

**SPECIAL COMMITTEE ON
JOB CREATION/JOB RETENTION & ECONOMIC DEVELOPMENT**

May 29, 2012

5:00 p.m.

Chairman Arnold called the meeting to order.

The Clerk called the roll.

Present: Aldermen Arnold, Ludwig, Long, Corriveau
Alderman Katsiantonis arrived late

Messrs: J. Minkarah, L. LaFreniere

Chairman Arnold stated Alderman Katsiantonis did contact me today, and he indicated he had a work obligation and would not be unable to join us this evening.

Chairman Arnold addressed item 3 of the agenda:

3. Update from Jay Minkarah, Economic Development Director, on economic development projects.

Chairman Arnold asked is there anything new to report that was not included in your last update, Mr. Minkarah, on economic development projects?

Mr. Jay Minkarah, Economic Development Director, replied not a whole lot. We focused primarily, since the last meeting, on a Small Business Week, which was last week. It really was a great week. We had events every day, most days two or three. Overall we saw attendance up by about 25% to 30%. There was a lot of great promotion out there, so hopefully you saw some of it; some of it in print, we

were on radio, on TV, it looks like our sponsors were happy, so we're really excited about it. We thought it went well and it looks like we came in just under budget.

Chairman Arnold stated that's good to know. I believe several members of this committee, and probably other members of the board, were in attendance at many of those events. So hats off to you.

Mr. Minkarah stated we appreciate that. Thank you.

Chairman Arnold addressed item 4 of the agenda:

4. Follow-up discussion with departments regarding the Greater Manchester Chamber of Commerce Infrastructure Committee memo regarding Manchester business permit process conversations.

*On motion of **Alderman Long**, duly seconded by **Alderman Ludwig**, it was voted to discuss this item.*

Chairman Arnold stated this item, as it says, is a follow-up discussion to our discussions from last time prompted in large part by a communication from the Greater Manchester Chamber of Commerce in which they outlined a number of concerns about the City's permitting and regulatory processes as it relates to businesses. I'm sure members of the committee recall that we had a very thorough discussion and ran it up against the clock. The planning and community development director did not have an opportunity to address the concerns in the letter or answer any questions from members of the committee. Without objection, we will get him up here and he can comment on the contents of the letter and take questions.

Mr. Leon LaFreniere, Planning and Community Development Director, stated thank you for the opportunity to come before the committee. I think it is important to note that the chamber report speaks collectively about the City departments and boards that are involved with the permit process. I can only speak for the Planning and Community Development Department, one aspect of it, however, we obviously work closely with these other departments, and I'll try to answer any questions you may have. I also believe that it is important to note that it appears no City departments were invited to participate in the discussions with the chamber infrastructure committee nor were we invited by its author to provide any response for input to the report. Approaching research for a report like this in such a manner has resulted in a document that contains many misrepresentations and inaccuracies and unfortunately its credibility suffers as a result. A more collaborative process, I believe, would have resulted in a document containing more productive information. Part of the disconnect in the report, I believe, relates to the fact that the primary points of contact for us are the tradespeople who are not referenced as being interviewed by the chamber. And under the guise of a fear of retaliation, all contributors, with the exception of the author, are anonymous. This format does not offer an opportunity to comment on, counter any claims, offer contributing information or even make corrections to our process where appropriate. In my personal experience I've never observed any actions that would justify a fear of retaliation. In fact, I would go on record tonight, as I have many times before, in stating that I will not tolerate, as the administrator of the department, any such retaliatory action by any member of my department. While a dozen chamber members may indeed be significant, the customers in the city who have opened or expanded businesses during the course of any given year numbering in the hundreds, so I'm concerned about how representative the sampling is. Here in the Planning and Community Development Department we have received significant positive feedback regarding the experiences of many of

