



***Non-public session in accordance with RSA 91-A: 3, II (d) to discuss  
property acquisition to be held at 6:00 p.m.***

City Council Meeting  
**Minutes**  
**February 10, 2014**  
City Council Chambers  
7:00 p.m.

1. The Mayor called the meeting to order at 7:00 p.m.
2. Invocation by Reverend Jason Wells from the Grace Episcopal Church.
3. Pledge of Allegiance.
4. Roll Call. Councilor Bennett, Mayor Bouley, Councilors Champlin, Coen, Grady Sexton, Herschlag, Keach, Matson, McClure, Nyhan, St. Hilaire, Shurtleff, Todd and Werner were present. Councilor Bouchard was late.
5. Approval of the January 6, 2014 and the January 13, 2014 Meeting Minutes.

**Action:** Councilor St. Hilaire moved approval of the January 6, 2014 meeting minutes. The motion was duly seconded and passed with no dissenting votes. Councilor Nyhan moved approval of the January 13, 2014 meeting minutes. The motion was duly seconded and passed with no dissenting votes.

6. Mayor Bouley presented a resolution in recognition of the services of Elizabeth Blanchard. (1-27)
7. Mayor Bouley presented a resolution in recognition of the services of Michael DelloIacono. (1-28)
8. Mayor Bouley presented a resolution in recognition of the services of Jennifer Kretovic. (1-29)
9. Resolution in recognition of the services of Richard Patten. (1-30)

**Action:** Former Councilor Richard Patten was not present to accept his resolution.

10. Agenda overview by the Mayor.

*- Consent Agenda Items -*

*Note: item listed as pulled from the consent agenda will be discussed at the end of the meeting.*

**Action:** Councilor Nyhan moved approval of the consent agenda with items 23, 24, 25 and 35 being removed for discussion at the end of the agenda. The motion, as amended, was duly seconded and passed with no dissenting votes.

**Referral to the Economic Development Advisory Committee**

11. Communication from Councilor Herschlag, together with communication from David Rauseo, Concord Crossing/Morrill Mill Pond LLC, providing an example of potential advertising partnerships the City of Concord could consider.

**Items Tabled for a March 10, 2014 Public Hearing**

12. Resolution accepting and appropriating the sum of \$34,323 from Bindery Redevelopment, LLC for the construction of sidewalk improvements along South Main Street in conjunction with the Downtown Complete Streets Improvement Project (CIP #460); together with a report from the City Engineer and Senior Planner.
13. Resolution repurposing \$5,437.76 from completed and unexpended lobby/scoreboard replacement project (CIP #64) to support the replacement of two heaters at the arena (CIP #64); together with report from General Services.
14. 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.
15. Resolution accepting and appropriating the sum of \$17,000 from the Central NH Bicycle Coalition for bike lane striping and directional signage throughout the City (CIP #35); together with report from the City Engineer.
16. Ordinance amending the Code of Ordinances, Title IV, Zoning Code, Chapter 28, Zoning Ordinance, Article 28-6, Sign Regulations, Section 28-6-7, Signs Prohibited Under this Ordinance and Glossary; together with a report from the Zoning Administrator.
17. Resolution accepting and appropriating the sum of \$475,000 in unmatched funds from the State of New Hampshire's Oil Discharge, Disposal, and Cleanup Fund ("ODD Fund") for environmental remediation of city owned property located at 5, 11, 27, 31 and 35 Canal Street, Penacook known as the former Amazon Realty and Allied Leather Tannery Sites CIP #508; together with report from the Director of Redevelopment, Downtown Services, & Special Projects.

18. Resolution accepting and appropriating the sum of \$10,612 from the NH Department of Transportation (NHDOT) for a portion of the design of the municipal water main relocation across the Exit 12 bridge over I-93; together with report from the Associate Engineer.
19. Resolution appropriating the sum of \$10,001,080 for the purposes of construction for the Sewalls Falls Bridge replacement project (CIP #22), including accepting and appropriating \$8,000,000 in U.S. Department of Transportation, Federal Highway Administration Bridge Aid Funds, and authorizing the issuance of bonds and notes in the amount of \$1,940,000, and utilizing \$61,080 from impact fees; together with report from the City Engineer.

### **From the City Manager**

20. Positive Citizen Comments.

### **Consent Reports**

21. Diminimus gifts and donations report from the Library Director requesting authorization to accept monetary gifts totaling \$1,848.40 as provided for under the preauthorization granted by City Council.
22. Diminimus gifts and donations report from the Safety and Training Coordinator requesting authorization to accept monetary gifts totaling \$1,000 as provided for under the preauthorization granted by City Council.
23. Reports from the Traffic Operations Committee in response to a communication from the Deputy City Manager – Development asking that an examination of the performance of the Regional Drive/Chenell Drive intersection be made. (8-10) (***Pulled from consent by Mayor Bouley***)  
  
**Action:** Item removed from the consent agenda for discussion.
24. Council Quarterly Priorities Report. (***Pulled from consent by Councilor Herschlag***)  
  
**Action:** Item removed from the consent agenda for discussion.
25. Report from the Recreation and Parks Advisory Committee in response to a communication from Matt Elliott, President, Friends of White Park, requesting that the City of Concord investigate the removal of the bus lane within the parking lot at White Park when planning a potential new skate house. (1-7) (***Pulled from consent by Councilor Herschlag***)  
  
**Action:** Item removed from the consent agenda for discussion.
26. Report from the Traffic Operations Committee in response to a communication from Ted Kendziora, Concord resident, requesting consideration be given to installing a stop sign at the corner of Peterson Circle and Governors Way in Concord. (1-8)
27. Comprehensive Annual Financial Report (CAFR).

City Council Minutes

February 10, 2014

4

28. Report from the City Treasurer providing detailed trust fund information, MS-9 and MS-10, for the period ending June 30, 2013.
29. Current Use Change Tax Quarterly status report from the Director of Real Estate Assessments.
30. Report from the Deputy City Manager-Development requesting to move the submittal of the annual Overall Economic Development Performance (OEDP) report to March on a permanent basis.
31. Semi-Annual Report on Contracted Solid Waste and Recycling Services from the General Services Director.
32. December Fiscal Year to Date 2014 Financial Statements from the Deputy City Manager – Finance.
33. Report from the Concord Human Services Director recommending changes to their Human Services Guidelines.
34. Report from the City Clerk regarding an automated City Council agenda system.
35. Report from the Transportation Policy Advisory Committee highlighting its accomplishments since its April 2008 inception. (*Pulled from consent by Councilor Todd*)

**Action:** Item removed from the consent agenda for discussion.

**Consent Resolutions**

36. Resolution in recognition of the services of John F. Duval. (*For presentation in March*)
37. Resolution designating depositories for the City of Concord, New Hampshire for the fiscal year 2014; together with report from the City Treasurer.
38. Resolution relative to short term investment of excess funds.
39. Resolution adopting a cash management policy.
40. Resolution authorizing the City Manager to enter into a municipal agreement with the New Hampshire Department of Transportation (NHDOT) for the design, inspection and construction administration of the municipal water main relocation across the Exit 12 bridge over I-93; together with a report from the Associate Engineer.

