



***Non-public meeting with legal counsel in accordance
with RSA 91-A: 2, I (b) to be held at 6:00 p.m.***

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

1. The Mayor called the meeting to order at 7:00 p.m.
2. No clergy was present for invocation.
3. Pledge of Allegiance.
4. Roll Call. Councilors Bennett, Bouchard, Mayor Bouley, Councilors Champlin, Coen, Grady Sexton, Herschlag, Matson, McClure, Nyhan, St. Hilaire, Shurtleff, Todd and Werner were present.
5. Approval of the October 14, 2014 Meeting Minutes.

Action: Councilor St. Hilaire moved approval of the October 14, 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 Battalion Chief Kenneth Folsom. (10-29)
7. Agenda overview by the Mayor.

- Consent Agenda Items -

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

Action: Councilor Nyhan moved approval of the consent agenda with items 9, 21, 28 and 30 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 Community Development

8. Communication from April Begosh, Healthy Pets New Hampshire, requesting that the classification of a dog daycare be reviewed taking into consideration the differences between a dog daycare and a commercial kennel.

Referral to City Administration and the Legal Department

9. Communication from Councilor Matson requesting City Council consider recommending that any power lines associated with the Northern Pass project be buried in areas where the lines would abut densely populated neighborhoods. (*Pulled from consent by Councilors Matson and St. Hilaire*)

Action: Item removed from the consent agenda for discussion.

Referral to the Planning Board

10. Report from the Deputy City Manager – Development regarding potential amendments to Zoning Codes related to therapeutic cannabis programs.

Items Tabled for a December 8, 2014 Public Hearing

11. Resolution authorizing the issuance of up to \$15,000,000 in Refunding Bonds; together with report from the City Treasurer.
12. Resolution authorizing and appropriating \$750,000 as a transfer to Trust Fund Reserves; funding for this appropriation shall be entirely from FY2014 General Fund Assigned Fund Balance; together with report from the Deputy City Manager – Finance.
13. Resolution appropriating \$45,000 from Trust Fund Reserves as a supplemental appropriation to the City's General Fund for the purposes of equipment repair and education and training, funding for these purposes shall be entirely from Trust Fund Reserve Accounts.
14. Resolution appropriating the sum of \$34,030 for Consultation Services for the Solar Power Photovoltaic Project, fifty percent funded by the General Fund and fifty percent funded by the Sewer Fund; together with report from the Deputy City Manager – Finance.
15. 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, by adding the Classification of Painter; together with report from the General Services Director.
16. Resolution determining the proposed project has a Public Benefit and approving an application by Remi's Block LLC for a RSA 79-E Community Revitalization Tax Relief Incentive for the renovation of the former Vegas Block located at 148-158 North Main Street, Concord; together with report from the Director of Redevelopment, Downtown Services, and Special Projects.

From the City Manager

17. Positive Citizen Comments.

Consent Reports

18. Diminimus gifts and donations report from the Library Director requesting authorization to accept monetary gifts totaling \$5,811.98 as provided for under the preauthorization granted by City Council.
 19. Diminimus gifts and donations report from the Human Services Director requesting authorization to accept monetary gifts totaling \$204 as provided for under the preauthorization granted by City Council.
 20. Diminimus gifts and donations report from the Parks & Recreation Director requesting authorization to accept monetary gifts totaling \$2,700 as provided for under the preauthorization granted by City Council.
 21. Report from the City Engineer regarding the policy and procedure related to unaccepted private streets following a communication from the residents of A Street in Concord asking that consideration be given to making A Street a public street. (8-9) ***(Pulled from consent by Councilor Matson)***
- Action:** Item removed from the consent agenda for discussion.
22. Current Use Change Tax Quarterly report from the Director of Real Estate Assessments.
 23. September 2015 Fiscal Year-to-Date Financial Statements report from Deputy City Manager – Finance.
 24. Semi-Annual Pay As You Throw (PAYT) Status Report from the General Services Director.
 25. Report from Parks and Recreation Department in response to a communication, from Michael Feinstein and Jackie Lessard, requesting the City of Concord consider developing a Green Burial site. (7Sus2)
 26. Report from the Recreation and Parks Advisory Board in response to a communication from Michael Royce asking that the City consider lighting the Blossom Hill Cemetery Chapel on a nightly basis. (3-7)
 27. Proceed from sale of tax deeded property report from the Treasurer/Tax Collector.
 28. Report from the Legal Department regarding lease and other agreements between the City and Concord Little League and Concord National Softball League. (10-7) (10-8) ***(Pulled from consent by Councilor Herschlag)***

Action: Item removed from the consent agenda for discussion.

