



***Non-public session in accordance with RSA 91-A: 3, II (d)  
to discuss property acquisition to be held at 6:15 p.m.***

City Council Meeting  
**Draft Minutes**  
**January 12, 2015**  
City Council Chambers  
7:00 p.m.

1. The Mayor called the meeting to order at 7:00 p.m.
2. Invocation by Pastor Kevin Twombly from the Grace Capital Church
3. Pledge of Allegiance.
4. Roll Call. Councilors Bennett, Bouchard, Mayor Bouley, Councilors Champlin, Coen, Grady Sexton, Herschlag, Keach, Matson, McClure, Nyhan, St. Hilaire, Shurtleff, Todd and Werner were present.
5. Approval of the December 8, 2014 Minutes.  
**Action:** Councilor St. Hilaire moved approval of the December 8, 2014 meeting minutes. The motion was duly seconded and passed with no dissenting votes.
6. Mayor Bouley presented a resolution in recognition of the services of Sergeant Roger L. Baker. (11-31)
7. Agenda overview by the Mayor.

***- Consent Agenda Items -***

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

**Action:** Councilor Nyhan moved approval of the consent agenda with item 23 being removed for discussion at the end of the agenda. The motion, as amended, was duly seconded and passed with no dissenting votes. Mayor Bouley recused himself from voting on item 21 by taking Rule Six.

**Referral to City Administration**

8. Communication from Deb Cuddahy, Penacook Community Center, asking the City to consider selling or entering into a long term lease of a city owned parcel of land on Village Street, lot #143P-31.

**Referral to the Heritage Commission**

9. Communication from Councilor Champlin requesting that consideration be given to relocating the monument honoring General Charles A. Doyen to a location within Doyen Park.

**Items Tabled for a February 9, 2015 Public Hearing**

10. Resolution accepting and appropriating the sum of \$12,500 in grant funds from the Critical Infrastructure Protection Grant 2015 for the purpose of purchasing video surveillance equipment at the Hall Street Wastewater Plant; together with report from the General Services Director.
11. Resolution accepting and appropriating the sum of \$12,500 in grant funds from the Critical Infrastructure Protection Grant 2015 for the purpose of purchasing video surveillance equipment at the Hutchins Street Water Treatment Plant; together with report from the General Services Director.
12. Resolution authorizing the transfer and use of \$422,402.16 as allowance for abatements in the Fiscal Year 2015 General Fund Operating Budget; together with report from the Deputy City Manager – Finance. (*Revised resolution submitted*)
13. Resolution accepting and appropriating the sum of \$36,186.70 from the sale of tax deeded property located at 114 Iron Works Road for management of the tax deeded property account; together with report from the Treasurer/Tax Collector.

**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 \$2,982.38 as provided for under the preauthorization granted by City Council.
16. Diminimus gifts and donations report from the Human Services Director requesting authorization to accept monetary gifts totaling \$400 as provided for under the preauthorization granted by City Council.

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17. Diminimus gifts and donations report from the City Manager requesting authorization to accept monetary gifts totaling approximately \$150 as provided for under the preauthorization granted by City Council.
18. Diminimus gifts and donations report from the Parks and Recreation Director requesting authorization to accept monetary gifts totaling approximately \$3,240 as provided for under the preauthorization granted by City Council.
19. Diminimus gifts and donations report from the Police Department requesting authorization to accept monetary gifts totaling approximately \$5,350.80 as provided for under the preauthorization granted by City Council.
20. Comprehensive Annual Financial Report for Fiscal Year 2014.
21. Report from the City Planner requesting the City Manager be authorized to accept the Conservation Easements located at 22 Long Pond Road and 37 Curtisville Road.
22. Report from the Transportation Policy Advisory Committee and the Traffic Operations Committee in response to a communication from Councilor Herschlag with concerns on speeds in the West Village neighborhood and a request to consider additional traffic calming methods on Wildflower Drive between Abbott Road and Woodbine Avenue and on Woodbine Avenue between Mayflower Drive and Sorrell Drive. (4-10)
23. Public Safety Board report on a referral from the City Council on a report from the Police Department. (6-11) (10-9) (*Pulled from consent by Councilor Champlin*)  
  
**Action:** Item removed from the consent agenda for discussion.
24. Report from the Fire Chief on an application for funding to the Assistance to Firefighters Grant Program.
25. Report from the Deputy City Manager – Community Development recommending the City Manager be authorized to enter into an agreement with CGI Communications, Inc. to have the City participate in the “Community Showcase Video Program”.