**Consent Communications**

41. Street closure request from Millennium Running for a road race, the Downhill Half Marathon, to be held on Sunday, September 28, 2014.

42. Street closure request for the 2014 Making Strides Against Breast Cancer event to be held on Sunday, October 19, 2014.

43. Street closure request from the Concord Food Co-op for their sixth annual Spring into Healthy Living event to be held on Saturday, May 10, 2014.

### **Appointments**

#### **From the Mayor**

44. Communication from the Mayor regarding the City Manager's Annual Performance Evaluation.

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

#### **45. February 10, 2014 Public Hearings**

Mayor Bouley explained that he is going to open the public hearing on items E and F and is going to ask the Council to recess these two public hearings because they were not properly advertised prior to the meeting.

- A. Ordinance amending the Code of Ordinances, Title IV, Zoning Code; Chapter 29.2, Public Capital Facilities Impact Fees Ordinance; Section 29.2-1-2, Assessment and Collection; together with report from Acting City Planner. (1-9)

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

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

- B. Ordinance amending the Code of Ordinances, Title II, Traffic Code; Chapter 18, Parking, Storrs Street; together with report from the Director of Redevelopment, Downtown Services & Special Projects. (1-10) (***Additional public testimony received***)

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

Councilor McClure asked if this was part of the strategic plan for the parking plan or whether it's independent of that. Mr. Aspell responded that this is independent of that explaining that anything they do until that strategic plan is complete will be on a temporary/interim basis. Councilor McClure questioned how this proposal would affect parking that the city is trying to provide during the Main Street project if they do it. Mr. Aspell explained that this would open up additional spaces for parking and the question is how the Council would like to permit them, what would they like to charge for a fee structure, and how does it impact other parking.

Councilor Champlin questioned whether it's imperative to take action on this prior to the conclusion of the long-range parking study. Mr. Aspell responded yes explaining that the majority of spaces wouldn't be available for parking during the construction process.

Councilor St. Hilaire inquired whether the spaces under the Loudon Road bridge are currently metered. Mr. Aspell responded no. Councilor St. Hilaire asked if it was currently free parking. Mr. Aspell responded yes. Councilor St. Hilaire asked how it's proposed that they will be more utilized once they are in a permit program. Mr. Aspell replied that people would have the idea that they would be available for them on a regular basis; they are now available but they need to be signed.

Mayor Bouley asked staff if they would consider not doing a permit and just simply go back to the way they did prior to construction by simply opening it up to a first come first served with the understanding that it would be on a temporary basis until they came back with an overall comprehensive package. Mr. Aspell responded that this is certainly an option on a temporary basis.

Mayor Bouley opened the public hearing.

### **Public Testimony**

Roy Schweiker, resident, noted that he believes that there is a no parking sign under the Loudon Road bridge which is why the spaces are not being used. He suggested installing a sign with a time limit so that no cars are left abandoned under the bridge. He suggested that, in the south end, the city can use the permit system so that the people that had a permit knew that they have a place to park.

Gerry Carrier, Little River Oriental Rugs, indicated that he was present this evening to represent the merchant roundtable. He presented comments from many downtown merchants concerning the reestablishment of parking spaces on the south end of Storrs Street and under the bridge on Storrs Street. He noted that they agreed that the spaces removed from Storrs Street in 2010 should be made available to the public as soon as possible. Mr. Carrier indicated that the proposal for quarterly permitted spaces for \$100 was debated with the end conclusion that the spaces be reintroduced at their original status of no charge, no permits and no parking time limits. He stated that the merchants' proposal for the City Council to consider is: the immediate removal of the twelve existing signs that ban parking on the south end of Storrs Street; to allow the spaces to be available for parking without fees, permits or time limitations; no street lines are required, no additional parking enforcement costs, no new signage, no permit printing and no administration costs. (Full testimony on file at the City Clerk's Office)

Michael Herrmann, Gibson's Bookstore, indicated that he feels that the only customers for these spaces is the people that work downtown and that the \$400 a year for permits charged is five percent of the income of a downtown employee. He noted that he feels

that the public policy goals outweigh any revenues that the city might expect to gain from this proposal. He encouraged the Council to open it back up to free parking.

Liza Poinier, Intown Concord, thanked the city for looking into reopening parking on Storrs Street south of Theater Street. She indicated that the parking was well-used before its closing and, based on conversations with board members and others, there is little doubt that opening it in any fashion will be met with grateful applause. She highlighted comments provided by different board members and stated that, regardless of the outcome, they wholeheartedly support the city as it actively works toward opening additional parking downtown. (Full testimony on file at the City Clerk's Office)

Councilor Herschlag asked whether Intown Concord did or didn't come up with a conclusion as to whether the parking should or shouldn't be for free. Ms. Poinier replied that the board didn't have the opportunity to vote before this meeting so she gathered comments from individuals on the board and they were split.

There being no further public testimony, the Mayor closed the hearing.

- C. Resolution authorizing the City Manager to enter into a Municipal Agreement with the New Hampshire Department of Transportation (NHDOT) for Highway Safety Improvement Program (HSIP) funding, all part of the design and construction of the Loudon Road Corridor Improvements Project (CIP #19); together with report from the Traffic Engineer. (1-11) *(Supplemental report from Engineering Services Division summarizing public outreach efforts on the Loudon Road Corridor Improvements Project; together with supplemental report from the Transportation Policy Advisory Committee recommending the Loudon Road Corridor Improvements Project, CIP #19).* **(Public testimony received)**

**Action:** There being no Council objection, public hearing items C and D were read together.

City Engineer Ed Roberge provided a detailed overview explaining that the corridor encompasses Loudon Road from the Airport Road/Hazen Drive intersection easterly out to the D'Amante Drive location and generally averages over 100 crashes a year on the four lane segment between intersections. He explained that this road is a major arterial in the city in which approximately 20,000 cars a day travel and is near capacity at most of the major intersections. He explained that the road was built back in the 1930's and 1940's as a two lane road with ten foot shoulders and was created over time to a four lane road of very narrow lanes, 44 feet wide curb to curb. He stated that four eleven foot lanes doesn't give enough room to travel, to operate, to turn along with other items such as limited right of way width, number of uncontrolled curb cuts, difficult left turn movements, and no safe bicycle opportunities available. He noted that there are four opportunities with the project: do nothing alternative - keeps the existing four lanes and doesn't address any of the safety issues; a lane conversion - one travel lane in each direction with a center turn lane; four lane roadway with a raised median; a five lane

roadway. He noted that the lane conversion opportunity was at the top, established in 2001, with a caveat being that what needed to happen was looking at a conversion which was the extension of Regional Drive. The lane conversion would be a three lane configuration with one travel way each direction with widened shoulders as well as a center turn lane. He stated that this is a targeted project for highway safety improvements explaining that one of those elements is crash reduction explaining that they really need to prove that this is a project that has a great opportunity to reduce crashes. Within his PowerPoint presentation, Mr. Roberge provided examples of roadways including Manchester Street, North State Street, and Williston Road in Burlington, Vermont. Mr. Roberge noted that a project such as this really dictates and changes the speed characteristics; as opposed to that aggressive driver, what would really lead the way is that prudent driver. He highlighted Loudon Road design features: to repave/restripe between the major intersections; shoulders; raised islands; pedestrian crossings; access management; bus stop enhancements. Part of the aspects, as they develop their traffic modeling, is that they look at the corridor and they input all the traffic data, taking traffic count data and counting intersections including driveways at major business locations. He indicated that they use the traffic model when they look at whether or not there is adequate capacity or the restriction of a lane will suffice and will actually work. He noted that staff is confident that it does work. Mr. Roberge indicated that some of the anticipated operational challenges or changes that they will see during this is that there may be some longer queues.

