

The Claremont City Council held a meeting on Wednesday, September 28, 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
At-Large Councilor Keith Raymond
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

Also present were:

Guy Santagate, City Manager
Jane Taylor, City Solicitor

AGENDA CHANGES

Ordinance 549 and the proclamation have been rescheduled for October 12th.

MAYOR'S NOTES

Proclamation for Dr. Alicia Harvey-Smith, former President, River Valley Community College

Moved to October 12th meeting.

Mayor Lovett read a statement regarding Sunday's Police-involved shooting.

Mayor Lovett talked about having a fall community cleanup day; details will be discussed at the October 12th Council meeting.

Mayor Lovett said the New Hampshire Association of Conservation Districts (NHACD) Annual Meeting will be held at the Common Man on October 13 and 14. Haynes Dairy Farm, John and Beth Haynes will be presented with the 2016 Sullivan County Cooperator of the Year award on October 13th.

Mayor Lovett talked about Green Dot which is a strategy to help reduce domestic and sexual abuse in the community. There will be bystander training on November 5th and 6th.

Mayor Lovett read a memo from MRI regarding the City Manager search. There are 36 candidates. Essays will be sent to the top 16 candidates. Preliminary background checks will be completed by 10/21.

Ms. Towle said the 2nd annual Tire Tracks event will be October 15; 3 different routes will be available. They will raffle off a trip to New York City.

CITIZEN'S FORUM

Bernie Folta, Ward 3, talked about Valley News columnist Jim Kenyon's recent column regarding Claremont Police not using body cameras or dash cameras. He talked about other communities' 91-A responses not going through their city attorneys; he asked why not Claremont. He said the 1st meeting of the City Manager Search Screening Committee will be Tuesday, October 4, 7:30 p.m., in Council Chambers. He suggested if the names served to the Council are not the best fit, Council should go with an interim City Manager and open a new search.

NEW BUSINESS

Ordinance 549 Water & Sewer Rates – First Reading

Moved to October 12th meeting.

Downtown Parking Study

Nancy Merrill, Planning and Development Director, showed a PowerPoint presentation of the Downtown Parking Study.

- City of Claremont Downtown Parking Study
 - Prepared by the Cecil Group May 2015
- Study Goals
 - Look at supply & use (current & full buildout)
- Study Area
 - Portion of city center
 - In all subareas combined there are a total of approximately 2,304 parking spaces, on street, off street public and off street private
- Parking Study Area
 - North Street to South Street, includes Walnut/School/Pearl Street area and Spofford Street
- Parking Utilization
 - Average utilization of 25% on street, municipal parking lots and private lots
- Observations

- Full buildout parking need would increase to 3,126 spaces and if 625 are “shared,” then the total would be 2,501 spaces
- The study calculated maximum parking demand, assuming fully utilized buildings
 - Shared-daytime & residential at night
- Heavy usage around the high school in the daytime
- Public Policy and Parking Management
 - Easiest to do & minimal cost – education, signage
 - Late night restrictions 10 pm to 5 am conflicts with some entertainment, restaurant uses
 - Align some parking regulations with field conditions. Parking ordinance needs to be updated & revised
 - Define additional on street spaces through striping
 - Consider parking “fee-in-lieu” to be used to collect private contributions to support public parking facilities

Ms. Merrill said those are the main recommendations of the study. The Cecil Group did the analysis and report, but 15-16 citizens did those counts.

Ms. Merrill said there were some recommendations to change some of the 2-hour parking to shorter term to increase turn over.

Ms. Merrill said this was done in November on a Friday (highest traffic count day) at noon, 3 p.m. and 6 p.m.

It was agreed that signage indicating where the municipal lots are located and giving that information to merchants is a good idea.

There was a discussion about the Broad Street municipal parking lot and that there are several owners of those spaces. Ms. Taylor said the City has use of the entire lot except for certain spaces that are behind buildings that front on Pleasant Street. There are certain property owners who have easements to travel over or park as needed. As far as jurisdiction, the City can line it as a municipal lot except for certain spaces. Ms. Taylor said the public has use of the entire parking lot, but the City doesn't own the land under all the spaces. The City owns about 60% of the lot.

