

The Claremont City Council held a meeting on Wednesday, February 24, 2016, in the Council Chambers of City Hall.

The meeting was called to order by Mayor Lovett at 6:30 p.m.

Members of the Council present were:

Ward I Councilor Carolyn Towle
Ward II Councilor Scott Pope
Assistant Mayor Victor Bergeron
Mayor Charlene Lovett
At-Large Councilor Allen Damren
At-Large Councilor Bruce Temple
Ward III Councilor Nicholas Koloski
At-Large Councilor John Simonds

Absent:

At-Large Councilor Keith Raymond

Also present:

Guy Santagate, City Manager

MAYOR'S NOTES

Mayor Lovett said on Sunday there will be a benefit concert at the Opera House with proceeds going to the Arts Council Foundation.

Mayor Lovett said she and the City Manager met with Senator Shaheen to discuss concerns and issues including aging infrastructure, utilizing historical buildings, cost of special education, criminal background checks for school districts, high insurance deductibles and mental health and substance abuse. They also discussed the extension of the Vermonter train line to Montreal. Senator Shaheen will cosponsor a bill for a pre-clearance facility on the train line. Congresswoman Kuster will introduce a House version of that bill and she will hold a press conference on March 9th, 3 p.m. (tentatively) at the Claremont Savings Bank Community Center CSBCC.

Mayor Lovett said she and Mr. Bergeron met with the City Manager regarding Councilors' use of tablets instead of paper documents. She said there will be a presentation in March.

Ms. Towle said she had received an e-mail from the Parks and Recreation Department that there will be a potluck supper on February 29th, 5:30 p.m. for Richard Kimball who is retiring after 28 years with the City. She said only one person from the Council has RSVPd.

Ms. Towle said on Saturday she went to the Cardboard Sled Race at Arrowhead and she had a ball. She thanked Chuck Allen and all his people at Arrowhead.

Mr. Bergeron said the Policy Committee will meet on Monday, 6 p.m., room J in the CSBCC.

CITIZEN'S FORUM

Scott Sweet, Interim Public Works Director, read a letter he had written regarding the residency requirement for the Public Works Director. When he interviewed for the position, the residency requirement was discussed. His home sits on the Cornish side of the Claremont line, 150 feet from the Claremont line. He can get to work in 8 minutes. He has never refused to move to Claremont as he has been accused. He has many personal ties to Claremont. He has not offered to resign as has been rumored. He hopes the discrepancy can be resolved.

Mike Tetu, Ward 1, spoke regarding the Public Works Director discrepancy. That was part of the 2003 Charter revision which was reviewed by the NH Attorney General and Secretary of State. He suggested a Charter amendment would be the way to change it. He suggested adding a phrase that the PW Director would live within a certain number of minutes from City Hall.

Bernie Folta, Ward 3, said bravo to Mr. Damren because he inserted a memo into the Council packet regarding a research process for a new City Manager. He said Mr. Damren has a Facebook page and included the memo on it. Mr. Folta said bravo for including the community in the conversation. He noted the Licensing Board and Traffic Advisory Committee meetings are appearing on the City's calendar. The Master Plan Steering Committee's packet is on the website. Bravo on the communication. Regarding the residency of the PW Director, he talked about NH Constitutional lawyers and suggested Council spend some money to get a second opinion.

OLD BUSINESS

Fountain Project Update

Ernest Montenegro, Ward 1, read a statement of intent for the Opera House Square Fountain Project. He said the City has to take the long view. The fountain project will enhance the City and help draw people to our City.

Mr. Montenegro showed a PowerPoint presentation, noting the name change from Tremont Square to Opera House Square raised the perception of the area; he showed before and after pictures of some iconic symbols: Eifel Tower, Statue of Liberty, ourhandsthenandnow Statue, Out of the Ordinary Restaurant mural, and Opera House Square with the fountain superimposed.

Mr. Montenegro thanked Scott Sweet and Chris Bergeron from Public Works for their help. He thanked Sherwood Moody and Brenda from Claremont Savings Bank (CSB) who are supportive of this and may offer financial support; Cumberland Farms donated \$5,000 seed money; Rob

Richard, Canam, offered to build it; Bill Silverstein, Timberpeg, supports this; and Lee Stevens and Sue Lawrence have given their advice on the plantings; he also thanked Bill Carpenter for his enthusiasm.

