



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

City Council Meeting  
**Draft Minutes**  
**December 8, 2014**  
City Council Chambers  
7:00 p.m.

1. The Mayor called the meeting to order at 7:00 p.m.
2. Invocation by Susan Brewer, Baha'i Faith Community
3. Pledge of Allegiance.
4. Roll Call. Mayor Bouley, Councilors Champlin, Coen, Grady Sexton, Herschlag, Keach, Matson, McClure, Nyhan, St. Hilaire, Shurtleff, Todd and Werner were present. Councilors Bennett and Bouchard were excused.
5. Approval of the November 10, 2014 Meeting Minutes.

**Action:** Councilor Grady Sexton moved approval of the November 10, 2014 meeting minutes. The motion was duly seconded and passed with no dissenting votes.

6. Mayor Bouley presented a resolution proclaiming December 2014 as Capital Region Food Program Month. (11-29)
7. Resolution in recognition of the services of Lieutenant John J. Zbehlik. (11-32)

**Action:** John J. Zbehlik was not present for the resolution presentation.

8. Councilor Shurtleff presented a resolution in recognition of the services of Lieutenant Michael McGuire. (11-33)
9. Black Ice Hockey presentation.

**Action:** Parks & Recreation Director David Gill noted that this is the fifth year for the tournament which occurs from January 23<sup>rd</sup> through 25<sup>th</sup>.

Chris Brown indicated that he feels that this event has gone much further than anyone thought it would; the event has over 90 teams with 30 teams on the waiting list. He stated that, over the years, Black Ice Hockey has donated close \$50,000 to the city for the skate

house project as well as close to \$20,000 for other recreation based projects. They look forward to continuing to work with the city.

Mayor Bouley noted that this is a great event for the whole city and thanked Mr. Brown and the entire organization at NH Distributors for what they have done.

Councilor Coen inquired whether Mr. Brown had anyone working/helping with the organization of this event. Mr. Brown responded that there is a Board of Directors for the Black Ice Hockey Association.

10. Agenda overview by the Mayor.

*- Consent Agenda Items -*

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

**Items Tabled for January 12, 2015 Public Hearings**

11. Resolution accepting and appropriating the sum of \$22,176 from the New Hampshire Charitable Foundation for management and maintenance of municipal property; together with report from the Deputy City Manager – Finance.
12. Resolution authorizing the City Manager to enter into a Development Agreement Amendment #5 with Capital Commons L.L.C.; together with a report from the Director of Redevelopment, Downtown Services, and Special Projects.
13. Resolution accepting and appropriating \$17,500 in donations from Main Street Property Owners for the design of a sidewalk snowmelt system on Main Street in conjunction with the Downtown Complete Streets Improvement Project, CIP #460; together with report from the City Engineer.

**From the City Manager**

14. Positive Citizen Comments.

**Consent Reports**

15. Diminimus gifts and donations report from the Library Director requesting authorization to accept monetary gifts totaling \$1,765.39 as provided for under the preauthorization granted by City Council.
16. Diminimus gifts and donations report from the Police Department requesting authorization to accept monetary gifts totaling \$2,000 as provided for under the preauthorization granted by City Council.

17. Diminimus gifts and donations report from the Parks & Recreation Department requesting authorization to accept monetary gifts totaling \$8,250 as provided for under the preauthorization granted by City Council.
18. Report from Engineering Services on interim signal hardware improvements needed at the Pleasant/Warren/Fruit Streets intersection, CIP #283.
19. Report from the Transportation Policy Advisory Committee – Public Transit Subcommittee regarding suspension of Concord Area Transit Saturday service for 2014/2015.
20. Police Department Staffing Change report from the Police Chief.

### **Consent Resolutions**

21. Resolution authorizing the City Manager to issue a license to Remi's Block LLC to install balconies and related improvements within the North Main Street and Loudon Road rights-of-way, including Doyen Park; together with report from Director of Redevelopment, Downtown Services, & Special Projects.

### **Consent Communications**

22. Street closure request for a New Year's Eve Block Party to be held December 31, 2014 on Pierce Street between Laurel and Thorndike Street. (*Request withdrawn*)
23. Street closure request for an Open Democracy sponsored walk to be held on Wednesday, January 21, 2015. (*Request withdrawn*)

### **Appointments**

### **From the Mayor**

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

### **24. December 8, 2014 Public Hearings**

- A. Resolution authorizing the issuance of up to \$15,000,000 in Refunding Bonds; together with report from the City Treasurer. (11-11)

**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. 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. (11-12)

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

Mayor Bouley pointed out a difference between numbers contained within the report compared to the resolution. He questioned whether the resolution was correct. Brian LeBrun, Deputy City Manager-Finance, responded that the resolution is correct; there is a typo in the report.