Mr. Santagate said it was difficult to get all the owners to agree on improvements to the parking lot a few years ago, but we can reconvene that again, if requested.

Mayor Lovett asked about having a projected agreement timeline in the spring. Mr. Santagate said you can target springtime, but that is up to other people.

Ms. Towle said two years ago downtown merchants wanted to clean up and sign the parking in the Latchis/Pleasant Street area. It still needs to be done.

Mayor Lovett said the “low hanging fruit” is to replace faded signs and update the ordinance(s) so that times don’t conflict with merchants’ hours. She asked Council to have a follow-up at the second meeting in October and to be prepared to give guidance to Ms. Taylor in order to have a first reading of the ordinance at the first meeting in November.

Mr. Santagate reminded everyone there are about 50 all-day parking spaces in front of City Hall that are rarely used.

After discussion, Mayor Lovett said she thinks the best approach is to come back to the second meeting in October with specifics about what Council wants to change in the ordinance, what Planning and Development wants to change and then give direction to Ms. Taylor for the ordinance.

Ms. Merrill will work with Police and Public Works on this.

Bernie Folta, Ward 3, suggested Council consider deferring negotiations or explorations of the parking spaces until a new City Manager is on board. Mr. Santagate said he would favor that.

Mr. Pope asked about an ordinance change for Zone D, Walnut and Pearl, where there is high density housing. Winter parking in that area is a challenge.

Mayor Lovett talked about having this ready for first reading at the first meeting in November. Ms. Taylor said it would depend on if there is enough time.

After discussion, Ms. Merrill said after Council makes its suggestions at the second meeting in October, it would be reviewed internally, then it would be given to the Traffic Advisory Committee and then to the Council. Ms. Merrill said that she would like the opportunity for staff to learn more about the recommendations related to shared parking and fees in lieu of parking for developers before we move forward on those items. Ms. Taylor said she was not sure an ordinance would be back for the November 9th meeting.

Ms. Towle wants to be sure to take action on changes that can happen immediately. Mr. Temple said staff can determine where signs are needed and take care of it without Council input.

Truck Route Study

Ms. Merrill showed a PowerPoint presentation of the Truck Route Plan.

- City of Claremont Truck Route Plan
 - August 2009
 - Prepared by the Upper Valley Lake Sunapee Regional Planning Commission (UVLSRPC)
- Truck Routes
 - Objective: remove trucks from Opera House Square and utilize appropriate routes throughout the city

- Challenges with infrastructure deficiencies
- Challenge to find ways to link the northern half of the city's transportation system to the southern half
- Existing Conditions
 - 3 Routes (11, 12 and 103) come into Claremont with no existing bypass
- Truck Route Survey
 - 205 truck drivers participated
 - Found heavy trucks (class VI and greater) trips are regional in nature and originate from, and are destined for, locations to the south and east.
- 5.0 Truck Route Alternatives
 - Alternative 1: River Road/Ainsworth-Plains Road
 - Alternative 2: West Pleasant Street-Mulberry Street-Sullivan Street-Union Street-Main Street-Elm Street
 - Alternative 3: Pleasant Street-Summer Street/South-Broad Street
 - Alternative 4 Maple Avenue-Pleasant Street-South Street-Chestnut Street-New Bridge to Washington Street
- Criteria for Screening Alternates
 - Existing land use
 - Infrastructure adequacy
 - Consistency with future land use plan
 - Cost of implementation
 - Environment
 - Safety
- Screening Summary – All four routes considered potentially unreasonable

Ms. Merrill said if you want to get trucks off Pleasant Street, they will need a place to go. There's not a perfect solution.

Mr. Raymond asked about trucks that are coming from Vermont and going to Charlestown and why they don't go down Route 12A (River Road/Jarvis Hill Road). He suggested removing the island on South Street at its intersection with Pleasant Street; remove the Stop sign; and make it a slight radius turn and have a Stop sign on Pleasant Street at that intersection (it would be a One-Way). Truck traffic going south would go onto Broad Street by the Community Center and high school. It wouldn't be a problem by the high school because the buses park off-street.