the people who worked through this process. When negative feedback is received, and certainly it is on occasion, it usually happens where there is a desire not to follow code requirements. When it is received, it is always considered as an opportunity to improve the experience of our customers. With that said, I give a lot of consideration to how can we utilize this report to improve the process because I think at the end of the day that's what we should strive to do. First and foremost, I believe that there's always a way to improve any process, and in fact, as director of the lead agencies involved with business development in the city, I am committed to considering any improvements to the process as it is employed that do not violate the law or compromise safety. Although we remain disappointed that a more collaborative process was not sought from the beginning, it is clear that certain perceptions exist that need to be addressed. To that end, it is my hope that the chamber might serve as a liaison between the City and the anonymous interviewees. Without the chamber to act as an intermediary, it will be impossible, frankly, to directly address any specific concerns when we can't have a dialogue with the people who are expressing those concerns. I've had conversations with the chamber's president and we believe that they would be willing to assist in this effort. As with any organization, the Planning and Community Development Department is faced with certain challenges as the City as a whole is faced with many of these challenges. First of which is probably resources. Current limitations on resources impact the department service delivery capacity, there's no question about it. We're down in staff as a result of last year's budget, and this limits our ability to individualize time spent with our customers. It also limits the ability to provide rapid response to permit review and process requests. We do not always have the time or resources to assist with project design. We do not have the manpower to supply a person to shepherd each of the individual projects through the construction process, and frankly it is not typically the role of City government or any regulatory agency to provide this level of guidance or coordination. Now the challenge is liability. The City must be

cautious to isolate the liability that stems from project design and coordination. It is not the role of the regulator to design, but rather to confirm code compliance of the designer's product. Were the department to take a more active role in designing and coordinating construction, the City would incur significant liability from these actions. Education: this, again, is in part a resource issue as department staff has limited time to educate the professional contractors and business owners about the specific laws and regulations pertaining to their installations. While an educational role is part of each inspector's responsibility, this effort cannot take the place of years of education and training that are required of the professional designer or contractor. Coordination: it is the responsibility of the City to coordinate its efforts to regulate the construction industry. However, many of the problems referenced in the chamber report relate to the coordination of individual trades associated with the successful completion of a construction project. This coordination on the site is why professional designers and project managers exist. And finally, the economy is a challenge. Unfortunately, current economic conditions have caused many business developers to seek cost savings by undertaking their own project management activities without the benefit of the associated experience. As the old adage goes, the low bid is often not the best option. The chamber report proposed a number of solutions and some of which we agree with and some of which we think illustrates a lack of understanding of the process. One of the first is to engage in plan review before construction takes place. This is a foundation of the current process. Unfortunately, the desire to save costs often results in incomplete plans being submitted for approval. A higher level of planned development has previously resulted in complaints, frankly, from applicants due to the cost and the time required to prepare these plans. So we're always striking the balancing act of trying to require a plan that has sufficient detail so that we can confirm code compliance without being so onerous as to incur additional costs to the developer. There should be an industry specific info packet available to prospective business owners letting them know what they need

to do to open a business, and we should create a flow chart for prospective businesses. I believe that these suggestions are valid and much of this material frankly currently exists. However, I think this is an area where we can focus a number of process improvements and we can do a better job of getting that information to people who need to have it as they undertake these projects. The Board of Mayor and Aldermen should be briefed on codes before adoption. A presentation to the Board of Mayor and Aldermen is made for every code that's adopted locally. We don't adopt any standards that don't come before the Board of Mayor and Aldermen. It should be noted, however, that many of the regulations, laws and standards that we are required to enforce are mandated by the State of New Hampshire; they are not local ordinances. There should be a point person for everyone who wants to open a business in the city. This is a resource issue. Additional staffing would be required to address this suggestion. We need a one-stop shop. I believe that significant progress has been made to address this concern. The planning and building departments have been consolidated, the Fire Department holds office hours in the Planning and Community Development Department and the implementation of the new Innoprise software will enhance communication between departments. Unfortunately, no single facility exists to support all of the departments involved with this issue at any one time. We don't have a building that would hold the Highway Department, the Health Department, the building department, the planning division, and so on down the line. Improved relationship between the fire and building departments by moving Peter Lennon's office into the building department at city hall. For several years, the staff of the Fire Department and Planning and Community Development Department have met weekly to complete joint plan reviews. More recently Peter Lennon and his contemporary have held office hours each Friday in the Planning and Community Development Department to complete plan reviews and hold joint meetings with applicants. Applicants should be able to have a meeting with representatives of all relevant

