look good and is something that has really been lacking and needed. The Mayor asked him to comment on his opinion of the clock tower potentially being moved down to Phenix Avenue. Mr. Ciborowski replied that he feels that is a better location and does currently compete with the ornamental tree in front of Eagle Square. He feels that it would set off the pocket park and make the pocket park a key feature.

Councilor Keach noted that a lot of things that they might do is cosmetic so how does one figure out the rate of return on the investment on cosmetics. Mr. Ciborowski responded that he can't say that he has actually figured out an actual rate of return on cosmetic features. He stated that as an owner of 12 businesses downtown, ongoing costs of maintaining something is crucial in every decision they make.

Mayor Bouley asked how he felt about a water feature at the State House Plaza. Mr. Ciborowski replied that he likes water features but is not sold on a water feature at this location.

Gerry Carrier, Little River Oriental Rugs, indicated that 69 merchants were polled in regards to the project and that there were major concerns from all. He stated that there are many merchants who are concerned about the loss of parking spaces; they are concerned with loading zone parking of large vehicles and that this needs to be addressed with greater detail. He noted support of the snow melt system and that they are now concerned that this feature may not move forward and asked whether there are any contingency plans. He questioned whether the design, with all of the raised planters, furniture and sidewalk width, will be as beneficial for downtown if there is not a snow melt system. He noted the concern in regards to the operational costs noting that they haven't seen this yet that says that this is going to be beneficial in the cost savings. He stated that they haven't heard anything about significant historical items coming into play; he stated that the water feature is questionable in regards to operational costs and use; he further stated that there is a need for restrooms in the downtown area.

Mayor Bouley indicated that Council hasn't seen the operational costs yet but they will be available online tomorrow.

Alan Herschlag noted that he has concerns about this project as proposed and went through some items that he feels are issues. In regards to heated sidewalks, he proposed that a study be undertaken to determine the cost and feasibility of installing private boilers in downtown buildings that are currently heated by Concord Steam; that the study looks at and determine if it is more economically feasible for each building to have their own boiler or share a boiler by a number of buildings; that the study provide that the boilers have enough waste product to heat both the street and the sidewalk; a loan fund be established to help building owners pay for the installation of the boilers; a cost study be looked at. He outlined additional suggestions/concerns include: sidewalk width and parking – reducing sidewalk width would enable head in parking; medians/crosswalks – use less expensive materials such as concrete; seating and planters – will incur a large unanticipated cost to maintain and create obstacles in the winter if there is no snow melt system; trees – ginkgos shed fruit with an odor and causes the sidewalks to be slippery; bus shelter – doesn't protect people from the elements due to the high roof; clock tower – doesn't think it's current location shows it off; water feature – not appropriate in front of memorials. He noted his concern with the timeframe in regards to this project and stated that he feels that this is a project that still needs some time to get to the right answers.

(Full written testimony on file at the City Clerk's Office)

Councilor Nyhan inquired whether Mr. Herschlag was or was not in support of this project. Mr. Herschlag replied that he supports a vibrant downtown but does not support this project as presented.

Mayor Bouley inquired, given the condition of the downtown area today, would he prefer to leave it in the condition today or would he prefer to do something different with it. Mr. Herschlag responded that he would like to see something done downtown but not the way it's being presented.

Ron Rayner complimented city staff and the engineering firm for adding quite a few details to this evenings presentation from what had been presented earlier. He noted his

support of leaving the clock tower where it is; feels that the water feature would be aesthetically pleasing but is concerned with the impression it gives and the operational maintenance of it; feels that the trees and plantings would add to downtown but is concerned with the city's poor history of maintaining landscape features downtown; in favor of heated sidewalks and advocated putting it in, even if Concord Steam doesn't come through, for the future.

Gerry Mark, Caring Gifts co-owner, referenced a poll given by the merchant's roundtable to about 90 to 95 percent of the core merchants on Main Street. He explained that they were given three questions: 1) do you want the city to accept the design as it is at this time; 2) do want to see the design tweaked in some manner at this time; 3) do you want the city to delay the project at this time with the understanding that the delay means loss of funding. He stated that of 69 merchants, 44 of them wanted to tweak the project, 25 of them wanted to delay or stop the project, and no one wanted to accept the design as it is at this time.

Councilor Coen asked when the poll was taken. Mr. Mark responded that it was taken on Monday and Tuesday.