Mr. Santagate said this was an elaborate study, where they stopped trucks and asked the drivers questions. The City is trying to alleviate truck traffic on certain streets, but turning 4 bad routes into 2 makes for 2 really bad routes. He said there are no good choices. The cost to put a bridge over the Sugar River is prohibitive.

Ms. Merrill said when the North & Main Streets Project is done, it will alleviate one of the issues. That grade is trouble.

Ms. Taylor said there had been discussion about moving the state numbered routes from Main Street to North Street, but that any route changes should be discussed with the state, as NHDOT would have final approval.

Mr. Raymond talked about the bypass sign on Charlestown Road just before Dean Hill and he suggested putting up a bypass sign for drivers coming from Vermont and going toward Charlestown. Ms. Taylor said that request could be made to the state.

Ms. Merrill said if you shut off one route, you have double the amount of traffic going onto an alternate route. You need to look at the impacts.

Mr. Koloski said the ultimate goal in his mind is safety. One way is less of a hazard than going through downtown.

Mr. Temple said to be sure the final design on North Street has the best signage. When you make improvements on North Street, you will also shuttle a lot of traffic to Washington Street and you will cut a lot of traffic from downtown.

Ms. Merrill said Kurt Beek is looking for bigger/better signage as part of that construction. She said there will always be truck traffic in the downtown.

Mr. Raymond will get together with Ms. Merrill on his suggestions. Mayor Lovett said Mr. Santagate will investigate getting approval from the state for signage.

Operations Efficiency Review of the CSB Community Center Discussion

Mark Brislin, Parks and Recreation Director, said he put out an RFP for the efficiency study of the Parks and Recreation Department and received three proposals. The low bid was \$32,900 from Ballard & King. They will take 90 days to do the study. The study will assess the financial performance, operational functions and current organizational structures. If Council wants to move forward with this, he will come to the next meeting to request to raise and appropriate funds. He said the work plans for all three respondents were similar.

Mr. Koloski asked what the end result would be. He asked if Council is looking to recover \$32,900 in savings a year.

Mayor Lovett said the Council's reason to request this was that the department had requested to add a maintenance position for \$60,000. She said before adding more to the overhead they wanted to insure they were as efficient as possible, hence having a third party look at that.

Mr. Bergeron said his goal would be to do an efficiency study for a different department every year.

Mr. Simonds said he is not in favor of spending \$33,000 to study if a department is working efficiently. This is a slap in the face to the department head. He said he would vote no to spend this money. We already have a professional department head in place.

Mr. Koloski agreed. He said Mr. Brislin is charged with running that department. This amount is half of what was asked for during the budget process for the requested position.

Mayor Lovett disagreed about it being a slap in the face. She said it is an opportunity to bring in an organization to provide options.

Mr. Damren sees value in this study, but he is concerned with the cost.

Mr. Pope agreed an efficiency audit is not a bad thing, however the price is an issue. He asked if this should go to the next City Manager.

Mr. Temple would like to think this through. He's not sure where the money will come from. If you do an audit with this group and next year you do another department and then you're told you need staff, or more importantly, if you continue to do one each year and the recommendation is you need more money and/or people, are Councilors going to have the spine to support that. He talked about the CIP that is in place. Council is getting push back on water rates/sewer rates. He asked if the Council will stand behind the report and put the burden on taxpayers.

Mr. Temple talked about the Truck Route Study and the Downtown Parking Study and that they have been around for a few years. He's concerned about doing the efficiency study if the City is not going to do anything with it.

Mayor Lovett asked where the money would come from. Mr. Santagate said it would be up to the Council to decide that. Mayor Lovett said it would come from fund balance or would be budgeted into the next cycle. She asked to get a copy of the proposal to see if the scope can be reduced. Mr. Brislin said to reduce the scope would require it to be rebid.

Mr. Koloski talked about the City's longstanding history of receiving reports that stay on the shelf. He thought it was a good idea to combine Parks and Recreation and the Community Center into one department. He suggested waiting for the efficiency study because a new fitness facility will open on Friday in Claremont and that model may change. Mr. Brislin agreed with Mr. Koloski that it was a good idea to wait.

