City of Concord

City Council

Meeting Minutes - Draft

Monday, September 14, 2015 | **7:00 PM** | **City Council Chambers**
37 Green Street
Concord, NH 03301

Non-public session in accordance with RSA 91-A: 3, II (d) to discuss property acquisition followed by a consultation with legal counsel in accordance with RSA 91-A:2, I (b) to be held at 6:15 p.m.

1. Call to Order

Mayor Bouley called the meeting to order at 7:00 p.m.

2. Invocation by the Reverend Peter Hey from the Wesley Methodist Church.

3. Pledge of Allegiance.

4. Roll Call.

Present: 15 - Councilor J. Allen Bennett, Councilor Candace Bouchard, Mayor Jim Bouley, Councilor Byron Champlin, Councilor Mark Coen, Councilor Amanda Grady Sexton, Councilor Allan Herschlag, Councilor Fred Keach, Councilor Gail Matson, Councilor Jan McClure, Councilor Keith Nyhan, Councilor Dan St. Hilaire, Councilor Stephen Shurtleff, Councilor Brent Todd, and Councilor Robert Werner

5. Approval of the Meeting Minutes.

August 10, 2015 City Council Meeting Minutes.

Action: Councilor Grady Sexton moved approval of the August 10, 2015 meeting minutes. The motion was duly seconded and passed with no dissenting votes.

6. Agenda overview by the Mayor.

Consent Agenda Items

Approval of the Consent Agenda

Councilor St. Hilaire moved approval of the consent agenda. The motion was duly seconded.

Mayor Bouley pointed out that consent item 7 indicates that it is subject to Council waiver of Section 4 of the Council Rules. He clarified that with the motion to approve the consent agenda, as written, would include the motion to suspend the rules

and set item 7 for a public hearing to be held this evening. He further pointed out that item 33 requires a two thirds vote by the City Council.

The motion to approve the consent agenda passed with no dissenting votes.

Item Tabled for a September 14, 2015 Public Hearing

(Subject to Council waiver of Section 4 of City Council Rules)

7. Resolution appropriating $75,000 from the City's Economic Development Reserve Fund for the purchase of a historic Abbot Downing Coach Vehicle as part of the Abbot Downing Historical Society effort to purchase seven Concord Coaches; together with report from the City Manager.

Item Tabled for an October 13, 2015 Public Hearing

8. Resolution accepting and appropriating $86,296 from the State of New Hampshire Department of Transportation Highway Block Grant Aid for the purpose of transferring out to the Highway Reserve Trust; together with report from the Director OMB.

   This resolution was moved to set for a public hearing.

From the City Manager

9. Positive Citizen Comments.

   This positive comments was received and filed.

Consent Reports

10. Diminimus gifts and donations report from the Library Director requesting authorization to accept monetary gifts totaling $1,721.18 as provided for under the pre-authorization granted by City Council.

    This consent report was approved.

11. Diminimus gifts and donations report from the Human Services Director requesting authorization to accept monetary gifts totaling $700 as provided under the preauthorization granted by City Council.

    This consent report was approved.

12. Diminimus gifts and donations report from the Police Department requesting authorization to accept monetary gifts totalling $5,539 as provided for under preauthorization granted by City Council.

    This consent report was approved.

13. Diminimus gifts and donations report from the Parks and Recreation Director requesting authorization to accept monetary gifts totaling $2,225.11 as provided for under the preauthorization granted by City Council.

    This consent report was approved.

14. Report from the Facilities Naming Committee recommending the function room at the Beaver Meadow Golf Course Club House be renamed the "Chet Wheeler" room.

    This consent report was approved.

15. Report from the Traffic Operations Committee in response to a referral from Councilor Matson regarding an employee's concern that cars don't fully stop at the Canterbury/Pembroke multi-way stop intersection and requesting increased enforcement or more prominent signage.

    This consent report was approved.