departments. This option as well has existed for some time upon the request of the applicant. We've taken steps to advertise this option, I believe it is on the website, it is posted in our office, and several applicants over the years have taken advantage of its availability. And we have had a lot of favorable response from those utilizing this option. It is always available to any applicant. Strengthen the building code board of appeals and get more knowledgeable people on the building code board of appeals. The composition of this board is made up of professionals from the design and construction field, which is defined by the state building code. Their experience in their various disciplines is defined by the code and it is hard for me to imagine a more knowledgeable group of individuals to be on that board. There is another reference in the report to the appeals board being limited in their scope to be reviewing, whether a code is being interpreted correctly or not, and is absolutely accurate. However, again, you're talking about state mandated codes and we don't have a local authority to vary from those codes. So what steps have we taken to date? They have been numerous; we've been working at this for a long time trying to continually improve our process, but just a couple of significant ones in more recent history.

Chairman Arnold stated perhaps the highlights and then we'll take questions.

Mr. LaFreniere stated yes, I'm almost done. We have established weekly meetings between Fire Department staff and planning and staff from the Planning and Community Development Department to coordinate code review and approve non-residential projects; this activity has been going on for many years. We have consolidated the building and planning departments, which has permitted the streamlining of the review process by eliminating redundancies necessitated by separate development review authority, and we've implanted and are implementing electronic data sharing between development review departments allowing for immediate sharing of review and construction status between departments. I think

in closing there is one thing that we need to keep in mind that I feel is very important. Do we need to consider that our customer base extends beyond the parties identified in the chamber report? In addition to business owners, contractors, and developers, every person who dines at a restaurant, leaves their child at a daycare or shops in a store, is our customer. We have a fundamental responsibility to ensure that the buildings that they occupy are safe. So we're always working to balance that mission with the needs of our business community in fostering a healthy economic climate in the city. I don't mean to say that to diminish at all the need and the responsibility with the people who come in the door to pull the permits, but our customer base does extend well beyond that reach. I'll take any questions.

Alderman Long stated thank you, Mr. Chairman. Thank you, Leon. I'm glad to hear... I'm not interested in the chamber and the department going at it on language and I'm glad to hear that you called them perceptions. I'm under the understanding that a perception is a reality. So if there is a perception of something out there, where is it coming from and let's try to address that. But moving forward, I do agree with you with respect to government holding hands going through a process. I don't believe it is our responsibility to do that. Times are tough so people are trying to self-perform. Does your department have a list of self-performances? Let's take for example, Ms. Beaulieu's store that she opened on Elm Street. That appeared to be a relatively easy process in my mind. I'm not sure; I'm not a developer or anything. Would you agree that that could be performed by an owner not having to hire a general contractor or a designer, per say? It is a little space of 700 square feet or what have you, sinks needed to be changed, there is no cooking in there. Do you think that there is some level of owners, and I don't know how you would address this, whether it's square footage or how much they are investing in it... Do you think that there is some level of

owners that we, meaning your department, may be able to assist in the process when not utilizing a lot of time?

Mr. LaFreniere replied absolutely. In fact, I think we do that every day. But I hesitate to set the threshold at a certain size or a certain type of business, because it really is almost entirely dependent on the capacity of the person who is overseeing the project. Maybe Ms. Beaulieu has the capacity, or doesn't have the capacity, I don't know, to undertake this type of project. Some people would and some people wouldn't. But we do spend a significant amount of our time in trying to shepherd those types of projects through the process. Can we improve that by more effective communication, by having more information available to a perspective business developer? I think there is always room for that and I would say that that is an area where we should focus some energies. But it really depends on the capacity of the person who is trying to undertake the project. Some people just don't have any exposure or experience with construction or coordinating trades, where other people might have significant experience.