Consent Resolutions

29. Resolution proclaiming December 2014 as Capital Region Food Program Month.
(For presentation in December)

30. Resolution authorizing the City Manager to submit an application for Land and Water Conservation Fund, LWCF; together with report from the Parks & Recreation Director.
(Pulled from consent by Councilor Herschlag)

Action: Item removed from the consent agenda for discussion.

31. Resolution in recognition of the services of Sergeant Roger L. Baker.
(For presentation in December)

32. Resolution in recognition of the services of Lieutenant John J. Zbehlik.
(For presentation in December)

33. Resolution in recognition of the services of Lieutenant Michael McGuire.
(For presentation in December)

Consent Communications

34. Street closure request from the Penacook Village Association for the annual Penacook Village Tree Lighting ceremony to be held on Wednesday, December 3, 2014.

Appointments

35. City Manager's proposed re-appointments to the Heritage Commission
Philip Donovan, Robert Johnson, Carol Durgy Brooks, Frederick Richards, Bryant Tolles and Marilyn Fraser

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

36. **November 10, 2014 Public Hearings**

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; Tables 1, 2 and 3; together with report from the Impact Fee Committee summarizing proposed change to the Impact Fee Ordinances. (10-11) *(Ordinance with strikethroughs submitted) (Public testimony from Jennifer and Matt Walton submitted)*

Action: There being no Council objection, the City Clerk read the public hearing items for A, B and C together.

Councilor Champlin moved to substitute the revised resolution received for item B this evening for the one previously submitted. The motion was duly seconded and passed with no dissenting votes.

Carlos Baia, Deputy City Manager – Development, provided an overview for items A through C contained within the report. He explained that the Impact Fee Committee met several times throughout the spring and summer tasked with finding ways to update and streamline the impact fee ordinance. In their deliberations the committee looked at the school impact fees; they looked at the way impact fees are measured for school and recreation and their assessment when people do homeowner projects. They are recommending a change to the unit used to measure the impact fee from a per square foot unit to a dwelling unit. He explained that the committee also looked at the incentive clause within the current ordinance and recommends eliminating the bulk of that incentive clause but keeping one section of it, one that has been pertinent to the Council for years, identifying a city priority redevelopment project. He noted that what this proposed ordinance also seeks to do is housekeeping; the ordinance has been around for well over a decade and there is language within it that needs to be cleaned up and changed.

Mayor Bouley opened the public hearings for items A, B and C. There being no public testimony, the Mayor closed the hearings.

- B. Ordinance amending the Code of Ordinances, Title IV, Zoning Code; Chapter 29.2, Public Capital Facilities Impact Fees Ordinance; Article 29.2-1-3, Administration; Section (g) Incentives for Redevelopment of Blighted, Underutilized, Abandoned, or Contaminated Buildings and Tables 4 and 5. (10-12) (*Revised ordinance submitted*)

Action: Public hearing for this item taken with item A.

- C. 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, Subsection (e), Credits Against Payment of Impact Fees. (10-13)

Action: Public hearing for this item taken with item A.

October 14, 2014 Public Hearing Action

- 37. Resolution appropriating the sum of \$50,000 for the City of Concord's 250th Anniversary to be funded from General Unassigned Fund Balance; together with report from the Deputy City Manager – Finance. (9-10) (10-35A;10-36) (*Public hearing held on October 14, 2014; action tabled*)

Action: Councilor Champlin moved to remove this item from the table. The motion was duly seconded and passed with no dissenting votes.