Mr. Roberge went over budget funding explaining that it's a \$1.6 million project and staff has secured 90 percent Highway Safety Improvement Funds to fund the project which is approximately \$1.4 million in State Department of Transportation funds and local match. He stated that the schedule brings them to spring 2014 for final design and permitting and expect to construct in 2015 based upon the Department of Transportation approval schedule.

Councilor Coen asked what the traffic count was on I-393 and also on Regional Drive. Mr. Mack, Engineering, responded that Regional Drive is approximately 11,000. Councilor Coen asked if this is at capacity. Mr. Mack responded no.

Councilor Keach noted that he has seen how the two lane merge works from Main Street onto I-93 north at Exit 13. He asked how the merge would be accomplished at the top of Gully Hill where the two lanes merge into one at Airport Road. Mr. Roberge replied that the design shows that the multiple lanes come off at Hazen Drive and extends out toward just beyond the extent of the Dunkin Donuts driveway. Councilor Keach indicated that it occurs to him that that this the logical place to do it because one would start from a red light where speeds are slower.

Councilor Shurtleff noted that 20,000 vehicles a day on a five day week would total to over 5 million vehicles a year traveling on Loudon Road. He stated that he realizes that there is a great concern about the 100 accidents but feels that with over 5 million it seems to be a very small percentage to change a major reconfiguration on the road. Mr.



Roberge responded that this is probably the most accident prone stretch of roadway in the state. He stated that they feel that it's well worth the investment to target these types of accidents and noted that it is a high rate based on travel within this state.

Councilor St. Hilaire noted that his concern is the intersection at East Side Drive and Loudon Road where the traffic queues up during red lights. He asked whether it would be prudent to change the configuration at this spot to make a dedicated right turn lane so that traffic on Loudon Road has a dedicated lane to turn right on East Side Drive. He estimated that forty percent of the cars at this intersection would turn right to access East Side Drive, the state offices or I-393. Mr. Roberge pointed out in the plan that there are two through lanes that are queued up at this intersection. He noted that what Councilor St. Hilaire is saying is that a right turn lane would be a dedicated right turn lane only and two through lanes with only one outbound lane to the west side. He indicated that the capacity of the corridor is dictated by the intersection; the two lanes allow that queuing to gather and process through. He stated that the only way they feel that this project works is if they maintain that queuing capacity. Their concern is that if they do drop that one lane, there will be a significant detrimental effect on the opposite side and they would not be able to process enough traffic on that eastbound approach. He noted that staff did go back to look at that and determined that it is under 40 percent finding that it's between 25 and 29 percent that are actually taking that right hand movement. Staff agrees that this intersection would benefit from an additional right turn movement to get those cars out and add the capacity. He stated that they are at a point in which they cannot squeeze anything else out of this intersection because it's at max; staff does not recommend doing this because they need the capacity in both directions in order to maintain the corridor as it works today.

Referencing vehicles queuing on the opposite side, Councilor St. Hilaire inquired as to how long this line is as compared to the line on the opposite side by the car wash. Mr. Roberge responded that, at times, they are about the same. He pointed out that it varies again between time and can be anywhere from 200 to 800 feet in length depending on the season. Mr. Mack added that what happens a lot with the queues is that when it gets really busy and there are longer lines, in either direction, people tend to stay in the right lane even if they have to wait longer indicating that the left lane is underutilized. He noted that people stay out of the left lane because of the fear of getting stuck behind somebody turning left.

Councilor Matson stated that the design originally indicated that the current roadway is eleven feet for each lane and that the proposal for the lane has gone down to ten with a fourteen foot center lane. She asked why they would want it to be a foot less and what the impact would be in terms of safety. Mr. Roberge replied that the travel lanes would be a striped ten foot lane with a five foot shoulder which becomes a fifteen foot lane balanced within that way. He stated that there is a lot of maneuverable room and gives wiggle room within it.

Councilor Nyhan noted that one of the concerns that he has heard on numerous occasions is in regards to the capacity and the queuing and that going from two lanes to one lane is going to augment this problem. Recognizing that this has some significant safety concerns that need to be addressed, Councilor Nyhan asked that if they move forward with this planned design and find later down the road that it's just not working, the congestion and queuing is more than they had anticipated, does the city have the flexibility within the state dollars to do a study and repaint the roads to go back to the current design as is. Mr. Roberge responded that this is a highway safety improvement program so they have deliverables in terms of performance, evaluation and data that is provided. He stated that it's typically a five year term and the city would be providing that information. He noted that they would not be looking at queuing but accidents; the types of accidents and their severity that they are trying to eliminate with this project. He indicated that, if in a year, they came back and it was queuing and not popular, the city would be on the hook of paying back those dollars, particularly if the data was supporting that the city had a significant accident reduction on this road with this project.

Councilor Bennett noted that when the opportunity comes up for the city to be able to purchase property or take property for setbacks in the road they should mitigate it. City Manager Tom Aspell noted that setbacks are something that the Planning Board could look at in the future.

Councilor Champlin gathered that five feet is the standard shoulder size and noted that members of the cycling community have indicated that six feet is optimum for the safety sake for cyclists. He inquired whether there is a reason that they are only allowing five feet for a bike lane in this project. He asked whether there would be a right of way substantial enough to add an extra foot or to take away a foot in the turning lane. When following the complete streets policy, Mr. Roberge indicated that they try to balance all these needs: vehicle needs, bike needs, and pedestrian setback. He stated that they are trying to stay in the confines of the 44 feet and feels that this is a balanced approach in incorporating all the users to the best of their ability and staff recommends five feet in this project.