Alderman Long stated follow up, Mr. Chairman. What I'm trying to get at is Ms. Beaulieu has opened several businesses, so she is familiar with that. How familiar she is in construction? I don't know. But can you hire a brother-in-law who is a carpenter; he's not going to know the code more, probably not. The electrical they may know, the plumbing, pipefitting, I would think if they're licensed they may want to find out what code is, but if somebody at that capacity at that small store, you say there's a process already which would help. I guess you would identify, if I'm an inspector or if I'm in your department, somebody comes to me, they are business minded, they don't know anything about electrical or codes or anything, I would recommend first you may want to get somebody who will make the process smoother. But in something as small as that, do you have the resources now to walk with that person with something like that? I don't want you to set a level

because it is not a level thing. If I'm a first-time owner, I don't expect you to walk me through it. It has to take a lot of recourse because I know nothing. But somebody like Ms. Beaulieu who knows the process and has been through the process three or four times...

Mr. LaFreniere replied if we use Ms. Beaulieu as an example; I don't know what her experience is in opening a food service establishment. When I listened to her testimony, I picked up two specific things that she talked about. One of which I can probably speak to a little bit. She said something about not being able to get a CO before she had her signs out, and that has to be a misunderstanding because we don't require signs to be up for business. There may have been there was an outstanding permit and there were questions about the status of the permit, which couldn't be closed out before the time was up. If her perception was that she couldn't open the business before her signs were up, that is incorrect, and I'll take steps to correct that. The other issue though is difficult for me to speak to because that was a requirement for an additional hand sink in an area where she had her fudge case. That's not a requirement of any code that I administer. That was a requirement of the Health Department. So it's difficult for me to say that I could foresee all of that, but certainly I would hope that we could offer the support that someone like Ms. Beaulieu needs to be able to open a business and have it be a positive experience.

Alderman Long asked would it be a positive item moving forward that the chamber and whatever committee may be set up... It appears there is some miscommunication and I can understand where that is. You're looking at, I don't how many applicants, but I'm sure it's not two applicants a day. I'm sure you're inundated with applicants. There is some miscommunication somewhere, somehow and this committee should look at, at the very least, how to open up those communications. You spoke about Innoprise; I don't know when that's

going to be up, I've been hearing that for about two years and I've kind of been hoping it would be ready now. We're looking at it in the accounts avenue; we're looking at it for this purpose right here. I've seen schedules, but I don't see anything which relates to the billing department or accounts until a year from now.

Mr. LaFreniere responded accounts is down the road. But the Planning and Community Development Department is the first department that is scheduled to go online, and at this juncture, and we're approaching the date, if you will, that triggers where we all agree that the date is correct, but it is the middle of July that we should be going online.

Alderman Long asked is this with the Health Department and the Fire Department?

Mr. LaFreniere replied no, that is our department. However, those modules will be viewable by the other departments, so they will be able to see what permits are out there, what's being issued and so forth.

Alderman Long asked will that help with less resources from your department if communications could go to fire and health in getting this process to fruition? Getting an owner up and running?

Mr. LaFreniere replied yes. We do a lot now by email and other communication, electronic communication, to save the applicants' time not to have to run from one office to the next. We try to do that all electronically so they don't have to do that now, but that will only improve when the new system comes online.

Chairman Arnold stated Leon, I just want to say, and I hope we come back to this before the end of the meeting today. One of the issues you pointed out or one of

the observations you made is that there is not, per say, like a how-to manual. I don't know even how else to describe it, I think you referred to it as sort of like a flow chart. I've seen manuals or flow charts for perspective business owners in other municipalities, and if we don't have something like that, I hope if we have time at the end of this meeting to maybe move that forward and have more discussion, but I'll come back to that at the end.

