



City Council Meeting
Minutes
June 27, 2011
City Council Chambers
7:00 p.m.

1. The Mayor called the meeting to order at 7:00 p.m.
2. Roll Call. Councilors Bennett, Blanchard, Bouchard, Mayor Bouley, Councilors Coen, DelloIacono, Grady, Keach, McClure, Nyhan, Patten, Shurtleff, Stetson and Werner were present. Councilor St. Hilaire arrived late.
3. Agenda overview by the Mayor.
4. **June 27, 2011 Public Hearings**
 - A. Resolution fixing and determining the amount of money to be appropriated by the City of Concord for the fiscal year 2012 ending June 30, 2012. (6-8) (***Public testimony submitted***)

Action: The Mayor opened the public hearings for items A through F.

Public Testimony

Paulette Ferland noted that the only way that she gets around is through the use of the CAT bus system. She indicated that she frequents the Industrial Park Drive route quite a bit due to medical appointments and community action programs and is concerned that this route will be taken away. She further indicated that she frequents the Heights bus route and rides both trolleys. Ms. Ferland noted her concern with the ticket prices being increased due to the fact that she is on a fixed income.

Referencing the new proposed routes, Mayor Bouley pointed out that the Industrial Park Drive route is not being taken away. He provided Ms. Ferland with a map of the proposed route.

Roy Schweiker pointed out that he was unaware of the amendments that were made last Thursday evening because he was unable to watch the meeting and did try to locate them on the website but could not do so. In regards to sidewalk plowing, he indicated that snow should not be pushed onto private property and that snow should remain on the city's property. He suggested keeping the loader/grader out of downtown because it seems to make the roads worse and feels that no snow be plowed on the sidewalks for the first few storms which will show which sidewalks are used and which would be maintained privately throughout the city. He noted that he is dubious of the hiring of ten people in the winter in the public works department

whether it snows or not. He suggested that three of the ten people be converted; instead of three working five days, have seven working two days and working Saturday only operating the sidewalk plows. He noted that he understands that there is a proposal that the city should provide a subsidy to the cold weather shelter noting that his feeling is that a lot of these individuals have more money than he does and suggested that they be asked to make a contribution to the shelter. Lastly, he stated that he feels that the city should try to make the downtown area pedestrian friendly.

Kevin Curdie commented on the amount of work that TPAC and its subcommittee were able to accomplish. He thanked Council for the time they put in and the service that they provide.

Kim Murdoch, Concord Public Safety Foundation board member, took the opportunity to introduce the foundation and reiterate the thoughts that they had specifically on the police and fire budgets. She highlighted the three points that the board was most interested in: 1) the replacement of the ladder truck – they were pleased to see it remain within the budget; 2) the elimination of the traffic enforcement officer – the board is interested in preserving this position; 3) the elimination of \$34,000 in the Fire Department’s operating budget for elements of training, equipment maintenance and tools – the board is particularly interested in preserving training funds. Ms. Murdoch indicated that the board looks forward to working with Council in the future and pointed out that the foundation has three elements in terms of it’s mission: advocate for public safety in the community; to obtain grant funding for public safety initiatives; to help with communicating the message of public safety to the community and to connecting the resources in helping the community work together with the police and fire departments to create an even safer community.

There being no further public testimony, the Mayor closed the hearings for items A through F.

- B. Resolution amending the amount of money to be appropriated by the City of Concord for the fiscal year 2012 ending June 30, 2012. (6-9) (*Not previously distributed*)

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

- C. Resolution closing and completing certain capital projects; rescinding/de-authorizing appropriations; returning funds to their sources; and transferring, reappropriating or otherwise making remaining balances available for future purposes; together with report from the Senior Accountant/City Internal Auditor. (6-10)

