



Non public session in accordance with RSA 91-A: 3, II (d) to discuss contract negotiations followed by non-public hearing to discuss collective bargaining in accordance with RSA 91-A: 2, I (b) held at 5:30 p.m.

City Council Meeting
Minutes
October 15, 2013
City Council Chambers
7:00 p.m.

1. Call to Order.
2. No one was present for invocation.
3. The Pledge of Allegiance was done.
4. Roll Call. Councilors Bennett, Blanchard, Mayor Bouley, Councilors Coen, DelloIacono, Grady Sexton, Keach, Kretovic, Nyhan, Patten, St. Hilaire, Shurtleff and Werner were present. Councilors McClure and Bouchard were late.
5. Creative Concord public art on Main Street presentation.

Action: Byron Champlin, Chairman of the Chamber's Creative Concord Committee and Tim Sink, President, Greater Concord Chamber of Commerce addressed City Council offering their assistance in helping the city plan for public art for display for the new streetscape when complete in 2015.

Mr. Sink indicated that Creative Concord researched other cities' experiences, as well as potential funding sources for artwork. He indicated that public input is important suggesting that the Chamber could either weigh in or take a leadership role on this project.

Mayor Bouley thanked Mr. Sink and Mr. Champlin for their presentation as well as their willingness to assist indicating that Council will work with City Administration to come up with a plan as to how the city wishes to proceed, to figure out what the best process to address this project might be and get back to Creative Concord.

6. Approval of the September 9, 2013 Meeting Minutes.

Action: Councilor Grady Sexton moved approval of the September 9, 2013 meeting minutes. The motion was duly seconded and passed with no dissenting votes.

7. Agenda overview by the Mayor.

- Consent Agenda Items -

Action: Councilor Nyhan moved approval of the consent agenda. The motion was duly seconded and passed with no dissenting votes.

Items Tabled for a November 12, 2013 Public Hearing

8. Ordinance amending the Code of Ordinances, Title V, Administrative Code; Chapter 35, Classification and Compensation Plan, Schedule D of Article 35-2, Class Specification Index, Communications Coordinator, Management and Budget Analyst; together with reports from the Director of Human Resources and Labor Relations.
9. 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, Article 20.2-1-3; Administration, and Chapter 28, Zoning Ordinance; Glossary; together with report from the City Planner.
10. Resolution accepting and appropriating \$10,035 from the United States Department of Justice Bullet Proof Vest Program for a 50% reimbursement of eligible costs for CIP #370; together with report from the Police Department.
11. Resolution adopting the Concord Municipal Airport Minimum Standards 2013 and replacing in its entirety “The Minimum Standards and Procedures for Concord, New Hampshire Municipal Airport” originally adopted on March 12, 1984 and all amendments thereto; together with report from the Deputy City Manager – Development.

From the City Manager

12. Positive Citizen Comments.

Consent Reports

13. Diminimus gifts and donations report from the Library Director requesting authorization to accept monetary gifts totaling \$1995.81 as provided for under the preauthorization granted by City Council.
14. Diminimus gifts and donations report from the Parks & Recreation Director requesting authorization to accept monetary gifts totaling \$10,487.38 as provided for under the preauthorization granted by City Council.
15. Diminimus gifts and donations report from the Police Department requesting authorization to accept monetary gifts totaling \$4,934.65 as provided for under the preauthorization granted by City Council.

16. Diminimus gifts and donations report from the Police Department requesting authorization to accept monetary gifts totaling \$4,492.80 as provided for under the preauthorization granted by City Council.
17. Diminimus gifts and donations report from the Police Department requesting authorization to accept monetary gifts totaling \$1,000 as provided for under the preauthorization granted by City Council.
18. Diminimus gifts and donations report from the Police Department requesting authorization to accept monetary gifts totaling \$50 as provided for under the preauthorization granted by City Council.
19. Report from the Traffic Operations Committee in response to a communication from Kathleen Dunn requesting consideration be made for traffic flow improvements in the vicinity of Centre Street and Main Street in Concord. (5-10)
20. Report from the Recreation Director on behalf of the Golf Course Advisory Committee and the Recreation and Parks Advisory Committee in response to a communication from Councilor Coen requesting consideration be given to amending the Code of Ordinances waiving golf/tee fees for Concord residents that are 90 years old and above. (6Sus1)
21. Report from the Deputy City Manager – Development regarding the changing of customer service hours in the Code Administration Division.
22. Report from the Deputy City Manager – Development regarding an application for “Moose” plate funds for the installation of tree filters as part of CIP #35.
23. Concord Area Transit (CAT) FY2013 Annual Progress Report and Performance Indicator Report.
24. Report from the Director of Redevelopment, Downtown Services & Special Projects relating to CIP #508, former Allied Leather Tannery; Petroleum Fund Reimbursement from the State of New Hampshire.

Consent Resolutions

25. Resolution authorizing the City Manager, by way of the Police Department, to submit an application to the Department of Safety, State Homeland Security and Emergency Management for Grant Funding of a Homeland Security Exercise in conjunction with Concord Hospital; together with report from the Police Department.
26. Resolution authorizing the City Manager to submit applications to the New Hampshire Highway Safety Agency as outlined in its current grant program; together with report from the Police Department.
27. Resolution de-authorizing the amount of \$1,932.59 from the New Hampshire Department of Justice Bullet Proof Vest Grant as no longer necessary; together with report from the Police

Department.

Consent Communications

28. Street closure request from Girls on the Run of New Hampshire for a 5K road race to be held at Memorial Field on November 24, 2013.