Referencing 6-b of the City Council Rules, Councilor Herschlag moved that any members of Council that have a conflict with this proposed resolution to recuse themselves at this time.

Mayor Bouley read Rule 6 of the Council Rules for public information. He indicated that he and Councilors Shurtleff and Todd have recused themselves on this item previously-setting for a public hearing and tabling the resolution at the last Council meeting. They are recusing themselves this evening.

Councilor Herschlag cited the city ordinance in regards to the Code of Ethics and feels that the question that they have been wrestling with is once a conflict is declared, when is the appropriate time to remove oneself from the discussion. He pointed out that with the new Code of Ethics, a person no longer needs to have a financial interest; within the definition, 1-6-3, an apparent conflict of interest is one that does not affect the person's financial interest but does call into question his/her objectivity and independence. He feels that the appropriate action once a Councilor(s) states that they have a conflict and recuses themselves, is that they remove themselves from any further discussions related to that issue.

Mayor Bouley explained that, over the seventeen years that he has served on the Council, this is exactly what has been for precedent; when somebody has a conflict or perceived conflict, you do not participate in discussion or voting.

Councilor Champlin moved approval of the resolution. The motion was duly seconded.

Councilor Coen noted that he doesn't have a problem with the Mayor or other Councilors being involved in the discussion and voting in regards to this item because he feels that this is a development for the city itself and all of its citizens.

Referencing suspense item one on the agenda, Mayor Bouley noted that this is an item that he would like to see referred to the Rules Committee so that they can look at and review the current rules and how they might be updated.

Councilor Nyhan stated that he feels that it's appropriate for all of Council to vote on this item.

Following brief Council discussion, Councilor Champlin moved the question. The motion was duly seconded and passed with no dissenting votes.

The motion to approve the resolution passed 11 to 1 on a roll call vote with Councilors Bennett, Champlin, Coen, Grady Sexton, Herschlag, Keach, Matson, McClure, Nyhan, St. Hilaire and Werner voting yes. Councilor Bouchard voted no. Mayor Bouley and Councilors Shurtleff and Todd recused themselves. The motion passed with the required 2/3rds vote.

November 10, 2014 Public Hearing Action

38. 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; Tables 1, 2 and 3; together with report from the Impact Fee Committee summarizing proposed change to the Impact Fee Ordinances. (10-11) (*Ordinance with strikethroughs submitted*) (*Public testimony from Jennifer and Matt Walton submitted*)

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

Councilor Bouchard asked that if someone has already gone before the Planning Board for a remodel but has not yet started construction would they have to pay the impact fees if this

item passes. Mr. Baia responded that the impact fees are paid at the time of the building permit.

Councilor Nyhan inquired as to how many building permits have been pulled since October 1st. Mr. Baia responded that the number is seventy.

Councilor Keach asked if there is a process to rescind once a building permit is taken out. Mr. Baia responded that it's not very common and explained that there is a process to this that requires pro-rata share so it's not a simple process. He added that he is not sure that it's applicable here because it is changing a law. Councilor Keach questioned whether there would be some possible recourse to ask this question. Mr. Baia indicated that they would need to have some determination of parameters. He pointed out that seventy permits have been pulled since the date that this particular resident pulled their permit. He noted that they are talking about a refund based upon a change that's going into effect tonight and there are seventy different parties so is that the cut off, October 1st, or is there another cut off; what about the people that pulled a permit the same day and have done the work already. Councilor Keach stated that he does not want this to get in the way of moving forward but does feel that it's an issue that needs to be addressed.

Councilor Herschlag thanked the Impact Fee Committee for their work on this. He suggested a consideration of a graduated fee based on square footage at some point in the future.

Councilor St. Hilaire indicated that they looked at that and looked at what the reason is to have an impact fee; to offset the fact that there are more people using the roads, more people using the schools, etc. because you are expanding a level of space. He stated that they really weren't bringing in more people with their family and expanding that so there was really no impact. They were collecting money on an impact that really didn't exist. He noted that the graduated scale wouldn't apply in situations in which a single family home wanted to enclose a porch or finish their basement because there wouldn't be any extra children going to school or people driving on the roads.