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

- D. Resolution for the bonded projects within the Capital Budget for Fiscal year 2012, July 1, 2011 to June 30, 2012 there is hereby authorized and approved (i) the expenditure of \$8,550,550 and (ii) the issuance of \$8,550,550 in bonds and notes to pay costs of the various capital projects more specifically identified below and in the

attached worksheet 1; together with report from Deputy City Manager – Finance. (6-11)

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

- E. Ordinance amending the Code of Ordinances, Title I, General Code; Chapter 1, Government Organization, by amending Schedule I of Article 1-5, Fees, Fines and Penalties, Water Rates. (6-12)

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

- F. Ordinance amending the Code of Ordinances, Title I, General Code; Chapter 1, Government Organization, by amending Schedule I of Article 1-5, Fees, Fines and Penalties, Sewer Rates. (6-13)

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

June 27, 2011 Public Hearing Action

5. Resolution fixing and determining the amount of money to be appropriated by the City of Concord for the fiscal year 2012 ending June 30, 2012. (6-8) (***Public testimony submitted***)

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

Mayor Bouley took Rule 6 in regards to the New Hampshire Municipal Association.

Councilor Stetson took Rule 6 in regards to retiree health insurance.

Councilor Grady took Rule 6 in regards to the Rape and Domestic Violence Crisis Center.

Councilor DelloIacono took Rule 6 in regards to the Concord Chamber of Commerce, Concord TV and the Friends Program.

Councilor Shurtleff took Rule 6 in regards to the Penacook Community Center.

Councilor Bennett took Rule 6 in regards to the New Hampshire Municipal Association.

Councilor Patten took Rule 6 in regards to Concord TV and Concord Veterans Council.

Councilor Keach took Rule 6 in regards to the Concord Chamber of Commerce and the Friendly Kitchen.

It was determined that the Rule 6 by each Councilor will be carried into item 6.

Councilor Keach questioned whether sitting on a board is actually a conflict and is a scenario that deserves further discussion at some point. Mayor Bouley responded that the Rules Committee is weeks away of presenting to the Council a new ethics ordinance and

within that ordinance, these issues will be addressed and clarified. Councilor St. Hilaire, Rules Committee Chair, confirmed this to be correct.

The motion to approve passed with no dissenting votes.

6. Resolution amending the amount of money to be appropriated by the City of Concord for the fiscal year 2012 ending June 30, 2012. (6-9) (*Not previously distributed*)

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

The Rule 6 taken by the Councilors in item 5 is carried in this motion.

In response to Mr. Schweiker's concern with being unaware of the proposed amendments tentatively adopted, the Mayor reviewed the amendments proposed last Thursday evening indicating that those changes would be a reduction equal to approximately \$177,668 which would reduce the tax rate by .5 percent and the new tax rate increase would be reduced from 2.5 to 1.9 percent.

Councilor Nyhan stated that he came here tonight prepared to make an amendment to the CAT line item but is not going to make the amendment. He indicated that, initially, he wanted to remove \$40,000 CAT budget but because this would have some serious affect on how services are delivered in the city, he decided not to. He noted that he started looking at the \$15,000 mark figuring that increased revenues could be derived from NHTI student ridership as well as different marketing opportunities. He stressed how dissatisfied he is with how the CAT system is operated and hopes that the public hearings this year sets the tone for changes being made with the assistance of the Engineering Department as well as TPAC. He pointed out some items that he hopes TPAC can address: the revenues of the CAT system need to be addressed; that TPAC could follow up on the recommendations for a successful ten week Saturday test for services. He noted that he hopes that these could be reported back to Council on a quarterly basis.

Councilor Nyhan moved an amendment asking for a quarterly report to Council from TPAC regarding the review and the status updates of the public transportation system with a focus on revenue opportunities and the success of the testing of the Saturday program. The motion was duly seconded.

