



**RSA 91-A: 3, II - non-public session to discuss the City Manager's  
Evaluation to be held at 6:00 p.m.**

City Council Special Meeting  
**Minutes**  
**June 30, 2014**  
City Council Chambers  
7:00 p.m.

1. The Mayor called the meeting to order at 7:00 p.m.
2. Roll Call. Councilor Bouchard, Mayor Bouley, Councilors Champlin, Coen, Grady Sexton, Herschlag, Keach, Matson, McClure, Nyhan, Shurtleff, Todd and Werner were present. Councilors Bennett and St. Hilaire were excused.
3. Agenda overview by the Mayor.

**Items Tabled for July 14, 2014 Public Hearings**

4. Resolution accepting and appropriating the sum of \$463,505 for the purpose of purchasing new protective breathing equipment for the Fire Department, including \$371,826 in grant funds from the Federal Emergency Management Agency (FEMA), and authorizing the issuance of bonds and notes of up to \$91,679 from the City of Concord, CIP #573; together with report from the Fire Department.

**Action:** Councilor McClure moved to set this item for a July 14, 2014 public hearing. The motion was duly seconded and passed with no dissenting votes.

5. Resolution adopting an amended and restated Development Program and Financing Plan for the Sears Block Tax Increment Finance District; together with report from the City Engineer. (*Revised report submitted*)

**Action:** City Manager Tom Aspell explained that when Council last left the downtown topic, staff indicated that they would undertake a Construction Manager/General Contractor process. He noted that staff will be conducting a thorough presentation this evening.

Carlos Baia, Deputy City Manager-Development, introduced City Engineer Ed Roberge and Tom Severino, Severino Trucking Co. Vice President.

City Engineer Ed Roberge provided a detailed powerpoint presentation highlighting the Construction Manager/General Contractor Process, proposal scope, project recommendations, prosecution of work/schedule, project cost, funding requirements and snowmelt system operations and maintenance cost comparison. (Printed presentation on file at the City Clerk's Office).

Councilor Nyhan inquired as to how sensitive the schedule is to weather. Mr. Severino responded that it's very sensitive; with the current schedule they have there will be some days they cannot work from April 1<sup>st</sup> to roughly November 1<sup>st</sup>.

With regard to the underground utility relocation, Councilor Todd stated that he was surprised to hear the reduction in price from \$2.5 million that was originally proposed to \$1.7 million. He questioned whether there was any particular reason for this reduction. He asked, if this element wasn't to be completed now, whether this is the kind of price they could see later down the road or would it be significantly more. Mr. Roberge explained that the underground utility relocation includes work that the city would do such as: running new conduit, setting manholes and prepping everything for the private utilities to come along. He indicated that there would be contracts with Severino Trucking to do this "city work". He added that, through the CM/GC process, they pushed on the utility companies in refining their scopes which dropped the number by \$800,000. Councilor Todd pointed out that the report noted that adding this element into the project would rejigger the timeframe. He asked for a sense as to what this would be in terms of delays. Mr. Roberge responded that this impact is probably three to six months in terms of overall schedule duration. Mr. Roberge noted that if this decision was made they would probably focus their time this year solely on the underground utility component and begin the major project in earnest next.

Councilor Champlin asked whether it is fair to say that anything that hasn't been highlighted within the report as being removed from this project is still in it. Mr. Roberge responded yes. Councilor Champlin noted that he seems to recall, earlier in the project, looking at designs that showed a type of sinuous pattern in the sidewalks asking whether this was taken out or if it was still in. Mr. Roberge replied that they were featured in the major bump outs and those elements are still in there.

Mayor Bouley noted that, as this project has been discussed, one of the important elements to this is signage and asked for an update in regards to this. Mr. Roberge responded that they are under contract with a streetscape signage, way finding professional as part of the project team. He explained that they haven't started this design yet not knowing what direction this project would go. He indicated that, if approved, they would start this work. Mayor Bouley inquired in regards to temporary signage during construction time to make sure everyone knows that downtown is

open for business. Mr. Roberge responded that this has been at the top of their list as they started this whole process; the signage package includes message boards and a full sign package for way finding to parking garages that go up on day one.

Councilor Werner noted that the original plan called for the purchase and installation of big belly trash compactors. He asked why this was put in the project in the first place and what the process and thinking was in terms of not doing this now, pointing out that it's a relatively small cost difference. Mr. Roberge replied that as they have explored and looked at these more critically, it's a long term performance issue that is really driving this decision. He explained that they don't perform that well and have been mechanically problematic.