### **Consent Resolutions**

26. Resolution authorizing the City Manager to apply for and accept up to \$45,000 from the New Hampshire Department of Environmental Services for Household Hazardous Waste Collection and Special Project Grants; together with report from the General Services Director.
27. Resolution de-authorizing the amount of \$80,000 for closing costs associated with the City’s purchase of State of New Hampshire parcel MBL 111E-1-12 as no longer necessary; together with report from the Deputy City Manager – Community Development.

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28. Resolution accepting and appropriating \$39,141.54 from Siena Investments, LLC for the purchase of remnant city property identified as portions of MBL 111E-1-17 and 111E-1-18 and transferring said sum to the City's Economic Development Reserve; together with report from the Deputy City Manager – Community Development. (*Revised resolution submitted*)
29. Resolution repurposing \$25,000 from completed and unexpended arena roof improvement project, CIP #64 to replace doors and door hardware at the Arena; together with report from General Services.
30. Resolution designating depositories for the City of Concord New Hampshire for the fiscal year 2015; together with report from the City Treasurer/Tax Collector.
31. Resolution relative to short term investment of excess funds.
32. Resolution adopting a cash management policy.

**Consent Communications**

33. Street closure request from Girls on the Run for a 5K Road Race to be held at Memorial Field on Sunday, June 7, 2015.
34. Street closure request form Concord Food Co-op for their annual Spring Into Healthy Living event to be held on Saturday May 16, 2015.
35. Street closure request for the 1883 Black Ice Pond Hockey Championship to begin on January 22, 2015.

**Appointments**

36. City Manager's proposed reappointments to the Conservation Commission.  
*James Owers, Kristine Tardiff, Tracey Boisvert and Pamela Hunt*
37. Mayor Bouley's proposed appointments to the Energy and Environment Committee.  
*Maura Adams, Randy Bryan, Jonathan Gregory, Roger Hawk, Charles Willing, Kate Epton and Jennifer Galbraith*
38. Mayor Bouley's proposed reappointments to the Golf Course Advisory Committee.  
*Chris Mulleavey and Jim Marshall*
39. Mayor Bouley's proposed reappointment to the Recreation and Parks Advisory Committee.  
*Mary Miller*
40. Mayor Bouley's proposed appointment to the Upper Merrimack River Local Advisory Committee.  
*Gary S. Lemay*

**From the Mayor**

41. Communication from the Mayor regarding the City Manager's Annual Performance evaluation.

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

42. **January 12, 2015 Public Hearings**

- A. 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. (12-11)

**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 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. (12-12)

**Action:** Matt Walsh, Director of Redevelopment, Downtown Services, and Special Projects, provided a brief overview explaining that they have gotten to a point in which they can enter into another amendment to the development agreement, amendment number five, which would restore parking in the garage back to what it was before Casey Family Services moved into Capital Commons. He outlined the agreement contained within his report pointing out that if the Council ratifies this amendment, it will give the city the ability to work with the other tenants within the garage as well as Mr. Simchik's tenants to essentially reorganize how the garage is currently laid out with respect to public parking and lease parking.

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

- C. 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. (12-13)

**Action:** City Manager Tom Aspell provided a brief overview explaining that staff has received statements of interest and payments of deposit from four downtown property owners. He noted that it's recommended that Council accept the report, accept and appropriate the \$17,500 from Main Street property owners for the design of sidewalk snow melt system in conjunction with the downtown complete street improvement project.

Councilor Herschlag asked if the snowmelt systems currently in place would need to be replaced. Mr. Aspell responded that to be correct.

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

- D. Public hearing on way finding signage designs and lighting designs in conjunction with the Downtown Complete Streets Improvement Project (CIP #460). (12-32)

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

Mayor Bouley opened the public hearing.

### **Public Testimony**

Roy Schweiker, resident, stated that one of the key testimonies indicated that good lighting is lighting that isn't noticed. He feels that this is not the plan that was received and feels that the lighting contained with the plan is too garish and tacky.

Don Jewell, resident, inquired whether there has been a study done on the maintenance cost in regards to the type of light bulbs and what it's going to cost on an annual basis to operate this lighting design and energy/utility costs for this part of the project. He asked whether those numbers are available and, if so, could he get a copy of those numbers. The Mayor responded that those numbers are available and he would make sure that Mr. Jewell receives a copy. Mr. Jewell noted that lighting in this project is essential to everything that they want to accomplish. He stated that he feels that there are lighting needs for other parts of the city as well.