Councilor McClure asked how a bicycle would negotiate the intersection. Mr. Roberge responded that in the proposal there is a roadside shoulder. He stated that by eliminating multiple lanes it will make it easier for bikes to utilize the left hand turn lane. Councilor McClure asked for clarification as to how a bicyclist would negotiate the intersection. Mr. Roberge explained that there will be a five foot shoulder so if a bike is taking a right the bike is fully protected in taking that movement. Councilor McClure inquired whether a bicyclist would pretend they were a pedestrian and get across on the crosswalk or they would go into the left hand turn lane to take a left hand turn. Mr. Roberge indicated that to be correct. Councilor McClure asked where the left hand turn lane would put the bicyclist when they turn. Mr. Roberge replied that they should act like a vehicle because they are sharing the road; it's a multi-modal use of that area. He added that one of the design features that they hope to include on the traffic signals is the addition of video detection which allows bikes to be picked up if they are in a particular lane. Councilor

McClure questioned whether this would be in the left hand turn lane. Mr. Roberge responded that it would be for all movements.

Councilor Herschlag noted that it was indicated that bus pull outs were feasible and questioned whether this implied that there will be areas where the buses will be blocking the travel lane. Mr. Roberge responded that when they refer to “feasible” it is whether it fits within the context of the location. In reference to bus stops, he added that they are looking at moving them or putting them in a location where they can take advantage of a widened area. Councilor Herschlag asked whether by referring to “feasible” that they would be leaving the bus stops where they are or moving them so that busses wouldn’t be blocking the travel lane. Mr. Roberge responded that it’s a project goal; they would try to find a design solution that would get the bus out of blocking the travel lane. Councilor Herschlag stated that it appears that they are not sure this is possible. Mr. Roberge explained that they have eight locations that they have looked at on the preliminary design and once they move forward with final design, if approved this evening, they will look hard at physical design survey that allows them to support that preliminary design. He stated that their project goal is to get these bus stops safer than they currently are. Councilor Herschlag asked if whether it’s not known that it is entirely possible for all of the bus stops. Mr. Roberge responded that it’s not known at this time.

Councilor Todd indicated that he attended the public meeting and indicated that there were a lot of people that were concerned about the safety of the configuration of the two way-left turn lane being proposed. He asked whether staff had any statistics on the last time there was a reported head-on crash or other incident in an urban two-way left turn lane or any other safety concerns in regards to this configuration. Mr. Mack noted that 25 to 29 percent nationwide is what the federal studies have come up with; crash reduction going from a four tight lanes to a three lane section which includes a left turning lane is significantly safer. Mr. Roberge added that they do monitor traffic and accidents monthly at their Traffic Operations Committee and he is not aware of any accidents of that type in the city.

Mayor Bouley opened the public hearing.

#### **Five Minute Public Testimony**

Tim Blagden, representing Bike Walk Alliance, indicated that younger generations are looking to move to cities that support multi-modal transportation and feels that this change would be a big plus in Concord’s long term goal of implementing complete streets. He stated that the five foot bike lanes while not ideal, is a great step in the right direction towards making bicycling safe on Loudon Road. He urged the Council to embrace this concept for Loudon Road to help increase the enjoyment for both the drivers and the multi-modal users and help increase revenue for the merchants.

Councilor Nyhan asked why five foot bike lanes are not ideal and what would be ideal. Mr. Blagden responded that six foot lanes would be ideal but understands that they are only working with 44 feet of space.

Gloria-Jean Leighton, Loudon Road resident, expressed her opposition to this proposal on Loudon Road. She stated that her main concern is that there is too much traffic on Loudon Road to reduce it down to two lanes further stating that she feels that it will cause backups. She noted her concerns with holiday traffic and when the study was completed versus the traffic currently on the road.

Mayor Bouley asked Ms. Leighton if she likes Loudon Road as it is today. Ms. Leighton responded that she has learned to live with it. She indicated that she is more concerned with the turn change that's being proposed when reducing the lanes. She stated that she is more uncomfortable in the turn lane because she can't control the person coming at her and noted that there is so much traffic turning on Loudon Road that she feels that there will be people vying for the same spot. She stated that she would rather live with the way it currently is rather than the uncertainty of the change.

Darlene Chamberlain, Loudon Road resident, spoke in support of the proposed improvements because of vehicle safety and the safety of handicap residents on Loudon Road. She feels that the corridor improvements presented can be done without major negative impact on the surrounding streets.

Nada Haddad, resident, expressed her concerns with the proposed improvements and its unintended consequences in the residential neighborhood. She expressed further concerns about additional corridor improvement phases and the interconnection of residential roadways north of Loudon Road. She urged the Council not to solve a problem by potentially creating another one by diffusing the traffic into the neighborhoods. (Full testimony on file at the City Clerk's Office)

Nuha Haddad, resident, noted that she feels that comparing North State Street and Manchester Street with Loudon Road is like comparing apples with oranges because the number and nature of the businesses on Loudon Road are tremendously higher. She noted that she feels that the traffic on Loudon Road, with the proposed improvement, will result in bumper to bumper traffic. She added that she is not sure which improvements would be best but feels that security and safety of travelers and shoppers are important.

Councilor Matson asked if the comments against the roadway is due to the interconnectivity for the residential roads and questions that if this was not part of the proposal would this make a difference in terms of whether Loudon Road improvements goes forth. Ms. Nada Haddad indicated that she can see more vehicles utilizing their neighborhood to avoid all the traffic on Loudon Road. Ms. Nuha Haddad noted her concerns with their liability insurance if more traffic is going through their neighborhoods.

Councilor Champlin noted that his impression is that their major concern is the interconnectivity of the neighborhoods on the north side. He asked if this was out of the plan, would they be for the project or against the project. Ms. Nada Haddad responded that she has some reservations because of the traffic on Loudon Road. She stated that she usually avoids taking left hand turns to get onto Loudon Road and always takes a right hand turn.

Councilor Shurtleff inquired that if Council accepts this recommendation in regards to the grant dollars would the Phase 3 interconnectivity automatically go into effect or would that have to come back to Council in 2017. Mayor Bouley responded that it would have to come back to Council and it is his understanding that the Haddad's concerns are nowhere in this plan.

Bernard Fournier, Pembroke resident, noted that he is an avid cyclist and feels that Loudon Road is presently unmanageable for a cyclist. He spoke in support of a bicycle lane and feels that the proposed project is a win-win situation all around.

Melissa Bernardin, resident, spoke in support of the proposal noting that what motivates her to speaking in support of this transportation improvement project is: the concern of the rights of the residents of the Heights who do not travel by automobile; bicycle and pedestrian friendly roads make communities more welcoming. She stated that her love of cycling is what grounds her in this area and feels that the more that the city makes their roads more bicycle friendly the more they are going to make this community and the state more welcoming to people of all ages.

Ursula Maldonado, resident, spoke in support of the proposed project and feels that a left turn lane will make it easier for vehicles. She stated that she feels that if it's safer for busses, bicyclists and pedestrians then it is better and safer for motorists behind the wheel.

David Harris, resident, noted that he travels on Loudon Road both by vehicle and bicycle and finds it equally scary both ways. He stated that the plan as presented this evening sounds fantastic and feels that it addresses his concerns and safety. He spoke in favor of the video activation of the signals for bicycles.