Appointments

29. City Manager's reappointment to the Board of Trustees of Trust Funds.

Michael Aitken

30. Mayor Bouley's proposed appointments to the Economic Development Advisory Committee (EDAC). *Walter Chapin and Bob Carey*

31. Mayor Bouley's proposed appointments to the Parking Committee.

Tonya Rochette and Mark Ciborowski

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

32. October 15, 2013 Public Hearings

A. Resolution appropriating \$12,000 to the arena fund operating budget for Fiscal Year 2013, retroactive to June 30, 2013; together with report from the Deputy City Manager – Finance. (9-8)

Action: City Manager Aspell provided a brief overview.

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

October 15, 2013 Public Hearing Action

33. Resolution appropriating \$12,000 to the arena fund operating budget for Fiscal Year 2013, retroactive to June 30, 2013; together with report from the Deputy City Manager – Finance. (9-8)

Action: Mayor Pro Tem St. Hilaire moved approval. The motion was duly seconded and passed with no dissenting votes.

Reports

New Business

Unfinished Business

34. Resolution approving the granting of a conservation easement to the Society for the Protection of New Hampshire Forests (SPNHF) on approximately 114 acres of land southerly and easterly of

Gully Hill Road, as approved by the Conservation Commission; together with report from the Conservation Commission. (6-17) (7-36B; 7-38) (8-53) (9-39)(10-31) (11-43) (12-42) (1-52) (2-49) (3-37) (4-36) (5-57) (6-52) (7-39)(8-64) (9-36) (*Action on this item tabled following a July 9, 2012 public hearing*)

35. Resolution amending the official map so as to establish the mapped lines of a future street for a new street from the intersection of Storrs and Theatre Streets southerly to Langdon Avenue; together with report from the Assistant City Planner. (1-16) (2-33I; 2-42) (3-39) (4-37) (5-58) (6-53) (7-40) (8-65) (9-37) (*Action on this item tabled following a February 2013 public hearing*)

36. Ordinance amending the Code of Ordinances, Title III, Building and Housing Codes; Chapter 27, Housing Maintenance and Occupancy Code; Article 27-1, Housing Maintenance and Occupancy Code, Section 27-1-5, Amendments to the International Property Maintenance Code/2009; together with report from Code Administration. (8-14)(9-26C; 9-29) (***Action on this item was tabled after a public hearing was held on September 9, 2013.***)

Comments, Requests by Mayor, City Councilors

Councilor Nyhan encouraged residents to attend the upcoming Concord High vs. Bedford High Football game on Friday, October 18th at Memorial Field. Councilor Nyhan indicated that both teams are currently undefeated.

Councilor Kretovic indicated that the Concord High School Band, which was very good, would be performing at the football game half time show as well.

Councilor Blanchard thanked the Legal Department for the research they did in follow-up to her inquiry last month relative to the Concord School District Charter.

Councilor Grady Sexton reminded Council that New England College was holding their open house for the school's new Concord location at 62 North Main Street in Concord on Tuesday, October 29, 2013 from 5:00 – 7:00 p.m.

City Clerk Janice Bonenfant reminded residents of the upcoming Municipal Election to be held on Tuesday, November 5, 2013. Ms. Bonenfant also announced that absentee ballots were available for anyone that was not going to be able to vote in person on November 5th. At the request of Councilor McClure, Ms. Bonenfant, indicated that residents wishing to register to vote prior to Election Day could do so through October 25, 2013 in the City Clerk's Office as well as register to vote at the polls on Election Day.

City Manager, Tom Aspell, congratulated Police Chief John Duval and his staff for the work in apprehending the individual allegedly responsible for the racist graffiti incidents in the South End over the past few years.

Consideration of Suspense Items

Action: Councilor Nyhan moved to suspend the rules and consider all suspense items. The motion was duly seconded and passed with no dissenting votes.

10 Sus1 **Referral to the Legal Department**

Application for Restoration of Involuntarily Merged Lots, Drew Street/Chase Street, from TF Bernier, Inc.

Action: Councilor Nyhan moved to refer the communication to the Legal Department. The motion was duly seconded and passed with no dissenting votes.

10Sus2 **Referral to the Police Department, Code Administration, the Fire Department and General Services**

Communication from Karen Joyal requesting consideration be given to closing Auburn Street from the intersection of Liberty Street to Franklin Street on Halloween, Thursday, October 31st.

Action: Councilor Nyhan moved to refer the communication. The motion was duly seconded and passed with no dissenting votes.

In relation to suspense item 2, Councilor Coen asked if the item needed to come back to Council for final approval. City Manager Aspell indicated that street closure requests don't typically come back to Council. Councilor Keach spoke in favor of this street closure request indicating he grew up in the Auburn Street area indicating it was indeed a heavy populated street on Halloween night.

Mayor Pro Tem St. Hilaire reminded all that downtown Halloween Howl was being held on Friday, October 25, 2013.

Mayor Bouley asked that a member of City Council consider making a motion on the CFOA contract. Councilor Shurtleff, in accordance with RSA 273-A:3, moved to approve the cost items included in the collective bargaining agreement between the Concord Fire Officers Association (CFOA) and the City of Concord. The motion was duly seconded and passed with one dissenting vote.

Adjournment

At 7:24 p.m., there being no further Council business Councilor Nyhan moved adjourn the meeting and enter non-public session in accordance with RSA 91-A: 3, II (d) to discuss contract negotiations. The motion was duly seconded and passed with no dissenting votes.

A true copy; I attest:

*Janice Bonenfant
City Clerk*