Robert Baker asked that Council incorporate back-in angled parking to safely accommodate bicyclists of all ages and abilities; correct the intersection at Main and Pleasant Streets to improve pedestrian movement and suggested accomplishing this by widening the crosswalks on the south and east and creating a triangular or angled crosswalk on the north side; and to position the clock tower near the State House and placing the water feature at or near the pocket park of Phenix Avenue. Lastly he asked the Council to consider the bigger picture when discussing sustainability and specify infrastructure improvements to promote and normalize safe bicycle transportation.
(Full written testimony on file at the City Clerk's Office)

Councilor McClure asked for clarification in regards to the intersection at Main and Pleasant Streets. Mr. Baker pointed out that it's the only intersection in the proposed design in which the crosswalk is not in a line of sight; if walking down the sidewalk one has to jog to the left to get into the crosswalk and to jog back to get onto the sidewalk.

Councilor Kretovic asked if Mr. Baker knew how many parking spaces would be added by going to back-in angled parking. Mr. Baker replied that he understands that there are a few added but doesn't know the number.

Biron Champlin, Greater Concord Chamber of Commerce Board Member and Creative Concord member, noted his support of the proposed project and is pleased with the direction it has taken. He restated Creative Concord's willingness to work with the city to facilitate identifying funding. He indicated that he doesn't mind the water fountain in the proposed area and that it will draw people to the memorials. He noted that he hopes that, as Council considers and addresses the real concerns of the downtown merchants regarding parking, they still balance that with the need for wider sidewalks.

David Harris stated that he likes the proposed plan and is pleased that many of the changes suggested have been made. He pointed out that the only thing that he didn't like previously and which is still included are the fences around the trees. He questioned how the traffic lights will be governed. Councilor Kretovic responded that it will be by video detection. Mr. Harris questioned whether changes will be made at Loudon Road for the lights. Councilor Kretovic responded yes. Mr. Harris indicated that he doesn't like where the clock tower currently is and would like to see it moved.

Dick Lemieux, Transportation Policy Advisory Committee, indicated that TPAC would have preferred either parallel parking on both sides or back-in angle parking on one side, either of which would have allowed for fully compliant striped and marked bike lanes on both sides of Main Street; the compromise calls for pull-in angle parking on one side. The final design is not TPAC's first choice but TPAC recognizes that compromises needed to be made and TPAC finds that pull-in angle parking on one side is an acceptable compromise. He noted that TPAC considers the widening of sidewalks and the shortening of the crosswalks to be a very positive improvement for pedestrians. TPAC also applauds the sidewalk snowmelt as a pedestrian safety improvement. He added that TPAC considers the addition of a new bus shelter at the northbound hub location and the heated sidewalks to be a net gain for the transit friendliness of Main Street. From the motor vehicle transportation perspective, TPAC notes that the major design features for motor vehicles - number of lanes, width of lanes, turning lanes, width and texture of the median, and placement of crosswalks, etc. - are all within the ranges that TPAC recommended in its matrix in October. He explained that TPAC is satisfied that the design team has done its best to enhance the safety and mobility of Main Street for people of all abilities. He concluded by stating that TPAC believes the design would provide great improvements to the safety, mobility, accessibility and overall transportation friendliness of Main Street for all users and endorses the major elements of the design and recommends Council's approval. *(Full written testimony on file at the City Clerk's Office)*

Richard Cohen, Disabilities Right Center, noted that progress is being made on accessibility explaining that when the process started, there were three or four concerns that they had; accessibility from the street onto the sidewalk will be improved, the accessibility spaces will be improved and added to. He noted that an aspirational goal of the city is making the sidewalk accessible to the various storefronts that are not yet accessible. He stated that they met with the design team and city staff and they are making superb progress, through public and private cooperation, and almost all of the stores in which there is one or two steps will be made accessible; they are still working with three or four in which more progress is necessary. He noted that the path of travel on the sidewalk and the material seems to be ADA compliant. Referencing benches, he cautioned that it's important that they not only be aesthetically pleasing and historically looking but also be ergonomically suitable for people with mild, moderate and significant impairments. He indicated that, from an accessibility point of view, they are disappointed that there might not be heated sidewalks right away and feels that it's worth investing in this.

Councilor Keach asked whether the accessibility issue is a responsibility of the owner of a building or the city. Mr. Cohen responded that the issue of the accessibility from the sidewalk into the store, if readily achievable for the store owner to make the store accessible, it's the store owners who has the legal obligation.