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

- C. 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. (11-13)

**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.

- D. 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. (11-14) (*Communication from Councilor Werner submitted*)

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

Mayor Bouley opened the public hearing.

### **Public Testimony**

Roger Hawk, Energy & Environment Committee member, explained that there are two pieces to this: 1) funding a consultant to look at a small solar which is under 100 kw of output; 2) to look at between 100 kw to 1 mw. He feels that the city needs to come up with independent power sources that are locally generated and managed. He stated that supply and the certainty of cost are the two major factors that play into this. From the Energy Committee's standpoint, the other big factor is the climate change issue that this will assist considerably with. Mr. Hawk explained that they are seeking funding so that the city can hire a consultant and prepare an RFP to hire an energy developer that will be able to construct these under a suitable power purchase agreement with the city and run it for 15 to 20 years at which point the city would buy it or choose not to.

Mr. Hawk indicated that the third piece of this is something that they are going to request within next year's budget which is an additional appropriation to hire a consultant to assist the city in coming up with a 15 or 20 year game plan to get them all the way off the grid. He noted that they don't know whether this is feasible or not but the committee

feels that this is something that they should be doing to recommend to the Council so that they can think about this for the longer term and decide whether this is the right decision for the city to pursue. The committee feels that this is very important, given the availability of energy and the dwindling supply of fossil fuels, to protect their options for the future. He explained that there are federal tax credits that are expiring at the end of 2016 and feels that they should be moving now. He further explained that the Public Utilities Commission, just this year, has put more money into grants to enable solar and wind projects.

Chuck Willing, Energy & Environment Committee member, explained that the idea is establishing cost certainty on electricity for the city; allowing the city to take significant steps towards sustainability and being the leader in the field of sustainability; and to do it while these governmental benefits, including tax credits, are available.

Tim Sink, Greater Concord Chamber of Commerce, spoke in favor of the proposed resolution. He indicated that the Chamber executive committee had a conversation about this in which there was unanimous support. He noted that it seems like the timing is right and that this is an opportunity to look at something that may be a good investment for the city long term.

Sally Hatch, Concord resident, spoke in strong support of this project. She feels that investigating the feasibility of a renewable energy source is an excellent idea and hopes that it paves the way for more projects of this sort.

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

- E. 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. (11-15)

**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.

- F. 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. (11-16) *(Supplemental report submitted)*

**Action:** Matt Walsh, Director of Redevelopment, Downtown Services, and Special Projects provided an overview.

Referencing the resolution, Mayor Bouley pointed out that it reads up to five years. He inquired as to the specific recommendation of the Administration. Mr. Walsh responded that their recommendation is five year pointing out that it indicates so within item number two of the “Now Therefore Be It Resolved” section of the resolution.

Mayor Bouley pointed out that there are two reports for this resolution: one dated October 29<sup>th</sup> and one dated December 1<sup>st</sup>. He inquired as to which report they should be going by. Mr. Walsh responded that they should go by the more recent report.

Referencing the covenant to have the units be market rate, Councilor McClure questioned whether this is permanent. Mr. Walsh replied that it is not; it would expire after the ten year period. The statute allows the city to get a covenant from the property owner; the covenant would run with the land but the statute currently only allows for it to be twice the duration of the tax relief benefit given. He stated that, if the Council approves the five years, the covenant would run for ten years explaining that the property owner would be obligated to maintain apartments in that building which are market rate. He noted that the Council could ask the developer for a longer term or permanent deed restriction on the property but, at this point, they have only discussed the ten year duration of the covenant.

Mayor Bouley opened the public hearing.

### **Public Testimony**

Joseph Haas inquired if the relief was zero percent or would there be a small amount of tax paid during those five years. Mayor Bouley responded that the owner would still have to pay taxes during that period but it would be frozen at what it is now. Mr. Haas noted his support to reduce the tax bill.

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

- G. 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; 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) (11-44) *(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:** City Manager Tom Aspell provided a brief overview.

Mayor Bouley opened the public hearing.