Roy Schweiker, resident, referenced a gentleman that he recalled from a 2020 meeting that was an advocate of roundabouts and his idea in improving Loudon Road was to put roundabouts at intersections and place a median between them so you can only make right turns. He indicated that the more he thinks about it, this seems to him to be the only thing that is really going to work. He noted his concerns with a five foot bike lane noting that the size may decrease because of catch basins and slopes in some areas. Referencing bus stops, he noted that maybe busses can pull into business lots to avoid them stopping in the road to let passengers on and off.

Ken Georgevits, resident, noted his concern of how the city will pay for this project if it comes in over budget.

Elaine Kellerman, Loudon Road resident, spoke in opposition to this project stating that she feels that this is a bad idea because of all the traffic and back up on Loudon Road. She noted that she feels there will be problems with the left turn lane which will cause congestion. She urged Council to take all the safety issues and traffic into consideration and asked that if any of the members don't know what it's like on Loudon Road she asked that they abstain from voting.

Councilor Coen asked if Ms. Kellerman had an opinion on how Loudon Road could be improved. Ms. Kellerman responded that it should be left the way it is now unless there is a better plan than the one being proposed.

Councilor Herschlag questioned how Ms. Kellerman felt if there was a way to design the road so that cars would be able reverse direction as opposed to making left hand turns. Ms. Kellerman asked for clarification to the question. Councilor Herschlag asked that if there was a solution that allowed traffic to flow in directions, east and west, without multiple left hand turns but instead having three or four junctions along the way to reverse directions to access businesses on the other side of the road. Ms. Kellerman replied that it might be a reasonable possibility.

Kevin Curdie, resident, noted that if the travel lanes are reduced and there is an accident then movement will be tied up on the road. He suggested putting in angled asphalt instead of granite curbing so that if someone breaks down they can still manage to pull off the roadway and not stop movement. He noted that he likes the idea of reversing direction but is not sure there is enough room to do it on this road.

Dennis Soucy, resident, spoke in support of the project noting that a lot of other cities twice the size of Concord have three lane roads and they don't seem to have any problems utilizing them. He noted that it's difficult to make left hand turns currently on Loudon Road and feels that the reduced lanes with a left turn lane will make the traffic move better and be a lot safer.

### **Three Minute Public Testimony**

Gloria-Jean Leighton inquired as to what would happen when an ambulance or a fire truck needed to get through on a three lane road. She pointed out that there was a recommendation for more lights but noted that she is not in favor of it because there would be a lot of stopping and it would take a person longer to get from one end to the other end of Loudon Road. She recommended that, to alleviate some of the traffic off of Loudon Road, there should be another connector off I-393 after the East Side Drive exit.

Roy Schweiker commented that the road referred to in Williston, Vermont is not desirable.

Darlene Chamberlain noted that she is open to considering other options and alternatives for the traffic flow on Loudon Road.

There being no further public testimony, the Mayor closed the hearings for items C and D.

- D. Resolution accepting and appropriating the sum of \$1,600,000 in Matched Highway Safety Improvement Program (HSIP) Funds from the New Hampshire Department of Transportation (NHDOT) for the purpose of design and construction of Phase I Traffic Safety Improvements for the Loudon Road Corridor Improvements Project (CIP #19), including \$1,440,000 in NHDOT Grant Funds and authorizing the issuance of bonds and notes of up to \$160,000 for the local match portion of the project. (1-12)

**Action:** Public hearing for this item taken with item C.

- E. Resolution amending and restating the Development Program and Financing Plan for the North End Opportunity Corridor Tax Increment Finance District (NEOCTIF); together with a report from the Director of Redevelopment, Downtown Services, & Special Projects. (1-13) (*Supplemental report from the North End Opportunity Corridor Tax Increment Finance District Advisory Board*)

**Action:** There being no Council objections, public hearing items E and F were read together.

Mayor Bouley opened the public hearing for items E and F. There being no public testimony, Councilor St. Hilaire moved to recess the public hearings for items E and F until the March Council meeting. The motion was duly seconded and passed with no dissenting votes.

- F. Resolution authorizing the City Manager to enter into a Purchase and Sales Agreement with Tsunis Holdings, Inc. for real estate located on Storrs Street and appropriating the sum of \$1,050,000 including \$450,000 from NEOCTIF undesignated fund balance and the issuance of \$600,000 in NEOCTIF supported bonds and notes, to facilitate acquisition of property and related activities. (1-14)

**Action:** Public hearing for this item was recessed until the March Council meeting.

- G. Resolution accepting and appropriating the sum of \$23,300 in grant funding from the Department of Safety, State Homeland Security and Emergency Management Exercise and Evaluation Program, for funding of a Homeland Security Exercise in conjunction with Concord Hospital; together with report from the Police Department. (10-23) (1-15)

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

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

- H. Resolution accepting and appropriating the sum of \$21,621 from the New Hampshire Charitable Foundation for management and maintenance of municipal property; together with report from the Deputy City Manager – Finance. (1-16)

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

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

### **February 10, 2014 Public Hearing Action**

46. Ordinance amending the Code of Ordinances, Title IV, Zoning Code; Chapter 29.2, Public Capital Facilities Impact Fees Ordinance; Section 29.2-1-2, Assessment and Collection; together with report from Acting City Planner. (1-9)

**Action:** Mayor Bouley indicated that he would like the Council to consider tabling this item explaining that he feels that before Council approves changes to the schedule of the Impact Fee Ordinance he would like to give the newly formed Impact Fee Review Committee the opportunity to look at this ordinance.

Councilor Coen asked how this would affect ongoing processes occurring right now. Mayor Bouley responded that the ordinance would remain as it is currently written but instead of making any changes this evening, they may look at some more comprehensive changes in a few months.

Councilor Shurtleff moved to table this item and refer it to the Impact Fee Review Committee. The motion was duly seconded and passed with no dissenting votes.

47. Ordinance amending the Code of Ordinances, Title II, Traffic Code; Chapter 18, Parking, Storrs Street; together with report from the Director of Redevelopment, Downtown Services & Special Projects. (1-10) (*Additional public testimony received*)

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

Councilor Nyhan stated that there was a lot of good public testimony this evening and the part that he felt was compelling is the ability to give the City Manager flexibility to set the rates as appropriate for the city. He indicated that he moved this forward with the understanding that the rate structure will be reconsidered.

Councilor St. Hilaire noted that he hopes this to be free parking temporarily based upon the testimony received. He stated that he would like to see a restriction so that vehicles are not parked for long periods of time.



Councilor Herschlag indicated that he would like to see this come back to Council before the fees are enacted and would also like to at least consider returning it to free parking until after either the Main Street construction project is completed or until after they have a complete parking study.

Councilor Keach stated that it occurs to him that the existing ordinances that address overnight parking with regard to vehicles being parked for more than 48 hours may be applicable.

Councilor Nyhan noted his concerns with making parking free at this time.