Ms. Towle thought it was a good idea for the Parks and Recreation Commission to review what Ballard & King recommended in the pro-forma for the community center before it was built.

Mr. Koloski said the City already paid Ballard & King for one study and we ignore their model and now we want to pay more for another study.

Mayor Lovett said the pro-forma says to reevaluate the community center after three years.

Ms. Taylor said that Parks & Recreation and the community center are one department since the Goodwin Community Center (GCC) went out of existence. They developed separately because of the GCC Trust, which had to be accounted for separately. The GCC Trust ran out of money in the 70s and the Trust went out of existence by Order of the Probate Court, so there is only one organization now. Going forward Council should see only one budget for the department. She said no paperwork is needed. Mr. Santagate said next year it will be submitted as a single budget.

Mr. Damren said he is in favor of making them one department provided there are reports saying the guidelines of the bonding have been met. Ms. Taylor said that's for Finance Director Mary Walter and Mr. Brislin to work out. Organizationally they are one.

Mayor Lovett asked Mr. Santagate to have Mr. Brislin give the earlier pro-forma to the Parks & Recreation Commission.

Mr. Damren asked for the scope of work from Ballard & King.

Mr. Brislin said the scope of work is in the RFP, so Ms. Taylor said that can be given to the Council.

Motion to Accept and Expend \$10,857.60 New Hampshire Highway Safety Grant for Claremont DWI Patrols

Police Chief Alex Scott said this grant is for traffic enforcement. The grant amount is based on traffic volume and population. This is for October 2016 to September 2017. This is for detection of DWIs. These patrols have been successful in generating DWI arrests.

A motion was made by Mr. Raymond and seconded by Mr. Simonds to authorize the City Manager, or his designees, to accept a New Hampshire Highway Safety Grant in the amount of ten thousand, eight hundred fifty-seven dollars and sixty cents (\$10,857.60) and to enter into an agreement with the State of New Hampshire Highway Safety Agency for the purpose of DWI patrol enforcement by the Claremont Police Department.

Ms. Taylor said the at the first October meeting, resolutions for this and the next motion will be presented to be able to spend the money. This is time sensitive in order to accept the grant.

Voice vote: motion carried 9-0.

Motion to Accept and Expend \$11,066.40 New Hampshire Highway Safety Grant for Claremont STEP Program

Chief Scott said this grant will supplement traffic enforcement efforts. Selective Targeted Enforcement Program (STEP) combines three prior grants into one grant: corridor traffic enforcement grant for areas such as Washington Street and Main Street; statewide high intensity traffic enforcement program; and NH Click program (seatbelt usage).

A motion was made by Mr. Damren and seconded by Mr. Bergeron to authorize the City Manager, or his designees, to accept a New Hampshire Highway Safety Grant in the amount of eleven thousand, sixty-six dollars and forty cents (\$11,066.40) and to enter into an agreement with the State of New Hampshire Highway Safety Agency for the purpose of implementation of the New Hampshire Highway Safety Selective Targeted Enforcement Program (STEP) by the Claremont Police Department.

Voice vote: motion carried 9-0.

City Code of Conduct and Boards/Commissions By-Laws

Mayor Lovett said several months ago she brought up the need to update the City Code of Conduct which is dated 2003. The Code of Conduct is referenced in many of the boards and commissions' by-laws. She wants to ensure the Council presents as professional stance as possible to people coming into the community. She said there have been some issues along those lines. She said attendance has been an issue with some of the boards/commissions. She would like the Council to look at the Code of Conduct to see if they can best present a professional demeanor. She said it was not her intent to single out any one committee. She said these are volunteer positions and they come with some expectations.

Mayor Lovett said she had a discussion with Ms. Taylor and was told you can't tell people what to wear, but she asked about making a statement for professionalism. Ms. Taylor said you can include a statement regarding professionalism, but defining that can be a problem. She can research it. The Code of Conduct does apply to all City boards, commissions and committees.