Mr. Montenegro said he showed the model to some of the businesses on the Square and in general they were positive. Farro Deli has concerns with visual interference and Violets Books has an issue with the visuals, but Mr. Montenegro doesn't think it's a big deal because the arches will be 15 feet high. He said he designed the arches based on the Moseley Bowstring Bridge design.

Mr. Montenegro responded to Councilors' questions: The Fountain does not take up any more space in the road than the current "bullpen" layout. All parking spaces will stay. There will be lighting that will emphasize the arches. The design of the arches is open so there will not be any snow/ice buildup. Mr. Sweet said there will be no issue with plowing and the curbing will be fine. Mr. Montenegro said the original design had a water curtain, but he changed that and now there are two fountains, one spout and one drop curtain. He doesn't know what the utility expenses, cost of the pumps or water usage will be. He said CSB supports this and some of those things could be negotiated. The spout will have sensors to control the spray. He thinks the area would be used as a public space, not just a parking space. Benches will be included. There will be money left from the project for maintenance. The curbing will be higher than what is there now and tractor trailer drivers will be able to see the curbs better.

Councilors would like to hear from the public before making a decision. Some people have said they don't want it. When the funding dries up, the maintenance will fall to the taxpayers.

Mr. Montenegro said this will benefit the City. It will create a buzz and will bring more shopping traffic into the center of the City.

People will still drive in one side of the Bullpen and out the other. The arches will be made of steel and there are color choices. The total cost is unknown.

Ms. Towle said aesthetically she didn't think it matched the buildings.

Mr. Sweet clarified that although he admires Mr. Montenegro's vision, he has concerns about the maintenance, snow and icicles falling off the structure and snow removal.

Mr. Bergeron asked who would be responsible if snow/ice falls onto a vehicle. Mr. Sweet said he shared that concern with Mr. Montenegro.

After discussion, it was the consensus of the Council to have a public forum to discuss this.

Resolution 2016-29 to Accept and Expend Highway Safety Grant for DWI Patrols –
Public Hearing

The City of Claremont, New Hampshire has applied for and been awarded a New Hampshire Highway Safety Grant for DWI Patrols in the amount of \$10,858.00 for the period ending September 30th, 2016. The City would like to accept and expend the grant funds for their intended purpose. This resolution is to raise and appropriate the sum of \$10,858.00 for the Police Department (from off-setting grant revenue) for the purpose of DWI patrols by the Claremont Police Department.

Mr. Damren read the resolution into the record.

A motion was made by Mr. Damren and seconded by Ms. Towle to adopt Resolution 2016-29 to Accept and Expend Highway Safety Grant for DWI Patrols.

Police Chief Alex Scott said these grants were typically under \$5,000, but they changed the formulas and we are receiving a significantly higher amount. This will pay for DWI patrols between now and September 30, 2016.

Mayor Lovett opened the public hearing. No one spoke. She closed it.

Roll call vote: motion carried 8-0.

Resolution 2016-30 to Accept and Expend Highway Safety Grant for STEP Grant –
Public Hearing

The City of Claremont, New Hampshire has applied for and been awarded a New Hampshire Highway Safety Selective Targeted Enforcement Program (STEP) Grant in the amount of \$7,308.00 for the period ending September 30th, 2016. The City would like to accept and expend the grant funds for their intended purpose and to raise and appropriate the sum of \$7,308.00 for the Police Department (from off-setting grant revenue) for the purpose of implementing the STEP.

Mr. Simonds read the resolution into the record.

A motion was made by Mr. Simonds and seconded by Mr. Damren to adopt Resolution 2016-30 to Accept and Expend Highway Safety Grant for STEP Grant.

Chief Scott said this is focused on accident reduction, particularly in the areas of Washington, Main and Broad Streets.

Mayor Lovett opened the public hearing. No one spoke. She closed it.

Roll call vote: motion carried 8-0.

NEW BUSINESS

Economic Development Update
Disposal of City-Owned Properties Policy Update

Nancy Merrill, Planning and Development Director, showed a PowerPoint presentation, Economic Development 2015-2016.