Alderman Levasseur stated thank you, Mr. Chairman. First, let me say that I've been dealing with Leon for well over a decade on many, many issues that are related to building permits, housing permits, patio permits, the whole thing, and I find Mr. LaFreniere to be one of the most accessible people around to go to. Unfortunately I hate to have to go to that point to have to make the phone call. Even though I wasn't an alderman, sometimes in my capacity as an attorney, I'll get people who are nervous about the system or need a special exception or need to speak to somebody in charge, and Mr. LaFreniere has always made himself available for any issues. I'd like to say that he does a very good job. I understand one of your key men has been out for six weeks during probably one of your busiest times when people are starting to get building permits, but I think we're losing a lot of revenue in this City because of the building permit process because I think people are terrified. As much as people don't like the... I understand the Chamber's point of anonymity; people do not like to criticize government, they don't like to criticize it when they live in the same town or do business with it, and as a restaurant owner, obviously I get a lot of the down to the ground type of complaints that most people get. You would never get what I hear about... They are very dismayed at some of the issues that go on at the building department. But I always try to think what the most positive thing that can come out of these things, and I agree with Alderman Arnold. I think that we need to give you the tools to be able to come into a project at the critical moment, not through the whole process. Now a perfect example is I just asked for a building permit to put

a doorway into the restaurant at Theo's so we can put a patio in the front of it on the Elm Street side because a lot of people don't know we have one in the back. I was surprised to find out that the issue that I had was not with the doorway but the fact that they said I didn't have enough parking for a patio to go in the front. Now we have over 50 parking spaces and I asked the question, how does somebody on Elm Street above Auburn Street, the restaurants right down here have 100 seats and not have any parking at all, and they get patios out front of their place, and the answer was that you're in a different zone. So what we need to do is get a software plan, a software system in place if somebody who has a question or wants to go forward with a permit should be able to click on their zone and the rules that apply to that zone, as opposed to some other thing, if a restaurant owner or a business owner comes into your building department and says this is what I want and then it's rejected, but the guy down the street not even a quarter of mile has that same thing going on, that's where I think the frustration gets and that's where people think they're being treated differently. My own perspective is I go through this all the time. A perfect example, again, I went for a sign in front of my law practice; a small, little sign. We go through the whole permit process, we go through everything, we bring it in, we pay for everything, we get a call you have to go to the historic committee first. I wish I would have known that a month ago. I would like to be able to give the power to the planning department to be able to make decisions that they know are going to be passed by a certain committee, and then use the committee as an appeals process, so if you're denied, then you should be able to go to the historic committee. You shouldn't have to go to the historic committee for something as simple as a little sign that everyone knows is going to be passed but delays the whole process by a couple of months because you have to wait until they meet, then you have to get their approval, and then you have to go back again, and you learn these things as you go. But, again, if we have an interface system where you click onto the website and it says I live at a certain address, you press your button, it says 119 West Merrimack Street, that

puts you in the historic zone. You hit that and it says historic zone. Guess what, you want to paint the back patios, these are the four colors you can use, this is the process you have to go through. I think it would save them a ton of time, not have to make them go through the one guy who is in the building department who forgot that he has to go to the historic committee and it makes it easier for them. I've suggested that we do it when you walk into the building department. There is actually a wall that says this is where you live, this is what is expected, these are what the rules are. You want to put an addition on your house; I think that's probably one of the most frequently requested permits... So you guys should be able to without even trying, say okay, these are steps and guess what, you shouldn't even have to come down to the building department to even ask those questions and you shouldn't even have to call to ask those questions, you should have a list of the top ten things you're going to have to do, they should be able to apply, say this is what I want to do, submit their plans, if they have that capacity. If they don't, they have to come down here, but the easier we can make this process, the less scary we can make this process. I think the more money and more revenue you're going to bring in, the less code violations you're going to have to deal with, and I think people would feel a little easier about the perception. I think that the problem is it is like going to court. Two lawyers will tell you that you can get five judges, one judge you can tell leans this way is going to rule in this direction, and then you'll get a different judge who leans in a different way. It is a very frustrating process and that's why 97% of the time cases settle. They don't want to have to go to that third party to settle it, when they can settle it themselves and that's the problem I think we have with the building department. I think that there are just so many different zones, so many different rules, so many different areas in the city, and I know you say you don't walk them through the process, but if somebody comes in with their application, they bring you their drawings, you do deny their permit based on some fault or something wrong with the permit itself. You do finally have that veto power over them, and you do have