### **Public Testimony**

Attorney F.X. Bruton, Bruton & Berube, indicated that he represents Cumberland Farms explaining that they are currently before the Zoning Board of Adjustment requesting a variance with respect to allowing mechanical scrolling signs to exist. He noted that this sparked an informal request of the Zoning Board to have staff approach this Council with respect to a proposed zoning ordinance that would potentially allow mechanical scrolling signs. He explained that a mechanical scrolling sign is one that would have an alpha/numeric factor to it and would roll to a point. He stated that employees currently have to go out with a large pole and put up a change of numbers on the sign, fighting the elements and snowbanks at least once a day. Attorney Bruton explained that this would not be an electronic message board; it is not something that flashes, moves or changes on a regular basis. He noted that the sign they are requesting is something that rolls to a position once a day in a very quiet way.

Attorney Bruton indicated that, in May 2014, the Planning Board took a vote to recommend that the ordinance be amended to allow for mechanical scrolling signs. He noted that the issue at the meeting was to direct staff to prepare an ordinance that would reflect mechanical scrolling signs are permitted but limited to once a day and limited in size so there is not potential for some large use of this type of provision. At a meeting in June 2014, there was a Planning Board discussion with respect to the issues of the size and when called to a vote, the motion passed to prohibit mechanical scrolling signs. He asked that Council look at the Planning Board minutes and report. He presented a copy of the June 2014 report to the Council. He added that he doesn't want Council to have the impression that the Planning Board simply voted not to do this because, in the context of a separately constituted board, they actually did approve mechanical scrolling signs for safety reasons. He feels that Council should consider this when considering whether or not to allow the ordinance to exist and permit mechanical scrolling signs.

Connors Longe-Deyo, Cumberland Farms Manager at 47 Fisherville Road, indicated that he was present to point out the safety features with their current signs. He explained that the most difficult issue with the current sign they have is that the snow builds up underneath the sign making it very dangerous for himself and his team members to go out to change the gas price signs. He pointed out that they do change them once a day and if they had a scrolling sign it would alleviate a lot of the stress and they wouldn't have to climb a mound of ice to change the current signs. He also pointed out that it can be a noise issue for his neighbors because they sometimes have to bang on the sign to get the numbers down.

Attorney Bruton concluded that they are not looking for electronic message boards or to change anything in a dramatic fashion; they are looking to have a scrolling sign so that someone from inside the store can make the change with no negative aspects. He feels that a lot of people on the Planning Board, in May, agreed with them and thus voted to recommend that mechanical scrolling signs be allowed. He stated that they were

surprised that there was a different vote within the next month. He asked that Council consider it in that context.

Referencing the report, Councilor Coen indicated that he cannot find where the signs were recommended. He noted that the report is from city staff to the Planning Board for their approval or disapproval; it doesn't contain anything that says that the Planning Board is in favor.

Attorney Bruton read from the May 2014 Planning Board minutes: "Chair Drypolcher called for a vote of who supports the once a day mechanical scrolling sign; the vote is 5 in favor and 3 against. Chair Drypolcher requested that staff write an update for City Council after defining a message board, establish the standard allowable size; in relation to percentage and maximum allowable square footage and define the once per day preferred allowance which can be manual or mechanical."

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

#### **December 8, 2014 Public Hearing Action**

25. Resolution authorizing the issuance of up to \$15,000,000 in Refunding Bonds; together with report from the City Treasurer. (11-11)

**Action:** Councilor Nyhan moved approval. The motion was duly seconded and passed, 13 to 0, with the required 2/3<sup>rd</sup> vote with Mayor Bouley, Councilors Champlin, Coen, Grady Sexton, Herschlag, Keach, Matson, McClure, Nyhan, St. Hilaire, Shurtleff, Todd and Werner voting yes.

26. 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. (11-12)

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

City Manager Tom Aspell asked that, based upon questions that came up during discussion, Mr. LeBrun come forward for clarification.

Mr. LeBrun, Deputy City Manager-Finance, stated that he misspoke earlier during the discussion and that it is the report that is correct; the resolution should actually reflect the highway paving fund at \$580,000 and the building improvements at \$60,000.

Councilor Nyhan stated that his motion should include the figures as: highway paving at \$580,000, equipment at \$110,000 and building improvements at \$60,000 for a total of \$750,000. Councilor St. Hilaire stated that was what he understood when he seconded the motion.