- Categories of City Property
 - Municipal buildings
 - Schools
 - Airport
 - Cemeteries
 - Reservoirs
 - Islands
 - Pump stations; beacons; cul de sacs
 - Small parcels that enhance safety at intersections
 - Other parcels
- CDA Purchased Building from City
- Commercial/Industrial Lots
 - Request for purchase – public notice
 - Proposals are scored based on end use, job retention, job creation, proposed site improvements, financial feasibility, offered price, etc.
- Residential Lots
 - Request for purchase – public notice
 - Proposals are scored based on end use, existing abutter, proposed site improvements, offered price
- Showed before & after pictures of City-owned buildings
 - CVS
 - Way School
 - Armory
 - Innovative Homes
 - Sawtooth building
- Properties to Post or Re-post in March 2016
 - Junior Sports League
 - 107-340 North Street
 - 107-11 Union Street
 - 118-29 Providence Ave (the property is wet)
 - Grant funding – 56 Opera House Square (the property has asbestos)
 - Checking to see if CDA purchases it if it would be eligible for grant funding
- Kearsarge magazine article by Patrick O’Grady
 - Parcel to the left of Moody Park is not part of the Park. Mr. Santagate said we’ll come back to the Council at a later date to make that a part of Moody Park.
- New Hampshire Cities and Towns – Unemployment Rates for 2015

- January 2015 – 4.10%
 - December 2015 – 2.40%
- Covered Employment and Wages
 - Approximately 5,600
- New Businesses in the Downtown
 - Jozach Jewelers
 - Sunshine Cook Shop
 - Bouteille
- New Businesses to Open
 - 100 Mile Market
 - Country Pleasantries
 - One Last Life
- 13 Water Street
- New Businesses Last Year
 - Runnings
 - 2 Dunkin Donuts
 - 2 Cumberland Farms
- Jewell Trucking Lot
- New Hampshire Industries
 - Next to Davis Frame
- 3 Lots Make Up North Country Smokehouse
 - Start in spring
- Canam
- Proposed Downtown TIF District as % of City
 - 2003 Assessed Valuation - \$10,744,800, 1.90%
 - Land Area – 37.31 acres, 0.14%
- River Road TIF District as % of City
 - 2003 Assessed Valuation - \$11,130,174, 1.97%
 - Land Area – 556.70 acres, 2.10%
- Total TIF
 - 2003 Assessed Valuation - \$21,874,974, 3.86%
 - Land Area – 594.01, 2.25%
- Public Forum
 - Master Plan Update
 - March 3, 2016, 5:30 p.m. – 8:00 p.m., Claremont Middle School multi-purpose room

Mr. Bergeron asked if there is an official policy for selling City-owned property. Ms. Merrill said yes, it was part of her PowerPoint presentation. She said Council voted on the policy in 2013.

Mr. Koloski asked how much the asbestos removal would cost. Ms. Merrill said about \$60,000.

Mr. Pope asked about the elevator for the old Pleasant Restaurant. Ms. Merrill said the plans are that a future elevator would serve the Farwell Block as well as 56 Opera House Square.

Mr. Koloski asked why the Claremont Conference Center was not listed. Ms. Merrill said it has some water damage due to water coming in from the bulk head. The lower level floor needs repair. She said that building does have a reverter clause and it can revert back to the Unitarian Church. The deed has limited uses. It can be a single family home, however, it has no parking. This has not gone out to bid.

Mr. Koloski would like to see the City do what it can to get some interest in the old conference center and the restaurant next to City Hall.

Bernie Folta, Ward 3, asked if someone gets laid off, do they register for unemployment where they live or where they work. Ms. Merrill said she would have to check. She believes it is the community where you live.

Kurt Beek, Project Manager, showed a PowerPoint presentation, Community Development Projects 2015-2016.