Councilor Herschlag indicated that his concern with using permits in this area is that it wouldn't be available to the general public.

Councilor Champlin agreed with Councilor Nyhan in terms of allowing the City Manager flexibility but does have concerns with the viability of the permitting proposal. He stated that he will vote in favor of the motion however he would like to see some consideration given to not only the ramifications on downtown merchants but also relative to how the parking study report will have an impact overall to this entire issue.

Councilor Todd concurred with Councilor Champlin's comments noting his concern with a temporary need for this parking if the Main Street project moves forward. He noted that he is also concerned with moving forward with this piece without having an actual parking study completed.

Mayor Bouley indicated that he will be voting in opposition to the motion. He stated that he would like to see the motion defeated and would like to see a motion to make those spaces available at no cost. He stated that he feels the city desperately needs a comprehensive policy around parking in the city; the bigger picture needs to be addressed. He indicated that he voted and fully supported giving the City Manager the temporary authority to not have to come back to Council and be able to make changes on the fly during the construction process; he still supports this but in terms of this he wants to provide goodwill by simply doing free spaces on a temporary basis.

Councilor McClure noted her agreement with Mayor Bouley. She complimented the staff noting that she appreciates that they are trying to get value where there's value to be made and to enhance revenue wherever possible.

Councilor Herschlag also noted his agreement with the Mayor.

Councilor Nyhan firstly pointed out that the parking study is going to take some time and secondly, that this isn't just about a potential \$34,000 of additional revenue but it's going to drive revenue down in the garages.

Councilor Coen indicated that he will be voting in favor of this because this gives the City Manager the flexibility to make the adjustments that need to be made for downtown parking. Councilor St. Hilaire noted that when he seconded the motion he assumed that the City Manager would make it free parking and given the sense now that that may not happen he withdrew his second.

Councilor Coen seconded Councilor Nyhan's motion to approve.

Mayor Bouley explained to the City Solicitor that Council had previously voted to give the City Manager the authority to make decisions as necessary when it comes to parking. He noted that this is an ordinance presented to the Council which sets up a structure with a fee, with permits, a process of how to do it, signage, and hours of enforcement and inquired as to which trumps one another; does the ordinance trump the ability of the City Manager to make changes he wishes until the construction process is over or is the ordinance binding. City Solicitor Jim Kennedy responded that, with the ordinance coming after the authority given to the City Manager, the ordinance would supersede the authority given. Mayor Bouley asked, in the Solicitor's opinion for the Council to make their decision, does the City Manager have the ability to make this free parking if this ordinance is voted on this evening. Mr. Kennedy responded that there is one caveat that this would transfer the use of this right of way property as it is now. He indicated that the permitting system, as presented in the report, discusses that the property is owned by the city in fee so this is more than just parking, this is permitting city owned property so it really does require a Council involvement.

Councilor Herschlag indicated that he visited the parking garage three or four times a week at various times and what he noticed after the parking was taken away on Storrs Street is that there was actually less parking in the parking garage than before.

The motion to approve the ordinance failed on a voice vote.

Councilor St. Hilaire indicated that he would like to see there be free parking and that a no parking zone be redesignated.

Mayor Bouley inquired whether Council could use what they have and just strike sections. Mr. Kennedy explained that there can be a motion to amend the existing proposed ordinance this evening or they can recess until the next meeting if staff is directed to make those amendments for final approval.

Councilor St. Hilaire moved to table this item and asked that staff draft a new ordinance which would allow for free parking in the Storrs Street zone and, if possible, include the parking under the bridge. The motion was duly seconded.

Councilor Keach inquired as to what precludes the City Manager from exercising his authority during the process of construction on Main Street.

Mayor Bouley pointed out that construction hasn't started and noted that they are talking about a city right of way.

City Solicitor Jim Kennedy explained that this would be a permitting system with city owned property and, with respect to permitting the use of city owned right of way property, that would be required to be an ordinance.

Following brief additional Council discussion, Councilor St. Hilaire's motion passed with no dissenting votes.

48. Resolution authorizing the City Manager to enter into a Municipal Agreement with the New Hampshire Department of Transportation (NHDOT) for Highway Safety Improvement Program (HSIP) funding, all part of the design and construction of the Loudon Road Corridor Improvements Project (CIP #19); together with report from the Traffic Engineer. (1-11) *(Supplemental report from Engineering Services Division summarizing public outreach efforts on the Loudon Road Corridor Improvements Project; together with supplemental report from the Transportation Policy Advisory Committee recommending the Loudon Road Corridor Improvements Project, CIP #19).* **(Public testimony received)**

**Action:** Councilor Bouchard moved acceptance to move forward with the three lane construction. The motion was duly seconded.

Councilor Nyhan moved to table this item for additional information in regards to bus stops, emergency vehicles, traffic accidents, motorists pulled over for traffic violations and how old the traffic study numbers are. He noted that he feels that something has to be done on Loudon Road and based upon the information that he has heard this evening he is not going to support this because he has concerns going forward with this. The motion to table was duly seconded.

Councilor Bouchard noted that she feels that the plan is very worthy and well thought out. She understands that there may be concerns but would rather not wait feeling that staff has answers for all the concerns brought forth. Noting that she lives off of Loudon Road she stated that it's currently a very dangerous road. She added that this has been studied for years and she feels that it's time to move forward with it.

Councilor Champlin asked whether a vote in favor of the motion to approve would approve the plan and lock that plan in or would it simply accept the federal funds.

Mayor Bouley explained that if Councilor Bouchard's motion to approve was adopted it would simply be adopting the plan.

Councilor Coen indicated that he is not in favor of tabling this item because he feels that this project has been looked at over the years and is a very important project because of the safety issues on the road.

Councilor Todd noted that he is in favor of the project indicating that he feels that the city has an obligation to try to make their travel ways as safe and navigable as possible. He stated that while the main purpose of the plan is improved safety he can sympathize with individuals who think it would be best to achieve that without further possible exacerbating the congestion issue. He noted that given a choice between the two, the Council has an overriding obligation to choose safety. He added that if the city doesn't accept this grant the likelihood that the city can get another one like this is nonexistent.

Councilor McClure noted her support with moving forward on this project mainly for safety reasons. She empathizes with the residents that are fearful of what this is going to do to their ability to navigate the road. She hopes and encourages the staff, if Council votes in favor of this, to work with them to understand better the design and how they will be able to do that.

The motion to table failed on a voice vote.

Councilor Bouchard asked if the plan includes Phase 3 which puts forth the road that runs behind the neighborhoods. Mr. Aspell responded no. He asked that Council clarify that and to strike all reference to that.

Councilor Bouchard amended her motion to not include any connector roads running behind the neighborhoods. The motion was duly seconded.

Councilor Herschlag moved to remove the three references "including reducing the existing four lanes to three lanes" within the resolution.

Councilor Nyhan inquired whether changing the resolution would change the direction of the project. He noted that it's his understanding that in order to receive the federal funds that they cannot change the project's design. Mr. Aspell responded that the design still needs to be done because all they have is a concept.