16. Report from the Deputy City Manager-Development regarding the naming of garages in Main Street Project wayfinding signage.

    This consent report was approved.

17. Report from the Deputy City Manager - Finance on the Request for Proposal (RFP) for Solar Photovoltaic Systems on City property.

    This consent report was approved.

18. Report from the Library Director recommending acceptance of the new fine/fee structure associated with Chromebook usage in the Concord Public Library.

    This consent report was approved.

19. Report from the City Solicitor recommending the City Manager be authorized to extend the current agreement between the City of Concord, Concord TV and the Concord School District.

    This consent report was approved.

20. Report from the City Solicitor recommending the City Manager be authorized to extend the current Comcast Cable Television Franchise Agreement.

    This consent report was approved.

21. Report from the City Engineer recommending that the City Manager be authorized to apply for Federal Highway Administration Accelerated Innovation Deployment (AID) Demonstration Program grant funds.

This consent report was approved.

22. Report from the City Planner recommending the discontinuance of a portion of right-of-way on Merrimack Street in Penacook as requested by the United Church of Penacook.

This consent report was approved.

23. Report from the City Planner requesting authorization to accept monetary gifts totaling $1,615.00 for the maintenance of Oak Hill Trails in memory of Brendan J. Cahill.

This consent report was approved.

24. Report from the Parks and Recreation Director on the Daughters of American Revolution (DAR) Service Project.

This consent report was approved.

25. Report from the Parks and Recreation Director regarding a sign donation for Stickney Cemetery.

This consent report was approved.

26. Report from the Parks and Recreation Director recommending 2016 membership rates for the Beaver Meadow Golf Course.

This consent report was approved.

27. Annual Trust Fund Reports from the City Treasurer.

This consent report was approved.

Consent Resolutions

28. Resolution in honor of the services of Battalion Chief Richard Whitney (for presentation in October).

This consent resolution was approved.

29. Resolution in honor of the services of Fire Captain Scott Anstey (for presentation in October).

This consent resolution was approved.

30. Resolution authorizing the City Manager to negotiate and execute extensions to the purchase and sales agreement for City property located at 8-10 Sexton Avenue; together with report from the Director of Redevelopment, Downtown Services and Special Projects.

This consent resolution was approved.

31. Resolution authorizing the City Manager, by way of the Police Department, to submit an application to the Department of Homeland Security 2015 Homeland Security Grant Program, for grant funding of a specialized incident command vehicle; together with report from the Police Department.

    This consent resolution was approved.

32. Resolution authorizing the City Manager, by way of the Police Department in conjunction with the Merrimack Valley School District, to submit an application to the Department of Homeland Security 2015 Homeland Security Grant Program, for grant funding of access control and school security upgrades at Merrimack Valley High School and Merrimack Valley Middle School.

    This consent resolution was approved.

33. Resolution repurposing $125,000 from a previously appropriated General Fund Stormwater Improvement Project, CIP #83, and affirming the authorization to issue bonds and notes for the construction of storm water improvements on Storrs Street; together with report from the City Engineer.

    This consent resolution was approved.

Consent Communications

34. Street closure request from Intown Concord for Halloween Howl to be held on Friday, October 30, 2015.

    This consent communication was approved.

35. Street closure request from Karen Joyal requesting consideration be given to closing Auburn Street from the entrance to the round-about at Liberty Street to the Franklin Street intersection on Halloween, Saturday, October 31st.

    This consent communication was approved.

Appointments

36. City Manager's proposed appointment to the Library Board of Trustees. (Chani Marchiselli)

    This appointment was approved.

End of Consent Agenda

Public Hearings

37A. Resolution appropriating the sum of $189,864 in grant funds from the Federal Emergency Management Agency for the purpose of installing automatic sprinkler systems in the City's four fire stations (CIP #252); together with report from the Deputy Fire Chief.

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.