Councilor McClure stated that she appreciates the fact that they have raised the curb up to hold the soil and mulch for plantings but it seems to her that the original idea of fences appeared to be designed to keep people from walking through. Mr. Roberge responded that he feels that the fence was designed to be more of a visual aesthetic as opposed to a deterrent. He stated that they felt the fences were an item that could easily break and become a target of vandalism. Councilor McClure asked whether there were areas in which curbs were used and whether they have been successful in terms of a barrier. Mr. Roberge pointed out that slide number 17 is located in Cambridge and slide number 18 is located at Boylston in front of BU. He indicated that these are very effective and appear to be successful.

Councilor Herschlag noted that it's his understanding from the start that this was a \$7.8 million project with the federal government picking up 60 percent of the cost. He questioned as to when this became a \$10.2 million project and why. Mr. Roberge explained that it became a \$10.2 million project as the bids outlined what the project would cost. He stated that he wouldn't say that it's a \$10.2 million project because there is a mechanism that needs to occur as they recommended to repurpose those funds. He indicated that it's a \$7.8 million grant project and they are finding through the process, this contract selection process, that the project costs are dictated as they are shown. Mr. Roberge noted that staff recommends taking the value of what's been appropriated today and using those funds for the project they have brought forward as a recommendation. Councilor Herschlag noted that the \$10.2 million is referred to as the face bid and the recommended floor plan is \$12 million; how is this bid substantially different in costs from the previous two bids they have received. Mr. Roberge responded that if they looked at the previous base bids plus all the alternatives, he believes that they would find it substantially higher than \$12 million.

Councilor Coen inquired whether structural soil would enhance the tree life of trees on Main Street versus what the city is currently doing. Mr. Severino responded that's the intent. He explained that structural soil directs the roots and gives them a place to go. Councilor Coen noted that it is his understanding that they may not need to spend money on structural soil. Mr. Severino replied that they would need to open up areas to find out.

Councilor Keach noted that he was personally disappointed to find that there wasn't going to be heated sidewalks but in learning the costs it is definitely a cost prohibitive element to the project. He questioned whether there will be an opportunity for each building or owner, at their expense, to put in their own melt system in front of their building. He further questioned whether it would be a benefit or a pitfall if this was offered. Mr. Roberge responded that he doesn't feel that there are any direct downfalls to doing this but it is another level of coordination. He stated that the problem with this is the size of the areas and how it would vary; someone would need to take on that design effort and then coordinate that with the sidewalk construction. He added that if they got into this, they would really need to define what level of effort would be the city's and what would be the personals. Mr. Roberge indicated that the only down side is essentially incomplete systems and varied expectations; it would add a level of complexity and affect schedules. Councilor Keach questioned whether it would be helpful or not helpful to this project. Mr. Roberge replied that, from a management standpoint, it would not be helpful.

Councilor Nyhan asked what the impact would be to the overall schedule if an individual store was to install a heated sidewalk. Mr. Severino responded that it would add more complexity than it's worth and the biggest impact would be with the schedule. He noted that the amount of coordination would be monumental especially on an individual basis.

Councilor Champlin noted that, when looking at the proposal and the relatively minor cost of the conduits for uplighting, he wonders if they are being a little short sighted in not spending the \$32,000 on installing the conduits in the event that they decide, once this project is finished, that they want to have the opportunity to have the trees uplighted for aesthetics. Mr. Roberge responded that in working with the contractor they included it as an alternative recognizing that was one of those elements from the original report that was important to some; they put a cost value to this so that Council could decide on this.

City Manager Aspell asked staff to clarify explaining that the one piece is the conduit and the other piece is the lighting and the labor. He asked for the cost to add this element. Mr. Roberge explained that \$32,820 is the number for the conduit but to work in, building a new circuit and providing the fixtures it would amount to just under \$138,000 in total.

Councilor Champlin noted that his understanding is that there would be an additional expense in the future but his question was whether it would be wise to put the conduit in now so that they may take that additional step down the road. He stated that if the conduit is not there, there is not an opportunity to take this step in the future.

Referencing the photos, Councilor McClure pointed out that the trees look more like ornamental trees than shade trees. She inquired whether there will be shade trees and what kind of advice they received in regards to species of trees. Mr. Roberge

responded that Becky Hebert, Planning, reviewed the plans looking at specie types and both ornamental and shade trees. He indicated that there are eight or nine species for the project and they include shade trees.

Councilor Todd asked if staff could give Council a sense of a day in a life of the “red carpet” crew that may be out servicing the downtown area in both the winter and the summer. Mr. Baia explained that this was meant to be for comparison purposes so they would need to flush this out as they go through the fiscal year for the budget. He indicated that the concept is looking at a crew that would serve as ambassadors for the downtown and help visitors in the downtown, sweeping, landscaping, mulching, cleaning the garages, and moving snow in the snow season. He stated that what they are proposing if they have a staff crew is that they would look at a wider district than just Main Street.