Councilor Herschlag's motion was not seconded.

City Manager Tom Aspell explained that there are only two options: 1) accept the grant and appropriate \$160,000 of city dollars to do the project. He pointed out that the pavement widths are the same today as it will be after with three lanes and the issues of how does one get around a bus or a police car will be easier because of having four widths of cars there will only be two. He stated that emergency vehicle access would be faster and not slower. 2) reject the grant. He stated that the road would still need to be repaved and the cost for this is approximately \$1 million and would be restriped with the four lanes. He stated that Council has told him that the city needs to do a driveway reduction plan to start reducing some of the very large driveways noting that this would be in a range of approximately \$500,000 with a total of \$1.5 million. Mr. Aspell noted that if they accepted the federal dollars and it doesn't work for some reason and, hypothetically, the city had to return all of the federal dollars the \$1.6 million. He indicated that the city would still have a road that's repaved and has driveway reductions; the city would have to scrape the paint off and put on

new paint. He noted that they wouldn't lose anything in this worst case scenario. He asked that Council not get caught up with the fact that they have done this improvement and now they are stuck with it because that's not the case.

Councilor Nyhan stated that he feels this is a good explanation for people like himself who are struggling with this because of the fear of being locked into a project.

Councilor St. Hilaire explained that the reason why he seconded the motion to table is because he had concerns also and noted his appreciation of the City Manager's explanation. He stated that he has concerns with traffic congestion with this project. He inquired as to the projection, aside from the paving, for the curb cuts or other expenses. Mr. Aspell responded that in the past the idea was to go driveway to driveway to the property owners and express to them the need for community benefit to do something. He believed that most people would cooperate and say that they will work with the city at the city's expense. He indicated that he doesn't expect any of the property owners to say that they agree to reduce the width of their driveway and pay for it too. He added that when doing these types of projects they deal with drainage issues, sidewalk work, and curbing. He stated that is why staff estimates this to be in the \$500,000 range. Councilor St. Hilaire asked if the city would be doing the curb cuts as part of this grant if this is approved. Mr. Aspell responded yes that was the idea. Councilor St. Hilaire questioned whether this was a definite or whether this was going to be an attempt that may not happen. Mr. Aspell responded that to make the project work they will have to do that.

Councilor Todd pointed out that Regional Drive is currently underutilized and not at capacity at 11,000 cars and believes that part of this plan may be to further utilize that road to help relieve congestion.

Councilor St. Hilaire indicated that he understands what Regional Drive has done but the problem is that it hasn't mitigated the fact that there's back up on Loudon Road. He stated that without Regional Drive it would be worse but it hasn't solved the problem.

Councilor Nyhan stated that he feels that limiting curb cuts is essential otherwise the congestion problem is just compounded.

Mr. Aspell explained that if Council decides to go forth with the project what they are doing is sending a message to the Planning Board which is any time new development occurs that all the driveways should be interconnected and the driveway should be improved.

Councilor Bouchard's motion passed with no dissenting votes.

49. Resolution accepting and appropriating the sum of \$1,600,000 in Matched Highway Safety Improvement Program (HSIP) Funds from the New Hampshire Department of Transportation (NHDOT) for the purpose of design and construction of Phase I Traffic Safety Improvements for the Loudon Road Corridor Improvements Project (CIP #19), including \$1,440,000 in

NHDOT Grant Funds and authorizing the issuance of bonds and notes of up to \$160,000 for the local match portion of the project. (1-12)

**Action:** Councilor Nyhan moved approval. The motion was duly seconded and passed with the required 2/3rds vote with Councilors Bouchard, Mayor Bouley, Councilors Champlin, Coen, Grady Sexton, Herschlag, Keach, Matson, McClure, Nyhan, St. Hilaire, Shurtleff, Todd and Werner voting yes.

City Manager Tom Aspell clarified that this approval is for Phase I and he is not going to move forward with doing anything in Phase II or Phase III at this point.

50. Resolution amending and restating the Development Program and Financing Plan for the North End Opportunity Corridor Tax Increment Finance District (NEOCTIF) ; together with a report from the Director of Redevelopment, Downtown Services, & Special Projects. (1-13) *(Supplemental report from the North End Opportunity Corridor Tax Increment Finance District Advisory Board)(Action to be taken in March, in accordance with RSA 162-K:4)*

**Action:** No action taken on this item.

51. Resolution authorizing the City Manager to enter into a Purchase and Sales Agreement with Tsunis Holdings, Inc. for real estate located on Storrs Street and appropriating the sum of \$1,050,000 including \$450,000 from NEOCTIF undesignated fund balance and the issuance of \$600,000 in NEOCTIF supported bonds and notes, to facilitate acquisition of property and related activities. (1-14) *(Action to be taken in March, in accordance with RSA 162-K:4)*

**Action:** No action taken on this item.

52. Resolution accepting and appropriating the sum of \$23,300 in grant funding from the Department of Safety, State Homeland Security and Emergency Management Exercise and Evaluation Program, for funding of a Homeland Security Exercise in conjunction with Concord Hospital; together with report from the Police Department. (10-23) (1-15)

**Action:** Councilor Nyhan moved approval. The motion was duly seconded and passed on a voice vote. Mayor Bouley took Rule Six on this item and did not vote.

53. Resolution accepting and appropriating the sum of \$21,621 from the New Hampshire Charitable Foundation for management and maintenance of municipal property; together with report from the Deputy City Manager – Finance. (1-16)

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

### **Appointments by the Mayor**

## **Reports**

### 54. Report from the Board of Assessors regarding 2012 Assessments.

**Action:** George Hildrum, Board of Assessors member, provided a brief overview pointing out that there are action points at the end of the report in which he hopes that the Council would make themselves aware of and incorporate them into their future planning and budgeting for improving the assessment process in the city.

Mayor Bouley noted that there are five recommendations and inquired whether the Council is being asked to focus on the first three because the other two has to do with state law. Mr. Hildrum responded yes but pointed out that the Council does have a few State Representatives in regards to the others. He stated that they have not had a full measure and list in this city since 1990 and feels that it's fair to say that the biggest problem they have recognized as a board is how stale the data is. He noted that steps need to be taken to improve that and recommends over the next five years that a program is developed that would allow the Assessing Office to go through every property in the city to make sure they have the correct information.

Mayor Bouley asked if the city has the resources to do this. Mr. Hildrum responded that is where the Council comes in stating that Council asked for the board's recommendations and this is what they have brought forth.

Councilor Keach noted that it's not the responsibility of a business or property owner to self-report, it's the responsibility of the city to assess. Mr. Hildreth noted that he is talking about valuing real estate not businesses and the ability of real estate to generate an income stream stating that there is a clear distinction between the two. He explained that they don't want to know receipts from sales but what they would like to know is that if it was a property that is leased they would want to know that because if someone has a private appraiser come in, that would be the very information that they would need to come up with a reliable estimate of market value. Mr. Hildreth stated that they have the same charge and they have to assess in accordance with RSA 75:1 which states that they must appraise all property at its fair and true value and in order to do so they have to be able to have the correct information.