Councilor Bouchard asked if the amendment was requesting that TPAC increase the student revenue of the tech or just looking for a study to see if it's possible. Councilor Nyhan responded that he doesn't think it's fair to tell TPAC what they are going to do and what they are going to find in their study and noted that if they did come back and say that students shouldn't pay, he would proceed with finding another way to run that system. Councilor Bouchard noted that she believes that the fees have gone up and noted that Council needs to remember that this public transportation system is set up for the underserved and public transportation does not make money. She stated that unless this Council is willing to put in significantly more dollars, they are not going to have the route system that everyone thinks that the city of this size should have. She further stated that she doesn't have any objection if this motion is to just go out there to study revenues and to see what opportunities there are.

Mayor Bouley clarified that the amendment was not just for revenues, because it included Saturday service and more of a status and review update report.

Councilor Shurtleff noted that TPAC acts in an advisory capacity and has no control over the management of the CAT transportation system.

Councilor Nyhan agreed indicating that he sees TPAC as the Council's ears and eyes to the transportation system in the city and values what the committee's work does. He noted that he hopes that this will empower them to do more than what they are already doing. He stated that he feels that the way the CAT system is being run is not efficient and not fair to the taxpayers. He noted that it is a system that serves the underprivileged but the inefficiency of the system is not good.

Councilor Bouchard indicated that she would like to know what the relationship on public transit from fair revenue to what they get from grants and taxpayers and other systems before thinking they are so far off the mark.

City Manager Tom Aspell noted that he feels that where Councilor Nyhan is going is that it isn't necessarily the ridership that has to pay those fees; if they can derive revenues from some other fashion to help offset the cost to the taxpayers, he would be amenable to that if he saw a reasonable solution.

Councilor Keach noted his agreement with Councilor Nyhan stating that it's not that this group of people doesn't deserve this level of service because truly they are in need of the service and doesn't ever look for public transportation to be a money making operation but over the past few years, he has perceived a certain fiscal laziness on the part of the group administering the program. He indicated that, unfortunately, the only way to get their attention is to threaten non-funding. He gives Councilor Nyhan credit for not moving forward because in the end the people most hurt by doing that are the ones most needy. He added that the most important thing is to get the attention of the people running the program and if they can't figure it out, then for the city to move on to another organization that can figure it out.

Councilor McClure asked whether this is the appropriate place in this motion to have this amendment and whether this should be a separate motion. Mayor Bouley noted that she may be correct but that he was going to entertain the motion anyways.

Councilor Coen indicated that he sees the grace in this motion in the fact that what they are trying to do is achieve opportunities for people that need this type of public transportation service. He noted that they want to make sure that the services provided is at the optimal level that it can be for the investment that the city is putting into it.

Councilor Bennett noted that the nation is in a fiscal disarray and the city cannot continue to throw money at bad programs that don't provide the best bang for the buck.

Councilor Nyhan's amendment passed with no dissenting votes.

The motion to approve, as amended, passed with no dissenting votes.

7. Resolution closing and completing certain capital projects; rescinding/de-authorizing appropriations; returning funds to their sources; and transferring, reappropriating or otherwise making remaining balances available for future purposes; together with report from the Senior Accountant/City Internal Auditor. (6-10)

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

8. Resolution for the bonded projects within the Capital Budget for Fiscal year 2012, July 1, 2011 to June 30, 2012 there is hereby authorized and approved (i) the expenditure of \$8,550,550 and (ii) the issuance of \$8,550,550 in bonds and notes to pay costs of the various capital projects more specifically identified below and in the attached worksheet 1; together with report from Deputy City Manager – Finance. (6-11)

Action: Brian LeBrun, Deputy City Manager-Finance, explained that this is a change of process of how the city approves capital bonded projects. He noted that in the past, staff has brought forth bonded projects to the Council individually throughout the year and looking at the amount of time this takes, not just the Council, it takes a tremendous amount of time on a staff level to do them all individually. He stated that they worked closely with staff and bond counsel to come up with a solution that would try to save everybody time so they could focus their energy on other items that need to be addressed. Mr. LeBrun explained that this year they have brought the resolution before Council that approved the majority of the capital or bonded projects in one resolution. He pointed out that they are holding out two of the big projects that were brought up during the CIP process, the Sewalls Falls Bridge road and the Citywide Community Center, which had other sources of funding.