Mark Ciborowski, downtown property owner, noted his support of the signage stating that appropriate signage for wayfinding is crucial for the function of the project working correctly. In regards to suggestions to change the parking garages names to their street names, he feels that this makes a lot of sense. He stated that, as far as the signage packages, there had been a lot of discussion and polls taken for the style. He noted that he feels that the historical package would be the most fitting for downtown; two changes he would advocate for this package: adding "Concord" to the vertical downtown signs and adding the classic blue parking color to the parking. He feels that the parking blue component of the architectural package pops a bit more than the one in the historical package.

Mr. Ciborowski indicated that he would like to see something such as kiosks directing people into both Eagle and Bicentennial Squares. In regards to the lighting, he feels that is one of the finishing touches that provides a "pop" and can have a dramatic effect on the attractive look of downtown. He stated that there were a lot of different options that were discussed within the presentation but there were no prices attached to any of the options. He likes the lights that are attached to the trees because they are dramatic and attractive but feels that these may be more expensive because they may have to be put on annually whereas the ones in the ground for uplighting may be more affordable and would need to

be put in sooner since they are in the ground. Mr. Ciborowski referenced a mural that he understands would be painted on the brick as opposed to a sign affixed to it; he feels that the mural is very bland looking and needs more flair and fashion advocating that it be done on a board affixed to the building. He stated that anything painted on brick eventually will begin to peel and fade.

Mr. Ciborowski would like to see a speaker system for music for the season and events; uprights that go into the sidewalk are a concern because they may not hold up well due to sand and salt and corrosion; lighting going into Bicentennial Square and fixtures hanging in the pedestrian arcade in the Chase Block would dress up this area; adding steeple lighting for churches; he doesn't like the rope lighting that outlines the cornices and tops of buildings; doesn't want the trees cut around the Fire House Garage; uplighting on the facades of buildings has a dramatic effect but he is concerned with it being expensive and harder to justify on a return standpoint as a building owner.

Councilor Coen asked to what degree Mr. Ciborowski would go with the lighting. He further asked if there are any thoughts of how a public/private partnership would work to achieve the goals to enhance the city. Mr. Ciborowski responded that he likes more classic historical looks for lighting. In regards to the public/private partnership, he responded that he wouldn't mind carrying on the electrical costs moving forward for lighting on his buildings.

Councilor Champlin, for point of clarification, asked if Mr. Ciborowski is referring to the what is being referred to as the marker lights, the individual lights within the sidewalks and not necessarily the first story uplighting. Mr. Ciborowski responded yes noting that he does like the first story uplighting.

David Parker, resident and downtown business owner, stated that he thinks of function and design and often times function outweighs design. He likes the concept that Ed Roberge, City Engineer, brought up which applies both to the lighting and the signage. In his view, less is more. He stated that from the pictures, it's hard to get a sense of how things will look. He would like to see tasteful lighting and not bright lights such a Vegas or the Disneyland effect. He feels that signage is overused and if they are looking at signs he suggests they look at the function and be minimal but intentional. He feels that the historic signs may be less impactful.

Councilor Champlin asked that when Mr. Parker referenced the Disneyland effect whether he was referring to the rope lighting along the building. Mr. Parker responded yes and isn't very fond of this lighting noting that he doesn't feel that these accent the buildings per se.

Councilor Keach noted that Mr. Parker states that "less is more" but if someone has never come to Concord, they may want very clear signs designating a location and people that live here want less signage. He asked how to strike this balance. Mr. Parker responded that he feels that they would strike the balance by just having signs to get people where they need to go, basic signs such as street name signs and parking signs.

Lee Richmond feels that there are many original and exciting ideas put forth but would like to suggest to refrain them to the approach; step back a little bit from the profusion of lights that is being presented and let the buildings on Main Street speak for themselves a little bit more. He suggests that, instead of running Christmas tree lights along the upper edge of the buildings, they actually light the top fourth or fifth part of the buildings themselves to bring out the historical quality and beauty in these buildings. He further suggested placing small signs at the bottom of each of the buildings with a short summary and includes a code that can be scanned by handheld phone which brings up a website about the history of Main Street. Concepts were handed out to the Council – a copy is on file at the City Clerk's Office.