Mr. Santagate asked if this is not being enforced or does it need to be rewritten. Mayor Lovett said it needs to be reviewed with the intent to operate as professionally and efficiently as possible.

Ms. Taylor said each board, commission or committee is entitled to have its own bylaws. Several do have bylaws and include attendance requirements and it is up to the board to enforce them. It is not up to the Council to enforce them unless there is a violation of the Code of Conduct or other misconduct. The members may be appointed by the Council, but the boards and commissions exist as separate entities. She said attendance is at the discretion of the chair of the board.

Mayor Lovett asked what responsibility the Council has. Ms. Taylor said if Council doesn't feel a person is living up to the job they were appointed for, Council shouldn't reappoint them.

Ms. Taylor talked about land use boards. A member may be removed for inefficiency, neglect of duty and malfeasance. The board would have to make a finding and then pass that along to the Council.

Mr. Raymond believes this is important because some boards don't always have a quorum and then they can't conduct business.

Mr. Koloski suggested adding a signature line to the bottom of the Code of Conduct form. He doesn't think anything needs to be changed, just add a signature line.

Ms. Taylor said she can check the process deForest Bearse, Resource Coordinator, uses for giving board members a copy of the Code of Conduct.

Mr. Pope agreed about the signature.

Bernie Folta, Ward 3, talked about conflict of interest and that Messrs. Raymond and Koloski are call firefighters and should not vote on the Fire budget. Mr. Raymond corrected that he is no longer a call firefighter. Mr. Koloski said it is not a violation according to the City Charter. Mr. Folta said he was concerned where Mayor Lovett is going with this. He said it suggests that no citizen has the right to have an emotional outburst in front of the City Council or other board.

Mr. Pope suggested all boards look at their bylaws regarding absenteeism. He said attendance is critical.

Mayor Lovett asked what the proper procedure to put that in the bylaws is.

Ms. Taylor said that it is up to each board to review its bylaws. She will get together with Ms. Bearse to discuss these points. She may have ideas on how to approach this issue.

Mr. Koloski said regarding the Conservation Commission that he still has not been able to attend meetings regularly, but he does attend if needed for a quorum. He sits as an ex-officio member and threw that out to the Council in case someone else was interested in the seat.

Ms. Towle talked about thanking the volunteers who sit on those boards. She suggested Council send a letter of thanks each year with all Councilors' signatures to each board member. She thinks it should be done each year in December.

Mr. Koloski said his restaurant is working on the dinner for the board members.

FUTURE AGENDA ITEMS AND DIRECTIVES

Mr. Damren would like to see action (pro or con) on the proposal that was brought forward in February for the establishment of an audit committee.

Mr. Damren said he had requested a meeting with the department director to review computer security. Ms. Taylor said that cannot be done in a non-public session. Mr. Santagate said information technology security is very limited in what can be discussed publicly. Mr. Damren would like more research on how to do it. Ms. Taylor said at some stage you have to trust the people that were hired. Mr. Santagate said Finance Director Mary Walter is working on this with Chris Burgess, Network Administrator. He'll check to see what can be brought forward. Mr. Damren acknowledged that he has heard that Mr. Burgess is as good as they come in his field.

Ms. Towle asked about the MacGlaflin land swap. Ms. Taylor said that it is being discussed, but it is not ready to come forward.

Ms. Towle asked about the Forestry Management Plan. Mayor Lovett said it was her thought to forward it to the Conservation Commission for them to review and make recommendations to the Council. Ms. Taylor suggested it go to the Planning Board and the Conservation Commission since Planning developed the original plan.

Mr. Santagate said at the meeting Monday, the forester didn't give any benefits to logging Arrowhead; forest fires are not an issue and there are not a lot of diseased trees up there, so there's no sense in going forward with the logging.

Ms. Towle heard a resounding "no" from residents about logging Arrowhead. She would like to know how many times we go out for forestry bids. Ms. Taylor said that is part of the Forest Management Plan. The forester goes out to bid and the City reviews the contract.