Councilor Champlin asked if it would be fair to say that this “red carpet” crew could also be an extra set of eyes in downtown to bring items to the attention of the Police Department. Mr. Baia responded yes and noted that they could also bring attention to other minor details.

Councilor Matson questioned in regards to the timeframe in removing snow from sidewalks with a crew versus what is currently done. Mr. Baia responded that, currently, downtown is one of the priority areas for snow removal explaining that they currently take a tractor from the city’s inventory and try to remove the snow as quickly as they can. He indicated that, with the new concept, what they are proposing is having a tractor that is dedicated just to the downtown so as soon as the snow begins to fall they can go out and treat the downtown sidewalks, squares and bus stops. He stated that it will be a much faster response and they will be able to remove the snow much quicker. He added that the removal process of the snow from downtown will remain similar as it is currently done.

Councilor Herschlag indicated that, approximately a year ago, there was a maintenance expenditure schedule put together and questioned whether all these costs were also rolled into the maintenance cost that is currently shown for the “red carpet” crew. Mr. Baia replied that what they tried to illustrate in the report is to clarify this to not mislead the community and that this is not all inclusive to all the maintenance, mulch, plantings, etc. He indicated that this was to provide a comparison as much apples to apples as they could between a staff crew versus a steam system versus a natural gas system. He noted that they tried to provide a measuring stick to be as precise as they can knowing that there are still many details that need to be fleshed out; there are additional maintenance items that still need to be looked at for a comprehensive downtown year round maintenance. Councilor Herschlag noted that it appears that they are looking at a 21 month project and asked if there was any way to contract this construction period for the businesses downtown. Mr. Roberge responded that it’s difficult to predict what they are going to build when they don’t

know exactly what this is yet. He noted that once the final project is determined they can map that specific schedule within the limits.

In terms of the schedule, Mayor Bouley asked for clarification as to whether 2016 is when they would be doing the streetscapes and not the traffic issues. Mr. Roberge indicated that there would still be some traffic impacts. Mayor Bouley inquired whether they would still see the barriers. Mr. Roberge responded that what may be seen are barriers in the middle for the cobblestone median construction for example. Mayor Bouley questioned whether there would be two way traffic during that time. Mr. Roberge indicated that to be correct. He added that he doesn't believe they contemplated any one way pattern during phase three. Mr. Severino agreed adding that it depends upon the start date pointing out that dates were a little different a few months ago. Mayor Bouley asked what this is really like in terms of construction; what are some of the surprises that were experienced in other communities. Mr. Severino stated that it's a construction project so there will be dirt, dust and they are an inconvenience. He indicated that the one way plan works well and is easier for vehicles to back out of a diagonal space and to just have to contend with that one direction. He noted that, for all intensive purposes, they intend for it to go very smoothly but pointed out that it's not going to be ideal.

Councilor Nyhan moved to set items 5, 6, 7 and 8 for July 14, 2014 public hearings. The motion was duly seconded and passed with no dissenting votes.

6. Resolution rescinding resolution #8686 and appropriating \$2,500,000 and authorizing the issuance of bond and notes in the amount of \$2,500,000 for the Downtown Complete Streets Project, CIP #460, within the Sears Block Tax Increment Finance District.

**Action:** Item set for a July 14, 2014 public hearing.

7. Resolution appropriating \$348,705 in Traffic Impact Fee Funds for construction of the Downtown Complete Streets Improvement Project, CIP #460.

**Action:** Item set for a July 14, 2014 public hearing.

8. Resolution appropriating \$152,780 and authorizing the issuance of bonds and notes for Water System Improvements in conjunction with the Downtown Complete Streets Improvement Project, CIP #460.

**Action:** Item set for a July 14, 2014 public hearing.

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

Councilor Herschlag indicated that another Ward Two meeting was held at the Newell Post Restaurant this past Friday. He thanked City Planner Nancy Larson for attending.

**Comments, Requests by the City Manager**

Referencing item 4, City Manager Tom Aspell provided an overview explaining that the Fire Department went out and received a grant of \$371,000 with a city match. He noted that what he is going to do is ask Council to accept and appropriate those dollars earlier than next year therefore saving the taxpayers \$371,826 and reducing the amount next year that they would have to budget for.

**New Business**

Mayor Bouley noted that this is the last day of the current contract with the City Manager and asked Council to consider a new one year contract.

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

**Adjournment**

The time being 9:20 p.m., Councilor Keach 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*