- Main Street Claremont, Opera House Square to Union Street
 - Reconstruct pavement, replace underground utilities, ADA sidewalk
- North and Main Intersection Improvements
 - Realignment and reconstruction
- Sidewalk Reconstruction Belding and Myrtle Streets
 - Reconstruct pavement, replace underground utilities, ADA sidewalk
- East Street Sidewalk Reconstruction and Rail Trail Improvements
 - New sidewalk, curb, parking, grading, trail surface and crossing signals
- Amerigas Site Remediation – Lower Cul de Sac Road
 - Demolition, contaminated soil removal, in-situ treatment and restoration
- Pleasant Valley Estates Water Distribution Improvements
 - Install new potable water distribution network, hydrants and fittings
- Opera House Square
 - Wood structure removed
 - Utilities to be relocated
- Main Street
 - Burned structure removed
- Central Street
 - Back portion of structure removed
- Pleasant Street
 - Barn next to LaValley's removed
- Shoemaker House – Syd Clarke Park
 - About 80% of structure will be reused

Mr. Koloski asked when we would find out what the former Amerigas property could be used for. Mr. Santagate said that was a \$4 million project; \$75,000 was put in reserve in case problems arose. A fence was put up so we don't use it until it is inspected next year. With restrictions, we will be able to construct something on that spot.

Marketing the City

Zach Williams, Business Development Coordinator, showed a PowerPoint, Marketing Plan July 2015 – June 2016 (amended for Council Presentation).

- Philosophy
 - Marketing efforts designed to:
 - Spread awareness about Claremont's natural and systemic advantages to the business community
 - Highlight community strengths to working people considering a move to the area
- Business Attraction
 - Business attraction marketing focuses on Claremont's systemic and natural advantages for business
 - Advertising efforts focus primarily on manufacturing and IT sectors
- Workforce Development
 - The campaign will:
 - Designate a target audience
 - Focus on quality of life and great work opportunities
 - Utilize digital as the primary medium
 - Mr. Santagate said this is a major change on our part. We have jobs, but can't fill them with qualified people. We're trying to get people to move here. We have housing and jobs available.
 - Mr. Williams said millennials desire to live in a certain place, and once there, then they look for work.
- Online
 - Digital advertising delivers the most impressions at the lowest overall cost per impression
 - Digital advertising provides us with some important raw data – namely, the number of people who click on our ads and the browsing habits of those who arrive at the City's website from these ads (including the total time spent on the City's website and the pages they visit while they're there). Therefore, it is easy to assess which campaigns are more successful relative to each other and to make informed purchasing decisions
- Example of Digital Ads
- Welcome Page for the Website in Design Phase
 - www.liveinClaremontnh.com
- Print
 - Print advertising is an important way to stay visible

- The City advertises in publications which relate directly to commercial real estate or business news in New Hampshire, Vermont and Massachusetts
- It is more difficult to directly assess the overall effectiveness of print media
- Example of Print Ads
- Radio
 - Radio is an important, but relatively expensive, advertising medium
 - Radio's smaller, local footprint means that advertising can be pointed and directed to address local interests and issues
 - The City focused mostly on public radio, where we can access a professional, educated audience
- Example of Radio Ads
- Spending by Medium, 2015-2016
 - Print 17%
 - Digital 50%
 - Radio 28%
 - Other 5%
- Measuring Performance
- Informal Marketing and Internal Marketing
 - Informal marketing (word-of-mouth)
 - The entire Planning and Development staff understands the importance of good public relations
 - Highlight the success of Claremont's existing business community
 - Key point: speak openly that our companies are having a hard time finding employees

Mr. Williams said contact can be made by phone or email. He said millennials prefer using email versus the phone.

There was a discussion about Claremont not using social media. Mr. Santagate expressed concern about the liability. There have been great strides made in determining what is legal and what isn't with social media. He is more comfortable today than a few years ago about using it. He mentioned that he was the vice president and product manager for a credit card company in New England for years, so he does understand how to direct IT (information technology). The City needs to be aware of freedom of speech which could be a legal problem. The City has had no major lawsuits since he's been here. He doesn't object to only outbound information. He is more ready now than ever before to use social media.

Mayor Lovett asked about advertising that Claremont has a train stop. Mr. Williams said it is a feature of our marketing.

Mr. Koloski asked if we could look into the free listings on the State of NH website and paid feature listings. He said the state film office is able to list businesses free of charge.

Ernest Montenegro, Ward 1, asked why there are no signs on I-91 advertising Amtrak in Claremont as there are for other communities. Mayor Lovett said she will check it out.

Mr. Temple said Lebanon's Facebook is one-way out as well as Twitter. Each department has access to it. Allowing inbound messages creates different expectations (i.e. responding to every little whim).