Mr. Koloski said before this goes back to the Planning Board and Conservation Commission, Council needs to have a firm stance. He said there is no fire issue and no disease issue, so he has no interest in logging in the Arrowhead area.

Mayor Lovett agreed with Mr. Koloski.

Mr. Bergeron said the majority of the residents were against the logging because they didn't want the trucks driving on their roads. He agreed with the Conservation Commission Chair when she said the forester had been "thrown under the bus" at Monday's meeting. The people said don't damage the roads; go down through Arrowhead Recreation Area.

Mr. Santagate said people didn't want to go down Arrowhead because of the kids. But if it's a feasible route, that's a different story.

Mr. Damren said he was ready to make a motion to say no to logging at Arrowhead, but he didn't want to cut off discussion.

Mr. Raymond said Mr. McKenney is a forester and he tells people how to manage your forest for revenue and that is what he was hired to do by the City of Claremont. Also, people in that area have runoff problems now, but if the harvest is done, the forestry company will add water bars to help stop that. Mr. Raymond talked about private logging on Bible Hill and the trucks go down Bible Hill Road and there is nothing the City can do to stop them.

Mr. Temple said it has been pointed out to him that the City has no right to stop private logging.

Ms. Taylor said the City doesn't have a right to refuse an Intent to Cut. The City doesn't have the right to refuse logging on private property or for those trucks to come over public roads.

Mr. Pope pointed out Council was getting into an unofficial agenda item.

Gary Dickerman, Ward 2 resident and Vice Chair of the Conservation Commission, said he was at that meeting. He agrees about the road issue. As for the benefits of logging, Mr. McKenney was caught off guard at that meeting. Mr. Dickerman said there are benefits to harvesting. He agreed that the Planning Board and the Conservation Commission should work on this before the Council makes a vote.

Mr. Temple gave some background information regarding the Forest Management Plan and the hiring of New England Forestry Consultants (Mr. McKenney is on staff).

Mr. Temple suggested the City might want to hold off on all logging until the review is done.

Mr. Santagate asked about logging on Winter Street. Mayor Lovett asked what you would lose if this were postponed. Mr. Santagate said he will have to check with Public Works.

Gary Dickerman, Ward 2 resident and Vice Chair of the Conservation Commission, said about a month ago he met with Assistant Public Works Director Vic St. Pierre and Mr. McKenney about Winter Street, Rice Reservoir (the second portion), and small cuts at the airport and the Transfer Station and he thinks at this point he doesn't know if you can put the brakes on any of those.

Mayor Lovett said to get it back to where it needs to be reviewed and Mr. Santagate can give an update in his City Manager's Report at the next meeting.

Mr. Santagate said we would continue with those and send the rest back for review.

Ms. Towle talked about the November Conference and if Councilors are planning to go, they need to decide which seminars they want to go to.

Mayor Lovett asked Councilors who are interested in going to let Ms. Russell know and she'll pass that on to Mayor Lovett.

Mayor Lovett gave possible dates for the next joint Council/School Board meeting. There was a consensus to meet November 15, 6 p.m.

Mayor Lovett said she had asked Ms. Russell to establish a webpage with the City Manager Search Screen Committee members' information and to post emails from MRI.

Mayor Lovett said union negotiations are going to start and she prefers to have someone other than just her be at those meetings. The meetings take place during the day, so they would have to be available during the day. Mr. Bergeron volunteered to do Public Works. Mr. Damren volunteered to do Police. Mayor Lovett will do Clerical.

Mr. Santagate said the first meeting will be to discuss ground rules. The meeting will be with reps from two of the unions tomorrow at 11 a.m. in his office. Mayor Lovett said she will be there and will relay the information to the other Councilors.

Mr. Koloski would like a discussion about the Welfare Inspections and credit card acceptance for other offices. Mayor Lovett said both will be on the second meeting in October.

CONSULTATION WITH LEGAL COUNSEL

None

ADJOURNMENT

At 9:35 p.m., a motion was made by Mr. Damren and seconded by Mr. Raymond to adjourn.

Voice vote: motion carried 9-0.

Respectfully Submitted,

Dorée M. Russell
Clerk to the Council