Mr. Richmond added that he likes the uplighting of the trees, the lighting of Bicentennial Square and Eagle Square and uplit memorial in the State House Plaza. In terms of lighting the buildings, he imagines that the city could anticipate a bit of resistance from the building owners but feels that this idea or some variation of this idea is going to enhance the beauty and ultimately enhance the value of the building.

Referencing the handout, Councilor McClure noted that it appears that Mr. Richmond is proposing that they highlight a particular architectural feature or sign in the buildings. She inquired whether he has looked at how many buildings there are with these signs. She stated that the reason she is asking is because at one of the public meetings last week someone noted that if some building owners light their upper story and others don't, there would be a hodge podge effect. She is interested as to how he thinks his plan would play out if there was a hodge podge effect because it would depend upon as to whether there was something there to highlight. Mr. Richmond responded that the possibility of a hodge podge effect is there and is something that would have to be guarded against and dealt with as the design evolves; there would be trial and error involved. He stated that he doesn't have an answer for this and this is something that needs to be kept in mind.

Councilor Shurtleff pointed out that the buildings on Main Street in Littleton are marked with the history. He feels that it adds a lot to the community and feels that it would be a wonderful addition to what they are doing in the city.

Bob Carey, Chambers Creative Concord Co-Chair, pointed out that all three signage examples have attributes that people may like or dislike but they all provide more information to visitors, provide more character and strikes the balance between practicality of information and the attractiveness of style. He feels that having the street lights replace the I-93 lights is a big plus. With respect to the lighting, he thinks it's a big improvement of what is currently there. He noted that the lighting could be done in steps if not all at once. He complimented the efforts that have gone into this project.

Tim Sink, Chamber of Commerce, stated that it had been mentioned regarding the lighting program that perhaps a full package that can't be covered by public funding but some private investment would be necessary. He noted that if the city can come up with some sort of matching program that would incentivize property owners downtown and if it went in the right direction and was a fair match, they would support an effort moving forward. In terms of the lighting program, he feels that they should proceed on the bold



side particularly when it comes to the public areas. He stated that they liked what they saw on the wayfinding signage and, in a straw poll at a local government affairs committee meeting, the historical style came out favorably. Mr. Sink pointed out that the Chamber is working on a historic walking tour of downtown and suggested to coordinate some of the wayfinding with these tours. He noted that he will follow up with the Heritage Commission regarding possible plaques on buildings.

Kevin Twombly favors the historical look on the signage because Concord is historic and it should be spoken through everything. He feels that the lighting in the sidewalk could become a waste of money and could become a blemish on the plan. He favors building architectural uplighting but it may affect the residential aspect if it is near residences.

Anthony Mento, Concord architectural designer, feels that a very thoughtful and creative sign package was presented. He noted that each package had a lot of great details and elements within each and there seemed to be more of a favor going towards the historic package. He stated that the lighting package was creative and complete and as a designer himself, he appreciated a lot of the ideas and it was clear that they were trying to show opportunities and what could be done. He is not in favor of the lighting in the sidewalk; favors uplighting on the lower level pedestrian area as it could be a nice approach to show some of the architectural details and to create more of a consistent profile; likes the full washing of buildings and feels that going bolder is better however he would be systematic in proposing two or three of these buildings to highlight and wash. In general, he feels that both the signage and lighting were very well thought out and were good designs.

Michael Herrmann, resident and downtown property/business owner, noted that he agrees with Mr. Ciborowski in regards to the signage. He stated that lighting is for being in a place that you want to stay at and visit again; you don't know that is what has done it to you and is what has had that affect. He can't emphasize enough that they should be bold in lighting and not try to minimize it. In terms of how to pay for upper stories for the washing, he noted that this lighting wouldn't allow someone to increase their rent so why not allow property owners to offset a portion of those costs by buying tax credits. He stated that he would buy one if it helped to put lighting on his building and feels that others would as well.

Councilor Coen asked what Mr. Herrmann's opinion on string lighting on the outline of the buildings and façade lighting. Mr. Herrmann responded that he knows that façade lighting is important; the more they get into details; he doesn't feel qualified to have an opinion.

Don Jewell the cost is going to be considerably more than what they pay for their current utility bill for the street lights they currently have. He believes there is going to be a benefit from this but doesn't know if running these lights at full demand from 1:00 a.m. to 6:00 a.m. is going to really be necessary or provides the benefit that they are looking for. He pointed out that there are nights in which there is considerable light provided by the moon and cloudless nights; they can measure the amount of light with light meters and tie this into the use by a dimming system. Being green as much as possible they

would want to minimize any waste of resources. He added that he hopes that there will be an analysis on the lighting on the streets adjacent to and parallel to Main Street to ensure there is sufficient lighting on those streets as well.