Mr. Santagate talked about who directs your resources and he said when there is an accident, cell phone calls pour in to the Police Department and that is part of what directs the police. There are different expectations when social media is used. So, when the City makes the move to social media, that is something that needs to be considered.

Community Center Income & Expense Report

Mayor Lovett asked when there are presentations with lots of numbers, to include them in the packet.

Mark Brislin, Parks and Recreation Director, showed a PowerPoint presentation, CSBCC Update, February 24, 2016.

- Membership usage
 - 12/1/14-1/31/15 – Total members checking in 20,618
 - 12/1/15-1/31/16 – Total members checking in 23,918
 - Averaging 61 more people per day this year than last year
 - This does not include people coming in for tournaments, programs, parties, etc.
- Membership Tracking
 - Each person is counted including each member of a Family Membership
- Membership Trends
 - Spike in membership due in part to the closure of Twisted Fitness
 - Senior age was changed from 55 years old to 60 years old
 - Family memberships decreased because they were not using the facility as much as they would like and fees were increased. Also, parking has become an issue and that may be a factor; the City is working on that.
- CSBCC Finance
 - Activenet change-over to accrual accounting
- CSBCC Finances – Revenues 2015 versus 2016 (through January)
 - 2015 Budgeted \$600,000/Total YTD \$506,822
 - 2016 Budgeted \$683,114/Total YTD \$527,563
- CSBCC Finances – Expenses 2015 versus 2016 (through January)
 - 2015 Budgeted \$1,146,126/Total \$706,876
 - 2016 Budgeted \$1,214,432/Total \$687,215
- CSBCC Finances – Revenues & Expenses 2015 versus 2016 (through January)

Mr. Brislin said members receive an email 15 days before their membership expires. Staff tries to talk to members to find out why some are not renewing.

Ms. Towle said the Parks and Recreation Commission is working on a survey regarding membership.

Mr. Brislin said when there are problems with parking, they work with the Police Department.

Ms. Towle suggested that only four handicap parking spaces may not be enough with the number of senior programs that are offered. She thinks that needs to be looked at.

Bernie Folta, Ward 3, asked if Mr. Brislin can tell how many memberships are from residents versus nonresidents. Mr. Brislin said yes. Mr. Folta asked about membership money crossing the fiscal year and if it has to be encumbered. Mr. Damren said it remains on the books on the balance sheet.

Mr. Bergeron said some people complain about having to park at Arrowhead. Mr. Brislin said more are using it with the increased lighting. It does get muddy up there. Staff is asked to park at Arrowhead.

Charter Discussion

Mayor Lovett said there are two options regarding the Public Works Director's residency, according to Orr & Reno's letter. She is in favor of amending the Charter versus going for a declaratory judgment. She said with a Charter amendment, people can weigh in on the changes.

Mr. Damren agreed. Also, we need to correct when the budget is due. He advocated going to the Attorney General's office for an opinion.

Mayor Lovett said she called NHMA (NH Municipal Association) and spoke to Mr. Buckley regarding the constitutionality of requiring an employee to live in Claremont. He told her the City was on thin ice; it's easier to wrap the discussion around public safety for fire and police chiefs, but it's not an easy case for a Public Works Director. Many times people use time and distance. She asked about amendments and was told they would go to the AG's office and the Secretary of State's office and then go on the ballot.

Mr. Koloski asked why this issue didn't go to the AG's office instead of going to a paid law firm. Mr. Santagate said it was City Attorney Jane Taylor's opinion to go to an outside law firm. Mr. Santagate said in 2003, when the Charter change was proposed, he objected to this residency requirement.

Mr. Bergeron said if it was not a labor lawyer, they would not know it was unconstitutional. There are 6-7 items that need to be changed in the Charter:

- #22 – Ordinances. Doesn't say we do a second reading on ordinances. Also, the five-year review needs to be looked at.
- #28 – Removal. Is not the same as what was agreed to in the contract.