Councilor Coen senses that one of the issues is that, if this is passed, what happens to the individuals that came in yesterday, a month or two months ago. He stated that it could potentially be very complicated figuring this out.

Mayor Bouley stated that at some point you need to draw a line as to when the effective date is.

Councilor Keach encouraged anyone that has a pending building permit to rescind it and explore their legal options.

Councilor Nyhan questioned whether people were made aware when they applied for permits since October 1st that there was an ordinance change pending that could affect them favorably. Mr. Baia responded that he is not sure whether staff conveyed this to every person.

City Manager Tom Aspell explained that this is part of the zoning code so the notice of this item was on October 14th when it was set for a public hearing for this evening. He stated that

impact fees are under the zoning code and you cannot go back and retroactively change zoning codes.

There being no further Council discussion, the motion to approve passed with no dissenting votes.

39. Ordinance amending the Code of Ordinances, Title IV, Zoning Code; Chapter 29.2, Public Capital Facilities Impact Fees Ordinance; Article 29.2-1-3, Administration; Section (g) Incentives for Redevelopment of Blighted, Underutilized, Abandoned, or Contaminated Buildings and Tables 4 and 5. (10-12) (*Revised ordinance submitted*)

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

40. 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, Subsection (e), Credits Against Payment of Impact Fees. (10-13)

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

Reports

New Business

Unfinished Business

41. 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) (2-56) (3-45) (4-18) (5-45) (6-42) (7-38) (8-26) (9-42) (10-41) (*Action on this item tabled following a February 2013 public hearing*)

Action: This item remains on the table.

42. 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) (2-57) (3-46) (4-49) (5-46) (6-43) (7-39) (8-27) (9-43) (10-42) (*Action on this item was tabled after a public hearing was held on September 9, 2013.*)

Action: This item remains on the table.

43. 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) (2-45A; 2-46) (3-47) (4-50) (5-47) (6-

44) (7-40) (8-28) (9-44) (10-43) (*Action tabled on this item; item also referred to the Impact Fee Committee after a public hearing was held February 10, 2014*)

Action: City Manager Aspell asked Council to consider removing this item from the table because Council's action on the impact fee ordinance this evening negates the need to do anything with this item.

Councilor Nyhan moved to take this item off the table. The motion was duly seconded and passed with no dissenting votes.

Councilor Nyhan made a motion to not accept the report. The motion was duly seconded and passed with no dissenting votes.

44. 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. (2-16) (3-35E; 3-39) (4-51)(5-48) (6-45) (7-41) (8-29) (9-45) (10-44) (*March 10, 2014 public hearing opened and recessed at the request of the Deputy City Manager – Development until such time as the Planning Board has had to finalize their review*) (*Report from the Deputy City Manager – Development; together with proposed ordinance submitted in July 2014*).

Action: Councilor St. Hilaire moved to take this item off the table. The motion was duly seconded and passed with no dissenting votes.

Councilor St. Hilaire moved to set this item for a public hearing on December 8th. The motion was duly seconded.

Councilor St. Hilaire explained that the Planning Board came to the determination that scrolling signs was not a good idea for Concord, however, there were other little zoning changes and definitions to zoning laws and other housekeeping items that they did recommend. He stated that is what he would like to see placed for a public hearing to solidify what they presently have on the books.

The motion to set this item for a December 8th public hearing passed with no dissenting votes.

Comments, Requests by Mayor, City Councilors

Councilor Todd noted that there will be a ribbon cutting ceremony this Saturday, November 15th at 10:00 a.m. at Boudreau Square in downtown Penacook for the portion of Route 3 that has now been completed.

Councilor Todd informed everyone of the ninth annual Penacook Tree Lighting Ceremony being held at 6:00 p.m. at Boudreau Square in Penacook on Wednesday, December 3rd.

Councilor Nyhan commended the Recreation Department for issuing free golfing for veterans tomorrow at the Beaver Meadow Golf Course. Referencing the brochure which indicates that a

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military I.D. is required, he clarified that any veteran who has a DD214 will be able to use this as proof of service.