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

**January 12, 2015 Public Hearing Action**

43. 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. (12-11)

**Action:** Councilor Nyhan moved approval. The motion was duly seconded and passed with one dissenting vote.

44. 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. (12-12)

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

45. 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. (12-13)

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

46. Public hearing on way finding signage designs and lighting designs in conjunction with the Downtown Complete Streets Improvement Project (CIP #460). (12-32)

**Action:** City Manager Tom Aspell noted that what staff has tried to do is, based on all the comments they heard throughout the meetings, design two projects, one signage and one lighting, that reflects those but only really reflects what's in the public's sphere. He stated that what Council can achieve through here is to implement most, if not all, that are in the public sphere within the budget that's already been appropriated; if they want to do more, they would have to appropriate more funds.

Councilor McClure noted that the work plan for the lighting doesn't have a base project title questioning if the whole thing is the base project. The Mayor indicated that to be correct. Referencing the right side, Councilor McClure inquired whether the base project is only the first section. Mr. Aspell indicated that to be correct.

Councilor Herschlag asked if the lighting plan includes the consultant's costs. Mr. Aspell responded that the consultant's cost is a separate budget with separate funding. Councilor Herschlag inquired as to what the consultant's costs are. Mr. Aspell responded that they had

budgeted \$100,000 and have spent approximately \$50,000. Councilor Herschlag asked if there is an estimate on operation and maintenance cost for each element. Mr. Aspell responded that staff had given Council, in the past, a complete pro forma associated with the entire Main Street program. He stated that they have not updated it for this because they haven't chosen what each one of these are yet.

Mr. Aspell asked Matt Walsh, Director of Redevelopment, Downtown Services, and Special Projects, to outline the elements that he put into the pro forma that was provided.

Mr. Walsh explained that, in the past, staff had developed a comprehensive pro forma for the complete streets project as it evolved; at this point they are in the process of working on it yet again for future budgets that are coming up for FY16 and beyond. He indicated that they have not included anything specifically yet for installation of seasonal lighting displays and they are also looking at refining what the units cost may be for any of the options that may be selected. He pointed out that they had included the lighting cost for the 97 street lights.

Councilor Herschlag questioned whether the uplighting had been included. Mr. Walsh responded that, to the best of his recollection, they were not put in because they weren't exactly clear on what the Council is going to select.

Councilor Herschlag noted that he was hoping that they would see a plan or a drawing that shows all the streetscape elements from the perspective of a car driving down Main Street and a pedestrian walking down Main Street. He feels that it's important that once they decide on the elements and before making a final vote that they could see how that looks on the street itself.

Councilor Herschlag and Mr. Aspell had a brief discussion in regards to plans. Mr. Aspell indicated that he would come back to the Council with estimates for what it would take to design the plan Councilor Herschlag is looking for. Mr. Aspell cautioned the Council explaining that they need to take a vote this month on this project if they want it to be completed next year.

Councilor Herschlag stated that he would be happy with taking an existing design and adding the additional elements if this would be a lower cost and quicker remedy.

Councilor Coen noted that through the process with the parking consultant and the lighting consultant, it was very enlightening that they talked about the issues of safety around the parking garages and the pathways to them. He feels that this is a win-win situation to take care of not only Main Street but also the parking garages.

Councilor St. Hilaire noted that he thought some of the lighting was going to be underneath the benches and some of the outcroppings in the crosswalks. He inquired whether these are still included. Mr. Aspell responded that the lighting for the benches are not included because the cost of these were very high. He indicated that there is lighting for the individual bump outs themselves. Councilor St. Hilaire asked what the directionals in the ground are within the base project. Mr. Aspell replied that those are referring to a sign element.

Councilor Champlin questioned whether there is funding for the inground marker lights in the lighting page. Mr. Aspell responded no.