- #32 – Certain Officers. This is regarding the residency requirement. His opinion is to change it to require a 15 minute respond time.
- #36 – Municipal Year. This is no longer correct.
- #40 – Budget Procedure. Change the date.
- #42 – Date of Final Adoption. Change the date of final adoption.
- #44 – Budget Control. Either change or start doing.
- #51 – Rules and Regulations. Need to have Jane Taylor review the Merit Plan to see if it is consistent with the Charter.
- #74 – Separability Clause. If something is deemed to be invalid (i.e. the ordinance requiring an employee to reside in Claremont), then you can't use it anyway.

Mayor Lovett asked if anyone wanted to go through the declaratory judgement process. Council said no.

There was a discussion about having NHMA come to Claremont to train the Council on how to do a Charter amendment.

Mr. Koloski suggested reviewing the 2013 proposed Charter and maybe including some of those changes in this amendment. Mr. Pope said that was the Charter Commission. He objected to Mr. Koloski's suggestion. Clearing up language or legal issues that are in the current Charter is a different issue. He was opposed to putting in a Finance/Audit Committee.

Mr. Temple said the Charter was passed in 2003. He would like to get an opinion from the AG's office about whether this is a legal document or not.

There was a discussion about the NHMA training. It will cost \$475.

There was consensus that the Council wants training. A majority of the Councilors agreed to have the NHMA training first and then approach the AG's office for an opinion.

Public Works Director Scott Sweet said he didn't want to cause so much trouble and he offered to make up his mind within the next month whether to move to Claremont or resign. Councilors assured him that it was not directed at him. This was directed at the position and Council will go through the process regardless. Council asked him not to do either action.

Mr. Temple would like to approach the AG's office first.

A motion was made by Mr. Damren and seconded by Ms. Towle that we, as a Council engage NHMA (NH Municipal Association) for training on how to amend or change provisions of the City Charter before going to the Attorney General's office.

Mr. Temple said if Council gets the training and hears what is needed then it won't be necessary to go to the AG's office. Mr. Damren said he would feel better going to the AG for an opinion.

Voice vote: motion carried 8-0

Amend Council Rules

Not everyone had received a copy of the amended Council Rules, so Mayor Lovett moved this to the next meeting.

FUTURE AGENDA ITEMS AND DIRECTIVES

Mr. Bergeron said the Policy Committee will meet next Monday, 6 p.m., room J, CSBCC.

Mayor Lovett asked Council to refer the licensing ordinance, which is out of date, and the cemetery ordinance, because of an issue at Mountain View Cemetery, to the Policy Committee.

A motion was made by Mr. Damren and seconded by Mr. Pope, for discussion, to approve forwarding the cemetery and licensing board ordinances to the Policy Committee for review and updating.

Voice vote: motion carried 8-0.

Mayor Lovett said she called NHMA regarding a search committee for a new City Manager. They don't have consulting services for search committees. Council will have to look to other agencies; she will report back in March.

Ms. Towle asked for an update on 13 Durham Avenue. Mayor Lovett said she sent out an email to the Council with information.

Ms. Towle said she would like an update on the ATV Trail. Mr. Bergeron thinks it is time to find out why the ATV Trail waiver is still pending.

Council directed the City Manager to call about this. Mr. Santagate said the City has called, but has not received a response. He will have someone contact Executive Councilor Kenney.

Mr. Bergeron wants it put on the agenda, so we can start this in July, to have a discussion about Facebook going out only. Mr. Temple said that would be a budget discussion.

Mr. Damren would like to discuss in June an audit committee proposal.

Mr. Koloski asked about Councilors submitting their opinion in writing to be included into the Council packet. Mayor Lovett said she is asking Councilors to submit their information in writing to be included in the Council packet so that the rest of Council can digest the information and do their own research if they want to.

Mayor Lovett said the information regarding a City Manager search from Mr. Damren that was in the packet will be discussed at the second meeting in March.

Mr. Koloski said Council needs to resolve the process of how to talk to department heads. He wants this on the agenda.

Mr. Koloski would like to know how much was spent on the Orr & Reno opinion and why Ms. Taylor went that route instead of calling the AG's office first.

CONSULTATION WITH LEGAL COUNSEL

None

ADJOURNMENT

At 10:25 p.m., a motion was made by Ms. Towle and seconded by Mr. Damren to adjourn.

Voice vote: motion carried 8-0.

Respectfully Submitted,

Dorée M. Russell
Clerk to the Council