Councilor Herschlag indicated that there will be a Ward Two neighborhood meeting at the Newell Post Restaurant this Friday at 6:00 p.m.

Councilor Shurtleff reminded everyone that tomorrow is Veteran's Day; two events are being held: the Concord Veteran's Council is holding a program in the Hall of Flags at the State House at 9:00 a.m. and there will be a service at the Veteran's Cemetery in Boscawen at 11:00 a.m.

Mayor Bouley extended a thank you to all the election workers, the City Clerk's Office and all those who helped out on election day.

Mayor Bouley urged attendance at the Penacook Ribbon Cutting Ceremony on Saturday.

Mayor Bouley welcomed people to attend the Mayor's Prayer Breakfast on Friday, November 21st at 7:30 a.m. at the Grappone Center.

Comments, Requests by the City Manager

City Manager Aspell introduced the new Library Director Todd Fabian.

Consideration of items pulled from the consent agenda for discussion

- Items 9, 21, 28 and 30 have been pulled from the consent agenda for discussion.
9. Communication from Councilor Matson requesting City Council consider recommending that any power lines associated with the Northern Pass project be buried in areas where the lines would abut densely populated neighborhoods. (*Pulled from consent by Councilors Matson and St. Hilaire*)

Action: Councilor Matson indicated that it is recognized that the current path of the Northern Pass is going to visually affect the city quite significantly and that there are property values that may likely be affected and possibly property taxes as well. She noted that the Council recognizes the importance of energy resource diversity for our region however, the Council believes that safeguarding the overall quality of life for our residents are vital and much of what defines that quality of life is a natural landscape free from the increasing clutter of manmade structures such as overhead power poles and lines.

Councilor Matson moved that City Council establish a subcommittee of Council to review the proposed Northern Pass route and to consider the extent to which the lines be buried in Concord. The motion was duly seconded.

Councilor McClure indicated that she will be taking Rule Six on this item because the organization that she works for has taken a strong stand on Northern Pass.

Councilor Coen indicated that he is for having this sent to a subcommittee to look into this. Referencing the correspondence, he noted that it states "recommend any power lines

associated with the Northern Pass project be buried” and he would prefer that the committee come back and give the Council a recommendation. He feels that this is giving the subcommittee direction.

Mayor Bouley senses that the correspondence is just simply something to be referred pointing out that the motion does not use the word “recommend”.

Councilor Matson confirmed that to be correct.

Councilor Keach inquired as to what the goal is that this be referred to the Legal Department.

Councilor Matson noted that the city is an intervener for the Northern Pass project so the City Solicitor has the ability to relay requests on their behalf.

Councilor Werner asked if his recollection is correct that Administration sent a communication approximately a year ago to the Department of Energy recommending that power lines be buried within Concord if the Northern Pass project were to continue. He asked what bearing does that have on this process.

City Solicitor Jim Kennedy indicated that the city has made two communications to the Department of Energy relative to lines going through the City of Concord; one from the City Manager and one was an intervener status communication from this Council. He stated that this would just be a further communication. He added that what they are right now and with the Department of Energy is a comment period.

Councilor Herschlag commended Councilor Matson for bringing this forward.

Councilor St. Hilaire indicated that he just wants to make sure that it’s just not going to be the Legal Department and Councilors that are on this committee. He recommended that City Administration staff be included on this committee as well.

Councilor Matson’s motion passed with no dissenting votes. Councilor McClure took Rule Six.

21. Report from the City Engineer regarding the policy and procedure related to unaccepted private streets following a communication from the residents of A Street in Concord asking that consideration be given to making A Street a public street. (8-9) (***Pulled from consent by Councilor Matson***)

Action: Councilor Matson indicated that the issue of unaccepted streets has been looked at periodically in the past and that she likes the idea that they should come up with some sort of procedure. She pointed out that one of the reports notes that the real estate transactions should be disclosed that it’s an unaccepted street when the property is up for sale. She stated that it’s unclear if there is a legal requirement for this disclosure or if the disclosure is actually being made. Secondly, she noted that the residents of an unaccepted street indicated that they are paying taxes just as any other residents but are not receiving the same services

relative to the state of their roads. Lastly, she pointed out that A Street, in particular, is designated as an emergency lane for fire and police vehicles and one of the concerns would be, because of the state of disrepair of the road, it probably should be maintained to the point that such emergency vehicles would not sustain damage while going through the street for an emergency. Councilor Matson stated that she wanted to bring these points to Council's attention and that she does favor a procedure in place.