Sue McCoo, Capital Craftsman, Romance Jewelers and Viking House owner, questioned in regards to signage as to how they are going to make the changes, how often are they going to be changed, what the cost would be and suggested some tasteful advertising. She noted her support of the snow melt system and feels that not having them would be a deal breaker for her. She indicated that she is concerned with the west side of the street because there are no, except for Eagle Square, angled parking and for people with mobility issues it may be an issue. She stated that the Council has a huge opportunity to look at parking from every perspective.

Councilor Nyhan pointed out that Ms. McCoo indicated that not having heated sidewalks is a deal breaker and questioned whether she was on the fence on this. Ms. McCoo responded that she feels that the most exciting thing about redoing Main Street, besides making it look nice, would be the heated sidewalks. Councilor Nyhan asked what if the only way this could go forward financially would be from the perspective from a special tax district with the business owners paying for that functionality. Ms. McCoo replied that she doesn't want to pay it but would if she had to.

Paula Genovese, Hill Top Consignment Gallery, noted that she feels that the biggest concern is taking away any parking spaces indicating that parking for her business is not only a convenience but is imperative because people are taking stuff to bring to her store or picking up from her store. She noted that she feels that back in parking would be better but is not sure if this is good for everyone on the street.

Ursula Maldonado, TPAC member, noted that she is in support of this proposed plan. She indicated that she is looking forward to this and being able to see pedestrians and knowing that the infrastructure is set up in a way that she has a better chance in seeing pedestrians when looking for a parking spot.

Councilor St. Hilaire moved to suspend the rules to continue the meeting past 11:00 p.m. The motion was duly seconded and passed with no dissenting votes.

Kevin Curdie suggested that history markers be included on buildings. He indicated that he would like to see the project take place in place of having to keep doing emergency repairs. He is in favor of heated sidewalks and would like to see the clock tower on top of the Ralph Pill building. He stated that Concord has a lot of history and he would like to see it revitalized.

Steve Duprey noted that when Council goes through their work sessions it is important to keep in mind what the goals were: to create a complete street; to enhance the streetscape; to improve the access, mobility and safety; promote economic vitality; to add sustainable elements; and to provide gathering spaces. He indicated that this is a good design in which many details have been fleshed out and is truly an exceptional project. He stated

that the Council should resist making too many tweaks and it is also important for them to keep in mind the return on investment. He stated that he feels that the merchants should be very thankful explaining that the Chamber of Commerce partnered with the city taking on the mission of submitting an application for the CDFA and in less than 35 days getting commitments for over \$1 million of donations to help this project. He strongly urged the Council to include a modest business improvement district to make sure that they maintain this as a top shelf, first class Main Street and not one that deteriorates. He made a few suggestions for Council to keep in mind including: making sure there is power and water every place there is a tree; a water fountain on the State House Plaza to keep it lively; parking signs that are visible; a surface lot for parking; public art and banners. In regards to steam, he stated that it's his strong recommendation that the city go out and bid a number of alternates.

Mayor Bouley asked Mr. Duprey to comment on the poll that was taken and asked what his interpretation is of those numbers. Mr. Duprey responded that he would be one that would want to tweak it. He indicated that he believes that merchants are scared because the economy is hard, a lot of them are struggling to hang on and construction is going to be hard.

Althea Barton noted that she feels that this is a compromise plan – a beautiful compromise. She stated that this is not just a project about commerce; Main Street is a public space and if the city makes it beautiful and exciting people will come then the shops and businesses will be well served. She feels that if the city does this comprehensive parking plan and the signage it will solve a lot of problems. She voiced her support of the fountain at the State House Plaza and feels that this is the best way to honor the war memorials. She suggested that if there is going to be a Chamber of Commerce information kiosk that a small changing room be built into the back of it.

There being no further public testimony this evening, the Mayor closed the hearing. He reminded everyone that there will be Council work sessions held on May 28th, May 29th and May 30th. He encouraged the public to attend to listen and follow along. He stated that the operating costs will be posted on the city's website tomorrow; he also encouraged people to email their thoughts and questions to Council, the City Manager or the City Clerk.

Mr. Aspell clarified that the first work session is on May 28th and if necessary another on May 29th and if again necessary another one on May 30th. He indicated that he didn't want people showing up on the 30th if it's not needed.

May 23, 2013 Public Hearing Action

5. Public hearing on the final design of the Downtown Complete Streets Improvement Project, CIP #460. (5-56)

Action: No action taken at this meeting. Action to be taken on June 6, 2013.

City Council Minutes

May 23, 2013

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Adjournment

The time being, 11:25 p.m., Councilor Keach moved to adjourn the meeting. The motion was duly seconded and passed.

A true copy; I attest:

*Michelle Mulholland
Deputy City Clerk*