Councilor Stetson pointed out that the general fund portion is \$3,695,000 and asked what effect this will have on next year's general fund budget. Mr. LeBrun responded that, assuming that they will actually bond everything, if they look at a twenty year schedule at a four percent interest that would have approximately \$300,000 in debt service cost. Councilor Stetson clarified that this is not a net \$300,000 because there are some that are going to be paid off. Mr. LeBrun responded that there will be a lot of dollars coming off the books. Councilor Stetson indicated that he thinks what people are interested in is that they are authorizing \$8,550,550 worth of bonds and \$3,695,000 is out of the general fund but they really need to know that it's not going to be all coming due in one lump sum next year so that this is not going to have a large effect on the general fund budget next year. Mr. LeBrun agreed that it would not have a large effect on the general fund budget because of the payments that are coming off. He pointed out that the only difference being done here is that these projects would be brought forward individually throughout the course of the year so the number would still be the same and the only difference is that they are bringing them all together at one time.

Mr. Aspell explained that this, in no way, changes when they go to float the bonds and how much the amount is.

Councilor Nyhan indicated that there was quite a bit of discussion during the capital budget about road paving and particular roads that weren't getting done. He pointed out

that the paving program has taken a hit over the last few years and the answer to some of the questions as to why roads aren't getting paved is that there are no more reclamation projects in the budget in the out years from now going forward. He noted that the money being spent on paving in the upcoming years, other than the Fisherville Road project, is for the overlays to protect the investments that the city has already made. He indicated that he hopes, in the upcoming years, that they can ask FPAC to take a look at how they can get back on schedule so that the system doesn't continue to deteriorate.

Councilor Nyhan moved approval. The motion was duly seconded and passed on a roll call vote with Councilors Bennett, Blanchard, Bouchard, Mayor Bouley, Councilors Coen, DelloIacono, Grady, Keach, McClure, Nyhan, Patten, St. Hilaire, Shurtleff, Stetson and Werner voting yes.

9. Ordinance amending the Code of Ordinances, Title I, General Code; Chapter 1, Government Organization, by amending Schedule I of Article 1-5, Fees, Fines and Penalties, Water Rates. (6-12)

Action: Councilor Nyhan moved approval. The motion was duly seconded and passed on a voice vote.

10. Ordinance amending the Code of Ordinances, Title I, General Code; Chapter 1, Government Organization, by amending Schedule I of Article 1-5, Fees, Fines and Penalties, Sewer Rates. (6-13)

Action: Councilor Nyhan moved approval. The motion was duly seconded and passed on a voice vote.

Consent Resolution

11. Resolution transferring the sum of \$10,000 from the City Council Contingency; together with report from the Deputy City Manager – Finance.

Action: Councilor St. Hilaire moved approval. The motion was duly seconded.

Mayor Bouley explained that this is the item that comes out of the current FY2011 and is the \$10,000 for the emergency cold weather shelter.

Councilor Nyhan thanked Councilor St. Hilaire for recognizing this as an opportunity to fund this cold weather shelter.

The motion passed with no dissenting votes.

Comments, Requests by Mayor, City Councilors

Councilor Shurtleff indicated that on the 4th of July a circus is coming to the Merrimack Valley High School with two shows, 2:00 and 5:00 p.m.

Councilor Blanchard noted that at Thursday night's meeting she asked staff to come back to Council of why the Penacook Library cannot be open on Wednesday night instead of

Monday night. City Manager Aspell responded that they are going to switch the hours to Wednesdays following Labor Day.

Mayor Bouley ended the meeting thanking members of City Council, the City Manager, staff and members of the community for their hard work and input.

Adjournment

The time being, 8:08 p.m., Councilor Stetson 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