Referencing page 3 of the staff report dated January 9<sup>th</sup>, Mayor Bouley pointed out the first action requested which is to select a design theme with respect to signage. He noted that they have heard overwhelmingly based upon the meetings held that the historic design seemed to fit in best with the downtown. He stated that his choice would also be the historic sign design and that he would also support the base project of this piece. He agreed with some of the comments made during public testimony and feels that: the signs need to be functional, they don't need excessive amounts of them but they need to be placed well so that they are useful, and that the word "Concord" be added to the downtown sign. He does not support the parking garages and lots explaining that they are currently in the process of going through a parking analysis and study and that he would like to complete this before they attack the garages any further. He wants to wait to hear what they have to say first. Mayor Bouley noted that there was testimony in regards to painting the brick of a building but explained that there is technology that exists which they may want to explore before painting a sign on the side of a building.

Councilor St. Hilaire agreed with the Mayor's points. He added that he feels that the signage for parking should remain blue.

Councilor Champlin noticed that the large gateway sign pillars are not part of the base project and inquired whether it should be proposed to adding these. He stated that he supports including these.

Mr. Aspell indicated that it would cost an additional \$60,000 to include the gateway signs. He feels that it's an important element to add and will try to do the best they can to get this into the project but Council may need to appropriate additional dollars for this element.

Councilor Champlin asked if this element could be added at a later date. Mr. Aspell responded yes.

Councilor St. Hilaire indicated that he noticed that one of the banners on the street lights is bigger than the other on the design that they are leaning towards. He questioned whether this will present a problem for when people buy banners because they won't be even. He advocates having equally sized banners on each side.

Councilor Champlin inquired as to whether they are confined to the length of banner because he has heard from others that the banners within this design are too short, not large enough.

City Engineer Ed Roberge explained that these are just a representation; they will be large and equal size in the end.

Councilor Herschlag asked if it would impact the project moving forward if Council were to delay the vote until next month. Mr. Aspell responded that it would delay the project and it would not be done next year.

Councilor McClure inquired that if the Council chose to go with fewer signs as listed would they be able to fit the gateway sign in. Mr. Aspell responded that they would reduce the cost.

Mayor Bouley requested that they allow for some space to do the walking tour.

Referencing the first category uplighting, Mayor Bouley indicated that he chooses the inground programmable color lighting. He explained that his thinking was to do it right the first time. In terms of the State House Plaza, he thinks this is a good idea and has received positive feedback on this. He feels that Eagle Square is a good idea but the only thing that he would cross off is the overhead festival lights because it doesn't fit into his theme of safety. He thinks the uplighting for NH Savings Bank is a good idea; he suggested holding on the extra \$20,000 for festival lighting at Phenix Hall; Warren Street he agrees with; Bicentennial Square is fine but he would cross off the illuminated seating; he feels that Capital Commons Plaza is a good idea; he thinks that \$60,000 for the Capitol Center for the Arts is expensive for this part of the process; he would include the holiday tree lighting. In regards to the building uplighting, he believes that they could do a separate motion later on and ask Administration to work with the building owners as to whether there is a partnership that can be created and feels that they can look at what can be uplighted on the buildings; he likes the idea of creating a historical piece to this. Personally, he did not like the rope lighting because your eye would go to the rooftop and not to the building.

Councilor Coen agreed that the rope lighting would bring your eyes just to the top of the building so he feels that the uplighting is very critical. He pointed out that the one area that was outstanding to him is having the drop lighting across and the fountain lighting in Eagle Square and feels strongly about including this lighting in this square. He agreed with the Mayor in regards to his Phenix Hall suggestion.

Councilor St. Hilaire agreed with the Mayor's comments including the Mayor's suggestion not to do the string lights in Eagle Square stating that it may create more of a nuisance than it's worth. He asked that when they choose the lights that they use warm and not the cold white. He supports programmable lights.

Councilor Herschlag asked if the inground lights at the Clock Tower would be built into the sidewalk. Mr. Aspell responded yes. Councilor Herschlag questioned whether the lens would be flush to the sidewalk. Mr. Aspell responded that they would be placed so that they can be maintained; the idea is to shine up to the façade of the Clock Tower and have lighting within the tower itself. Councilor Herschlag asked if he was correct in understanding that a number of people that testified tonight talked about concerns with the inground lighting. Mr. Aspell replied that what he thought were being referenced were the inground lights in front of the State House Plaza in which there were approximately 200 lights that would be scattered about and also the walkways throughout the downtown along some of the granite elements.

Councilor McClure noted her agreement with the Mayors comments. In regards to Warren Street, she questioned what the acorn streetlights are. Mr. Aspell responded that their appearance is similar to an acorn. Councilor McClure asked if staff had explored the idea of

the state assisting with any of this for the State House Plaza. Mayor Bouley responded that he has a meeting scheduled to get their appetite for the willingness to participate.