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

28. Report from the Legal Department regarding lease and other agreements between the City and Concord Little League and Concord National Softball League. (10-7) (10-8) ***(Pulled from consent by Councilor Herschlag)***

Action: Councilor Herschlag indicated that it's his understanding that, in the past, if the lease was terminated the city would be responsible for paying back improvements. He stated that he wasn't clear as to whether or not they have gotten to the point in which the city wouldn't be responsible or whether they are still working on this provision. He noted that the other point that he would like to see addressed is that, should improvements necessitate the field not be available, the city wouldn't have any liability as to finding another field for them or that it wouldn't restrict the city from making the improvements to the facility because of the lease. He noted that he hopes that these items will be addressed within the lease.

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

30. Resolution authorizing the City Manager to submit an application for Land and Water Conservation Fund, LWCF; together with report from the Parks & Recreation Director. ***(Pulled from consent by Councilor Herschlag)***

Action: Councilor Herschlag noted that he has concerns moving forward at this time even though they are looking at a \$150,000 grant. He stated that it's his understanding in speaking with David Gill, Parks & Recreation Director, that the improvements will cost \$300,000 and there will be additional maintenance costs and additional operational costs. He finds it difficult to move forward with a \$300,000 project when there appears to be difficulties keeping up with the maintenance of the current facilities.

Councilor Herschlag moved to not accept the resolution. The motion fails due to the lack of a second.

Councilor Champlin moved acceptance. The motion was duly seconded.

Mayor Bouley asked if Council would consider broadening the language. He explained that it currently goes with a CIP item for Terrill Park and when these dollars are applied for they are usually used to create new facilities. He indicated that he feels that they should also be thinking about passive recreational opportunities and feels that this is a good opportunity for some money to apply to the Merrimack River greenway; an opportunity for more walking trails and to expand the opportunity to connect the river to the community. He added that he would like to incorporate, within the motion, some flexibility to the City Manager to really apply those dollars to where they might best be used.

Councilor Coen inquired whether there is a pent up demand for an additional field in the community.

Mayor Bouley indicated that there is always the need and demand for field space. He noted that when looking at this area and the capital improvement budget, there is an item for a turf field in the future within the outyears.

Councilor Coen questioned whether the grant can be expanded to what the Mayor is suggesting or is it specific to a field.

City Manager Aspell responded that it can be expanded.

Councilor Bouchard asked for clarity as to whether this is being expanded and the dollars would be going towards the Merrimack River trail way that abuts Terrill Park. Mr. Aspell indicated that to be correct. Councilor Bouchard stated that is a great idea and appreciates this being brought forward.

Councilor McClure recognized the staff for trying to find funds to do something for the park that would be used for wholesome activities by all members of the community. She stated that the residents deserve that the city invest some energy in making this park a very usable family friendly place to go.

Following brief additional discussion, Councilor McClure moved the question. The motion was duly seconded and passed with no dissenting votes.

The motion to approve allowing the City Manager flexibility when applying passed with no dissenting votes.

Consideration of Suspense Items

Councilor Nyhan moved to consider the suspense items not previously advertised. The motion was duly seconded and passed with no dissenting votes.

11 Sus1 **Referral to the Rules Committee**

Communication from Mayor Bouley requesting review of the current Rules of the City Council.

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

A second suspense item was read by the City Clerk: a report recommending the City Manager be authorized to enter into a new PILOT agreement with Granite State Management Resources.

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

Adjournment

The time being 8:17 p.m., Councilor Champlin moved to adjourn the meeting. The motion was duly seconded and passed with no dissenting votes.

A true copy; I attest:

*Michelle Mulholland
Deputy City Clerk*