The motion to approve passed with no dissenting votes; receiving the required 2/3<sup>rd</sup> vote.

27. 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. (11-13)

**Action:** Councilor Nyhan moved approval. The motion was duly seconded passed with no dissenting votes; receiving the required 2/3<sup>rd</sup> vote.

28. 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. (11-14) (*Communication from Councilor Werner submitted*)

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

Councilor Nyhan inquired if this initial assessment is going to project the capital cost of moving ahead with the project and what the projected cost savings is if they continue with that project. Mr. Aspell responded that they would look at the capital costs, how to properly finance those, look at grant funding sources, look at doing a financial pro forma, and look at what the return of investment is in moving forward with this particularly as it relates to the general fund and the sewer fund.

The motion to approve passed with no dissenting votes; receiving the required 2/3<sup>rd</sup> vote.

29. 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. (11-15)

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

30. 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. (11-16) (*Supplemental report submitted*)

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

Councilor Herschlag commended staff on drafting an agreement that has provided financial incentives that will provide the Remi's Block LLC with the opportunity to successfully complete this project while at the same time ensuring that the project is of economic benefit to the community.

Councilor McClure noted that she feels that this is a great project but would like to suggest that they put in the covenant that the market rate housing be a permanent covenant with the realization that if things change in the future they can come back to the Council and make a change. She feels that it would benefit the city to ensure that they have market rate housing downtown for the long term.

Councilor Shurtleff thanked Remi for doing what he is doing because it's long needed and is a great improvement.

Mayor Bouley inquired what would happen if Councilor McClure made a motion to make the covenant on the market housing permanent; would this be something that needs to be renegotiated with the owner or is this something that can be done unilaterally. Mr. Aspell responded that Council could unilaterally do this but whether or not it's acceptable to the owner and moving forward with their project is another matter. His understanding is that they have a relatively tight timeframe and doesn't know if a month would work for them.

Attorney Mike Moyers, Cleveland, Waters and Bass, stated that the owner believes that the market is perfect for market rate apartments which is why it's being designed in the fashion it is. He stated that the owner does not want to accept a permanent classification because it's hard to predict what's going to happen in the future. He stated that this would be negatively viewed by the owner.

Councilor McClure noted that this is a helpful answer but pointed out that the staff report had suggested this so it gave her cause to think that this is something that they should seriously consider which is why she brought it up.

City Manager Aspell indicated that this is something that Council should seriously consider because one of the things that has come up is the low amount of market rate housing in the downtown. The question for him is if the project is done well and its market rate and it's successful, more than likely it will stay market rate going into the future. He feels that this is something that Council should discuss before making a deal that would grant a benefit of over \$300,000; they should think of what's best for the community. This is one of those items they should consider and whether or not they want to include or not.

Councilor St. Hilaire noted that he believes that the statute allows the city to go twice the amount of time, up to ten years in this case, and anything else would be voluntary for the party/applicant. He pointed out that the question is what happens when the owner sells it twenty years from now. What if it's a different Council and somebody wants to put a hotel or high class housing – there would then be a covenant that restricts further development that may help the downtown even more than this project. He stated that is why he would hesitate to put on a restriction that can't be undone; it's hard to undo a covenant that's put on a deed. He further stated that just because the Council wants it doesn't mean that the applicant wants it.

Mr. Aspell indicated that there is a whole series of perspectives on how to look at how this could develop. He feels that it works in both sides of the equation – it could be an advantage or a disadvantage; only the developer can make a decision because this is a financial covenant that would go on forever.

Councilor Coen stated that he is not comfortable with extending that covenant. He noted that he feels that this is a significant building downtown to be rehabbed and put into market rate housing. He feels that the proposal is reasonable and he supports the proposal and the ten year covenant that is before the Council this evening.

The motion to approve passed with no dissenting votes.

31. 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; 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) (11-44) (*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 approval. The motion was duly seconded and passed with two dissenting votes.

### **Appointments by the Mayor**

### **Reports**

32. Presentation of way finding signage designs and lighting designs in conjunction with the Downtown Complete Streets Improvement Project (CIP460). (*Not previously distributed*)

**Action:** City Engineer Ed Roberge introduced John Bosio from Merje and Carrie Hawley and Robyn Goldstein from Horton Lees Brogden Lighting Design.