(Subject to Council waiver of Section 4 of City Council Rules)

37B. Resolution appropriating $75,000 from the City's Economic Development Reserve Fund for the purchase of a historic Abbot Downing Coach Vehicle as part of the Abbot Downing Historical Society effort to purchase seven Concord Coaches; together with report from the City Manager.

Action: City Manager Tom Aspell provided a brief overview explaining that this resolution is for the acquisition of an asset, a Concord Coach Shattuck Wagon, so the city has something of value and something in which they can preserve. He indicated that the approach with the resolution has no property tax impact; the funds would come from the economic reserve fund. He explained that the appraised value of the vehicle is $145,000 and the asking price is $75,000. Mr. Aspell recommends entering into an agreement with the Abbot-Downing Historical Society in which the society would house and maintain the vehicle and the society would be afforded reasonable use of the vehicle. They would work towards moving the coaches to the city, preferably in a location relatively close to the location where they were constructed.

Mayor Bouley opened the public hearing.

Public Testimony

Peter James, Abbot-Downing Historical Society member, spoke in support of the purchase of the Abbot-Downing vehicle and presented a short video clip about the history of Concord Coaches and the Abbot-Downing Company.

Roy Schweiker, resident, spoke in opposition to using city funds in this manner noting that he feels that, in a way, it does have a property tax impact on the residents. He noted his concerns with spending additional dollars to restore and house the coach. He feels that having them dispersed within the US will promote the city and will protect them from all being in one area in case a disaster occurs, therefore they wouldn't all be lost.

Betty Hoadley, resident, spoke in support of the purchase of the shattuck and gave three reasons: it has dozens of connections to Concord; it's a unique piece; there will not be another opportunity like this

again. She feels that it will bring many visitors to the city - it's not only a historical purchase but an economic one also.

Councilor Champlin asked why Ms. Hoadley, being a former history teacher, feels that preserving a community's history is important. Ms. Hoadley responded that people need to understand their roots and what life was like; they need to figure out that the problems people had in past history were quite similar to the ones people have now.

Tom Prescott, Johnny Prescott Oil Company President, indicated that he purchased a twelve passenger Abbot-Downing stagecoach five years ago so that he could bring it back to Concord. He erected a building to house it and also had the coach harnessed. He stated that he recently purchased a six passenger coach last fall. Mr. Prescott explained that when he purchased these, he did it to preserve some of the history of Concord. He spoke in support of the city's acquisition of the shattuck wagon stating that he feels that $75,000 is a great deal for this vehicle.

Brian Erickson, Abbot-Downing Historical Society President, spoke in support of the proposed resolution. He stated that this is the first opportunity, as long as he's been in the society, to see so many people with such a big interest in what the society is trying to do. He explained that the Abbot-Downing Company didn't just build stagecoaches but they also built several other vehicles that are just as rare as the coach which is why they are trying to purchase them.

Nancy Donovan, Abbot-Downing Historical Society member, indicated that her uncle used to make the straps for the restoration of the Concord Coach. She spoke in support of the city's acquisition of this vehicle to promote the history of the city.

Pat Maimone, Abbot-Downing Historical Society Vice President, spoke in support of the acquisition of the Concord Coach vehicle for the city.

Carol Bagan spoke on behalf of her husband who has been co-chairing the fundraising for the Abbot-Downing Historical Society to raise $100,000 to purchase the lot of six. She stated that they are very much in favor of the city's purchase of this vehicle. She feels that it's wonderful that the city is considering the purchase of the number seven, the most rarest and expensive of them all. She indicated that people have been questioning where these Concord Coach vehicles will be stored if they are purchased; they have a chance to gather these items and then will find a place to store them once they are brought back. She made several suggestions to housing these including a barn raising which would have occurred during that time period.

Grace Murdoch, resident, expressed her support of the purchase of the shattuck noting that she feels that this Concord Coach vehicle should be kept in the City of Concord.