Councilor Champlin appreciates the Mayor's recommendations but doesn't know if he agrees with him in regards to the overhead festival lights/net lighting at Eagle Square. He feels that it may create a welcoming approach. He wonders that if that was eliminated, whether this is something that can be put in at some future time because it's not an inground type of project. Referencing the NH Savings Bank inground uplights, Councilor Champlin inquired whether this is the only building that will have ground level uplighting. Mr. Aspell responded yes. Councilor Champlin asked why they are only doing this one building. Mr. Aspell replied that the only reason it's in there is to show an example of what it would look like. He would talk to the building owners to find out if someone would be willing to partner with the city to do something to do the rest of it. Councilor Champlin asked whether it would be possible to identify those key signature architectural buildings downtown that the city would want to uplight and determine the cost of doing. Mr. Aspell indicated that he has estimates for what those key buildings are and what the annual operating costs are for each one of those key buildings. He would like to sit down individually with each building owner because how the city thinks that building should be lit up may be different than how they think it should be; it's their property, their building. He added that this may be something a building owner wants to do but can't necessarily do it now; they may want to do it in a few years so staff may be able to develop an ongoing program with building owners. Councilor Champlin noted that, while he thinks it's a good idea to have the flexibility to shut the lights off, he also wants the option to keep them on if they find that that's valuable.

Councilor Coen noted his disappointment with NH Savings Bank being the only building right now with lighting. He further indicated his disappointment with not going after selecting other buildings to light or at a minimum, have the infrastructure in place so that, at a later date, they don't have to tear up the sidewalks.

Mayor Bouley indicated that he knows what Councilor Coen is saying and personally doesn't feel 100 percent comfortable taking a final vote on this tonight because he has questions. He noted that the City Manager had indicated that he has numbers for some of the other buildings identified that he can bring forward to the Council. He added that they could put some fine tuning based on what was heard this evening. He asked if this would be acceptable to the Council or whether they feel comfortable moving forward this evening.

Councilor St. Hilaire stated that he would like to see what the price is so he would rather come back and see the big picture. He would also like to get a price on the midpoint which is doing the conduit for the key buildings but not the total price of what it is to light it. Mr. Aspell responded that its already included explaining that the only reason NH Savings Bank is on there is because that is the only one that had uplighting in the city street. He explained that if a building owner wanted to do uplighting of their building, Council wouldn't have to do anything to the project or appropriate any dollars for an owner to do so; they can do that completely on their own and not disturb the project.

Mayor Bouley pointed out that Council is referencing the bottom half of the building and Mr. Aspell is talking about the top half of the building. Council is concerned with the bottom

half of the building. Mr. Aspell responded that they don't need to put any other conduit in or any other lighting whatsoever for any of the other buildings. He confirmed that they would not have to rip up the sidewalks elsewhere only at the NH Savings Bank property which is why that one is included.

The Council's confusion with the building uplighting was clarified.

Councilor Grady Sexton asked how they ensure uniformity if the private sector is opting in whether or not they are going to uplight the upper story. Mr. Aspell responded that one way to do this is to have an incentive program and working together to make it work. He noted that if somebody wanted to do their own thing then they would be limited to the zoning regulations and architectural design standards that are in place. He suggested that Council may want to rewrite these because of this project.

Councilor Champlin asked if it would be fair to say that the city may go to other cities that were used as examples to find out how it is that they got everybody on board to do this. Mr. Aspell responded yes.

Councilor Herschlag asked that, if the City Manager has to come back in a week with a more precise estimate of costs, would they also be able have an updated pro forma for the operating and maintenance costs of the project as proposed with the new elements.

Mayor Bouley stated that since some of the questions have been clarified, he doesn't find the need to come back next week.

Councilor Champlin asked what would be left at Phenix Hall if the lighting is eliminated. Mayor Bouley responded that it will have what there is at every other bump out.

Mr. Aspell indicated that there have been discussions regarding the redevelopment of the Phenix Hall area and they would hate to spend \$20,000 and then have somebody do a redevelopment and have to spend the \$20,000 again.

Councilor Todd noted that people are very pleased with the lighting on Village Street feeling that it's safe at night and offers a warm glow. He encouraged Council to look for that warm glow option in the lighting. He agreed with the Mayor's selections and feels that it's money well spent for downtown.

Councilor Shurtleff indicated that he would like to maintain the option of consulting with the Heritage Commission to possibly come back to the Council in regards to the historical markers downtown.