John Bosio, Merje, stated that when they look at the wayfinding project it's much more than just running around putting up signs, it's about affecting the experience people have when they come into Concord; a consistent welcoming image by reducing sign clutter and presenting things in a comprehensive manner. He stated that, when looking at signage that is currently out there, those signs come down and they put up a more consistent system. They are not adding to elements that are currently out there, they are trying to organize and make it more consistent. He noted that they are concentrating on the downtown areas as part of a complete streets project but it is certainly the opportunity into which it could spread beyond just downtown. Mr. Bosio highlighted different sign types such as directing to downtown, arriving to downtown (a gateway element), directing to public parking and naming the lot based on where it is located, banners that can celebrate Concord, pedestrian directional signs,

kiosks and vehicular signs. He highlighted sign options and examples within a powerpoint presentation. Printed presentation on file in the City Clerk's Office.

Mr. Roberge pointed out that a three sided kiosk would potentially have mapping and then some sort of historical element or message depending upon where the kiosk is located. He noted that there is another task in terms of developing content for these types of boards which they will be working on once they get through the design.

Councilor Champlin noted that one of the key components of the complete streets project is accessibility and inquired whether there are any adaptations for people who are wheelchair bound being able to view signage. Mr. Bosio responded that there is certainly ADA requirements in terms of placement and contrast of the signage. Councilor Champlin asked if the assumption is that if someone is at a lower level, they would be able to read the signage. Mr. Bosio responded yes.

Councilor Coen asked that when Mr. Bosio reviews the current signage today, does he find it adequate, inadequate, mismatched or typical. Mr. Bosio responded that there are parking signs and a handful of wayfinding signs to some of the destinations that are currently out there but it's just that those signs don't talk to each other; they are all put up independently so not only is the work not consistent but it's also the messaging.

Carrie Hawley, Horton Lees Brogden Lighting Design, stated that they started with "what is special about Concord specifically" and noted that Concord has a lot of landmarks along Main Street which they were able to identify. They also wanted to create an overall visual fabric and open up the space to almost feel like an outdoor room; the reason behind this is to draw visitors to come downtown extending the experience of Concord from just a daytime city to more of a nighttime city. She presented images of lighting in other cities and also lighting examples/options for the downtown area through a powerpoint presentation. Images of options and examples were included for various buildings and squares, temporary lighting for special events such as Christmas and Fourth of July, and views from the highway. She concluded by pointing out that they have listed a program summary within the powerpoint printout which goes through their recommendations from pathways running throughout to each individual space. A copy of the presentation is on file in the City Clerk's Office.

Mr. Roberge stated that there is a number of ways that the Council can go with this and what they essentially need, from the project perspective, is to try to select a wayfinding theme or a direction for them to advance to final design. He indicated that it's the same thing with the lighting, to find out if Council endorses the recommended program that HLB just outlined.

Mayor Bouley indicated that it's his intention to ask the Council to have the Council set both of these presentations for a public hearing in January in which they could solicit input from the public and, following the hearing, give staff the direction that they are seeking in terms of the theme for the signage and direction for the lighting.

Councilor Herschlag asked if Council would have the opportunity to see examples of some of the designs for parking signs and what it would look like on the streetscape from the facades of the current buildings. Mr. Bosio responded that they are waiting to get the design and intent from the Council in which they would then apply this.

Councilor Herschlag asked whether they could see some examples of some of the murals and background images as opposed to the city seal on the signs; such as architectural images or the Concord Coach. Mr. Bosio replied that if that is the direction that is chosen they would go through a more distinct research for the images going to be used.

Councilor Champlin noted that the presenters have provided them with everything that he hoped that they would.

In terms of the uplighting, Councilor Grady Sexton inquired whether any of this lighting would be disruptive to the downtown residents. Ms. Hawley responded no explaining that façade uplighting, being right up against the building as opposed to floodlighting, will simply pick up the vertical architectural features without going into windows.

Councilor Grady Sexton asked if there is any evidence that shows that lighting in a city is a deterrent to crime. Ms. Hawley responded that there has been a lot of research, particularly out of the UK, on this topic. She indicated yes there is a correlation. She pointed out that it's not just about putting quantity of light but it really is lighting quality. She stated that it's really important to make sure that people feel safe so that they feel comfortable walking to spaces.

Referencing costs, Councilor Coen questioned whether there will be a menu of some of the options and their costs for both the lighting and the signage. He inquired whether it's been seen in the past where there's a public/private venture in which an owner of a building would be interested in participating in the costs of these items. Mr. Roberge indicated that this has been discussed noting that this is a great opportunity for some sort of structured public/private partnership to look at the strategies. He noted that working together to create a vibrant downtown is in everyone's best interest.