Kim Murdoch, Concord 250 Project Manager, indicated that in her role of Concord 250 it has become apparent: the community is hungry for history and they are hungry for a sense of connection. She spoke in support of the purchase of the shattuck.

Robin Briscoe, Abbot-Downing Historical Society Secretary and Carriage Association of America member, stated that this is an amazing opportunity to bring more Concord Coach vehicles to the city. She feels that if there is a collection here in the city, coach enthusiasts will visit Concord to see them. She asked City Council to support the acquisition of the shattuck.

Roy Schweiker, resident, referenced Concord's history and pointed out that there wasn't any support to preserve any portion of the Sewall's Falls Bridge. He noted that he feels that, instead of having coaches that are in museums and off limit to people, there should be reproductions so that visitors can interact with and experience the coaches.

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

Public Hearing Action

38. Resolution appropriating the sum of $189,864 in grant funds from the Federal Emergency Management Agency for the purpose of installing automatic sprinkler systems in the City's four fire stations (CIP #252); together with report from the Deputy Fire Chief.

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

(Subject to Council waiver of Section 4 of City Council Rules)

39. Resolution appropriating $75,000 from the City's Economic Development Reserve Fund for the purchase of a historic Abbot Downing Coach Vehicle as part of the Abbot Downing Historical Society effort to purchase seven Concord Coaches; together with report from the City Manager.

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

Councilor Shurtleff explained, for disclosure, that he made a contribution to the Abbot-Downing Historical Society in an effort to save the coaches and purchased a membership to the Abbot-Downing Historical Society. He noted that he is not a board member or an officer of the organization and, without objection, he will be voting to support this resolution.

Councilor Herschlag indicated that he is also a member of the Abbot-Downing Historical Society and also made a contribution. He stated that, without objection, he doesn't feel that he has a conflict.

Councilor Champlin indicated that he will be voting in favor of the proposed resolution. He noted that he has been involved in discussions to purchase these wagons and others that were part of the original collection for approximately three

years. He indicated that as nice as these wagons are that they are looking at, this is a diminished collection from the one that the owner originally wanted to keep in New Hampshire. He noted that the owner wants to keep the collection, or a significant part of it, in New Hampshire and ideally in Concord where the wagons were built.

Mayor Bouley noted his support of the proposed resolution.

The motion to approve passed with no dissenting votes.

Reports

New Business

Unfinished Business

40. 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) (11-42) (12-34) (1-48) (2-35) (3-31) (Action on this item was tabled after a public hearing was held on September 9, 2013.)

    Action: This item remains on the table.

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) (11-41) (12-33) (1-47) (2-34) (3-30) (Action on this item tabled following a February 2013 public hearing)

    Action: This item remains on the table.

42. Report from the Rules Committee recommending revisions to the current Rules of the City Council. (Item tabled, no action taken, at the June 8, 2015 City Council meeting).

    Action: This item remains on the table.

Comments, Requests by Mayor, City Councilors

Councilor Nyhan thanked Mr. Prescott for his personal contributions to the preservation of coaches.

Councilor Nyhan indicated that he had the chance to speak to a few constituents in regards to the new sidewalk on Main Street. He understands that there has been some feedback about a railing in front of

Bagel Works and further understands that this is being addressed. He wanted the public to know that a railing is going to be put up very soon.

Mayor Bouley noted that he received a few emails in which people noticed that some of the blocks had popped up a bit. He reminded everyone that they are still in the construction process and have not accepted anything as final thus far. He stated that if anyone sees something that they don't feel is right, let the city know because there will be plenty of time to fix items now rather than later.

Councilor St. Hilaire indicated that he has received a lot complaints in regards to the PAYT bags. He wants to let the public know that the city is aware of the issue and that the City Manager is working on it.

City Manager Tom Aspell indicated that if anyone has defective bags, the city will swap them out.

Comments, Requests by the City Manager

Consideration of Suspense Items

Adjournment

The time being 8:04 p.m., Councilor Bennett 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