Councilor Keach noted that when times are good they are not going to report income and when times are bad they are going to share all that information as a business owner. Mr. Hildreth indicated that's the case sometimes and other times there are people who ask to see what the city comes up with and then lets the city know if they are going to give them the information. He stated that this is a prudent approach but where this creates problems is they get the information after the fact instead of having it before they go out with numbers; it increases the city's exposure and creates problems down the road in terms of trying to manage funds and the tax rate. Councilor Keach stated that the other issue that people have shared with him is that when they file abatements the city, by statute, is allowed to go back and not look at just the one property they're appealing but can look at everything. He indicated that there have been times when the city has gone back and said that the other four or five properties are undervalued. He stated that the perception is that the city is being

vindictive when doing this. Mr. Hildreth responded that they have no constitutional authority in the state being a town or a city and are driven by state law; the city has to abide by those laws. In doing so, he explained that if a taxpayer files an abatement the assessor is obligated to look at the value of the entire estate because then the assessor must determine whether or not, collectively in the whole, any alleged errors are injurious (the taxpayers are paying more than their common share of the burden).

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

55. Main Street Complete Street Project Update. *(Not previously distributed)*

**Action:** Councilor Shurtleff moved to continue the meeting past 11:00 p.m. and to hold the Main Street Complete Streets Project update next Tuesday, February 18<sup>th</sup> during a recessed meeting. The motion was duly seconded and passed with no dissenting votes.

**New Business**

Councilor Nyhan stated that the Tax Exemption Policy Committee met this evening at 5:30 p.m. to discuss changes to the exemptions. He explained that the changes that the committee is recommending is to increase the dollar threshold so that nobody inadvertently loses their tax exemptions.

Councilor Nyhan moved to suspend the rules for this item that was not previously advertised and to place the tax exemption on the agenda for a March public hearing. The motion was duly seconded and passed with no dissenting votes.

Mayor Bouley indicated that the resolution and report will be brought forth to Council at the recessed meeting.

**Unfinished Business**

56. 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) (10-36) (11-40) (12-37)(1-42) *(Action on this item tabled following a February 2013 public hearing)*

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

57. 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) (10-37)



(11-41) (12-38) (1-43) (*Action on this item was tabled after a public hearing was held on September 9, 2013.*)

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

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

Councilor Shurtleff informed Council that on February 12<sup>th</sup> at 6:30 p.m. at the Penacook Library the Friends of the Penacook Library will be honoring former Councilor Blanchard with a reception.

Councilor Champlin indicated that this upcoming Friday and Saturday is Intown Concord's Loving Downtown Stroll.

Councilor Herschlag indicated that last Friday Ward Two had a meeting at the Newell Post and thanked Dave and Deb Newell for opening the restaurant for them. He further thanked the people who came out to meet himself and State Representative Paul Henle and share their concerns.

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

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

Items 23, 24, 25 and 35 have been pulled from the consent agenda for discussion.

23. Reports from the Traffic Operations Committee in response to a communication from the Deputy City Manager – Development asking that an examination of the performance of the Regional Drive/Chenell Drive intersection be made. (8-10) (***Pulled from consent by Mayor Bouley***)

**Action:** Mayor Bouley indicated that this request comes as a result of meeting with businesses located on Regional Drive who had concerns with this particular intersection and asked that a stop sign be placed here. He noted that the Traffic Operations Committee has suggested that this not be done. The Mayor asked the Council to consider moving this to a public hearing for next month as to whether there should be a stop sign here or not.

Councilor Shurtleff moved to hold a public hearing in March on this item. The motion was duly seconded and passed with no dissenting votes.

24. Council Quarterly Priorities Report. (***Pulled from consent by Councilor Herschlag***)

**Action:** Councilor Herschlag indicated that he was looking for guidance from staff inquiring whether he would be correct in understanding that even though Langley Parkway Phase III remains in the CIP that there will be no funds or staff time dedicated to the third phase. City Manager Aspell responded that to be correct in terms of funds but in terms of staff time that is incorrect because they need to bring to City Council the report from the last series of

public committee meetings. He added that the next time the Council has a discussion as part of the capital budget would be in sometime in 2016.

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

25. Report from the Recreation and Parks Advisory Committee in response to a communication from Matt Elliott, President, Friends of White Park, requesting that the City of Concord investigate the removal of the bus lane within the parking lot at White Park when planning a potential new skate house. (1-7) (*Pulled from consent by Councilor Herschlag*)

**Action:** Councilor Herschlag moved to not accept this report until the third option has been reviewed.

Council asked for clarification in regards to the report.

City Manager Tom Aspell explained that the committee suggested that data be received to look at how much the busses use it and a decision can be made as part of whatever Council ends up doing to a skate house or not.

There was no second to Councilor Herschlag's motion.

Councilor Bouchard moved acceptance of the report. The motion was duly seconded.

Mayor Bouley noted that he sees this report as a status update to a constituent.

The motion to accept the report passed with one dissenting vote.

35. Report from the Transportation Policy Advisory Committee highlighting its accomplishments since its April 2008 inception. (*Pulled from consent by Councilor Todd*)

**Action:** Councilor Todd thanked the members of TPAC and the chair Dick Lemieux for his leadership, guidance and vision on this committee. He further thanked staff, Ed Roberge and Rob Mack, for their support. He encouraged everyone to read the report and stated that it will be available online for review. He pointed out that there are currently four vacancies on the committee if anyone is interested.

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

### **Consideration of Suspense Items**

Councilor St. Hilaire moved to suspend the rules to consider items not previously advertised. The motion was duly seconded and passed with no dissenting votes.

2 Sus1 Report from the City Manager outlining 2014 – 2015 City Council Priorities.

**Action:** Councilor St. Hilaire moved acceptance of the report. The motion was duly seconded and passed with no dissenting votes.

2 Sus 2 **Referral to Community Development**

Communication from Pat Harbour, Borough Road resident, asking that the City of Concord determine if contractors working in the Sandwood development are meeting all city codes to ensure no additional damage will occur to her home and property.

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

2 Sus 3 **Referral to Code Administration, General Services, the Police Department and the Fire Department**

Street closure request from the Crisis Center of Central New Hampshire for a Walk a Mile in Her Shoes Event to be held on Wednesday, October 1, 2014.

**Action:** Councilor St. Hilaire moved to refer this communication to Code Administration, General Services, the Police Department and the Fire Department. The motion was duly seconded and passed on a voice vote. Mayor Bouley took Rule Six and did not vote on this item.

### **Adjournment**

The time being, 11:21 p.m., Councilor Nyhan moved to recess the meeting until next Tuesday, February 18<sup>th</sup>. The motion was duly seconded and passed with no dissenting votes.

*A true copy; I attest:*

*Michelle Mulholland  
Deputy City Clerk*