Councilor Keach pointed out that there may need to be some ordinance changes to go along with these items.

Councilor Nyhan, with regard to the signage package, inquired whether there was one theme that seemed to present itself more prominently than the others. Mr. Bosio responded no and noted that being the capital came up. If he had to give a lead to one of the themes, he would say being the capital was probably the lead out of all of them.

Councilor Nyhan stated that Concord means a lot of things to people that live here and he has always wondered what the people who live outside of Concord see Concord as; is it being the capital, the history of the city, or the architecture. He inquired as to the experiences in other cities that have taken on such a project. Mr. Bosio replied that it's going into the streetscape

project so they have to make sure that it fits into this. He stated that it's okay to have a theme but it's got to be balanced at the right level. Councilor Nyhan asked whether there is an opportunity to blend elements from each of the packages. Mr. Bosio responded yes.

Councilor St. Hilaire noted that he likes the lighting but also likes to look at the night sky. He indicated that he is concerned with a lot of light pollution and inquired whether this is something that they are conscious of when looking at the lighting. Ms. Hawley responded that she feels that Main Street is the one place where there is such activity happening that it's less about the sky. She pointed out that there are opportunities such as the State House Plaza, Bicentennial Square and Eagle Square in which there is the moment and opportunity to be in the city and be able to look up and experience the sky. She stated that it would be interesting to provide the dual experience.

Councilor McClure questioned whether they have had experiences in other cities where the private sector has helped pay and, if so, how has this worked and what form has it taken. She stated that the reason she is asking this is that it strikes her that if everybody doesn't do it then there will be a hodgepodge lighting effect. Ms. Hawley replied that they don't have a specific experience of cost sharing. She feels that it would massively incentivize people because they may take an interest if someone else is doing it.

Councilor Herschlag asked if the Council could also be provided an understanding of the operational and maintenance costs for the lighting. Ms. Hawley responded that some would be city and some would be private. If it's on a façade, someone would have to tie this into their own electrical. She stated that they could provide that information as a guideline to potential owners for the January meeting.

Referencing uplighting and light pollution, Councilor Herschlag inquired if there was a way to having lateral or downlighting as opposed to uplighting. Ms. Hawley responded that the uplighting of buildings is a subtler way and is more contained from a light pollution standpoint.

Councilor Todd encouraged people to participate and provide comments for the public hearing.

Mayor Bouley asked staff to reach out to the building owners to find out what their level of interest is in the lighting. He noted that he feels that they have to create an environment that is inviting and safe; he would not minimize the safety element.

Councilor St. Hilaire moved to set these items for a public hearing in January. The motion was duly seconded and passed with no dissenting votes.

### **New Business**

**Unfinished Business**

33. 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.

34. 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.

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

Councilor Todd announced that the Penacook Village Association will be hosting a meeting with the discussion being “how to create a Penacook connection between the northern rail trail and the one currently in process by the Friends of the Merrimack River Greenway Trail.” This will be held on Saturday, December 13<sup>th</sup>, at 9:00 a.m. at the Penacook Elementary School café.

Councilor Todd indicated that Concord 250 and the YMCA are co-sponsoring a gala benefit to be held at the Grappone Conference Center on New Year’s Eve.

Councilor Nyhan recognized and thanked the Concord Dance Academy for hosting their annual holiday show this past weekend. He indicated that all the proceeds for this show goes to the Friendly Kitchen.

Councilor Herschlag noted that the annual Ski and Skate sale was once again successful.

Councilor Champlin extended his appreciation to the General Services staff for their work during the holiday due to the recent snowstorm.

Councilor McClure also extended her appreciation to the General Services staff. She recognized the Finance Department for the refunding of the bond.

Mayor Bouley thanked the General Services staff for the snowstorm cleanup. Mayor Bouley asked Concord Monitor reporter Megan Doyle if she could do a piece between now and the public hearing to generate as much discussion as possible for the Main Street lighting and

City Council Minutes

December 8, 2014

16

signage. Mayor Bouley recognized Ms. Doyle for being the recipient of the Rookie of the Year from the NH Press Association and for receiving third place for government reporting.

**Comments, Requests by the City Manager**

**Consideration of Suspense Items**

**Adjournment**

The time being 9:46 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*