For efficiency purposes, Mayor Bouley indicated that he was going with the questions contained on page 3 of the January 9<sup>th</sup> staff report to guide them through. He pointed out that the first issue is the three different themes for signs.

Councilor St. Hilaire moved number one as an affirmative to proceed with the historical package. The motion was duly seconded.

Councilor Herschlag asked if this included the change with the parking signs.

Mayor Bouley pointed out that they added: functional, blue for parking signs, walking tours and adding "Concord" to the downtown signs.

Councilor Coen inquired whether this included the large gateway signage.

Mayor Bouley responded no explaining that would cost an additional \$60,000 and the motion was just for the base project. He indicated that what he heard the City Manager explain is that if they are able to work in the money then he would come back to the Council asking them for the funds.

Councilor St. Hilaire's motion passed with one dissenting vote.

Councilor St. Hilaire moved that the Council not proceed with question #2 of the report at this time given the fact that they are doing a parking study and should wait to see what the results of the study are. The motion was duly seconded and passed with no dissenting votes.

Councilor St. Hilaire, in regards to lighting, moved to approve this in the manner that Mayor Bouley described elements to be included and elements not to be included which included: deleting overhead festival lights, delete illuminated seating, delete the piano keys, and add a timing element to the lighting and colored lights. The motion was duly seconded.

Councilor Champlin indicated that he hopes that, at some point, they can look at the possibility of the festival lighting in Eagle Square.

Councilor Coen stated that he will be voting no on the motion because of his strong feelings towards the festival lighting.

Councilor Todd inquired whether festival lighting is something that can be added after the project is completed. Mr. Aspell responded that it could be set up so that they can add it in.

Councilor St. Hilaire's amended his motion by separating the issue of the festival lighting from his original motion to vote on. The motion to include overhead lighting in the package failed on a voice vote.

The motion to approve Councilor St. Hilaire's original motion passed with one dissenting vote.

Mayor Bouley noted that there is not a need to take a motion with number 4 but suggested that Council agree to instruct the City Manager to come back with alternatives and considerations for discussions with the downtown property owners. He asked that they also include the fact that they need to go back and look at the ordinances so that there are some consistency moving forward downtown.

Council agreed with the Mayor in regards to number 4 on the report.



**Appointments by the Mayor**

**Reports**

**New Business**

**Unfinished Business**

47. 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) (*Action on this item tabled following a February 2013 public hearing*)

**Action:** This item remains on the table.

48. 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) (*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 indicated that Concord 250 partnered with the YMCA for the New Year's Eve Gala which sold out. He invited everyone to a Concord 250 community forum being held Thursday at 6:00 p.m. in Council Chambers.

Councilor Herschlag recognized Tom Wright, city employee, for rescuing an individual who had fell through the ice at White Park.

Councilor Champlin reminded everyone of the Winter Festival on Saturday, January 17<sup>th</sup>, from 1:00 p.m. to 4:00 p.m. at White Park. He added that the following weekend is the Black Ice Hockey Tournament at White Park.

Councilor Werner recognized the hundreds of people that will be converging in Concord on Wednesday, January 21<sup>st</sup>, as part of the NH Rebellion.

**Comments, Requests by the City Manager**

City Manager Tom Aspell thanked John Simonella for donating a historical picture of Bouton Street which will be hung up in City Hall.

Mr. Aspell asked if the Council would be interested in meeting on an extra evening on Tuesday, February 17<sup>th</sup> for CIP outyear and unveiling of a pavement management plan for the city.

**Consideration of items pulled from the consent agenda for discussion**

- Item 23 has been pulled from the consent agenda for discussion.

23. Public Safety Board report on a referral from the City Council on a report from the Police Department. (6-11) (10-9) (*Pulled from consent by Councilor Champlin*)

**Action:** Councilor Champlin thanked the committee, the City Solicitor and Police Chief Osgood for spending a great deal of time on this matter. He feels that this is an important issue that affects not only Ward Four and Rumford Street but also other streets and neighborhood in the city.

Councilor Champlin moved to accept the report. The motion was duly seconded.

Mayor Bouley pointed out that this is a citywide issue and the approach that is being taken is a very reasonable and thoughtful one. He noted his appreciation for Councilor Grady Sexton's leadership and thanked the Police Chief for participating.

The motion to accept passed with no dissenting votes.

**Adjournment**

The time being 9:40 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*