to have the experience to be able to veto something that you see wrong in the permit so that you should be able to explain in the beginning process what they need to look for or what they need to be careful about or just what the simple requirements are. If I want to put a doorway at 102 Elm Street, I should be able to go on the building department and see what is required right away. I should be able to know what zone I'm in and what is allowed or now allowed. That may be another issue that I would like to deal with at some point; how can we make the downtown area one zone where it's all the same zone and not little different sections that some are getting an advantage of having no parking spaces necessary and others have to have one parking space per three people at a table. Why would you want to punish the guy who's down there paying a lot of money for property taxes with the parking spaces, and then the guy who's up here on Elm Street, is renting his place and has no parking spaces but he can have a patio out front. These are some of the things, I think, occur. And again, I do get a lot of complaints and I do get a lot of people who come to me and say things to me and I know there are others who work in the trades who probably feel that way too. I just spoke to a guy in the trades, the guy who is putting the door in actually, who said Bedford has a very easy process over there, and that they are very business friendly and they like doing business over there because they find it to be a much simpler process. Maybe we can find out what their process is and try to apply it that way. I think it's going to come down to software, I think it's going to come down to a updated website for you, and then we need to educate people on what you guys have and what we can do going forward. I want to make this process as simple and as painless as possible so that our reputation in this city becomes very, very pro-business because we don't have that reputation.

Alderman Corriveau stated thank you, Mr. Chairman. Leon, is there any sort of City website out that is interactive that outlines the permitting process for certain types of businesses? I guess what I'm trying to figure out is, if we have someone

who is looking to open up a business, obviously they can go to the chamber, they can go to the ABI hub, there's a variety of not-for-profits, the small business association, there are all kinds of things that they can look at. If they look at the City of Manchester website, do we have any sort of, along Alderman Levasseur's line of question, interactive site that they can go to that would say I'm looking to possibly open up this kind of business, here is a line of possible permits I may have to go through, here is an email address where I can send my questions. Do we have anything like that right now?

Mr. LaFreniere replied we do. The vast majority of all the regulations that we have adopted locally are available online. There is a frequently asked questions section of our website. If you invest the time to go through the weeds, if you will, you can find much of that information is already out there. What I think that could stand some improvements is updating, trying to structure the website in such a fashion that the information may be more readily available. It is there, but I won't say it's always the easiest information to find. You have to have some knowledge about what you're trying to accomplish before you can get to the right answers. I do think it's an area where we can improve and where we should put some emphasis. I like the idea of trying to improve or enhance the how-to flow charts and manuals that we currently have available to our customers.

Alderman Corriveau asked do the planning and building departments have anything along the lines of city permitting? Is there a separate website for that or do you have to go to the City website, go down a list of menus, find this, find that? Are you able to say go to manchesterpermits.com and here is a list of things we can help you with.

Mr. LaFreniere replied I think it's pretty much structured by department right now. Our permits and regulatory scope, if you will, is pretty much limited to what is

reflected on our website. I would assume much of the same approach is used with the other departments that have a regulatory function. That is certainly something we could take a look at, having some separate site.

Alderman Corriveau stated my final question, Mr. Chairman. Really regardless of the chamber's report, what are some of the issues you've heard from the public, from, in particular, people opening up businesses? Did you see any correlation between what your department hears and what the chamber has said? Do you see any sort of disconnect there? If you do see a correlation between some of the points in the chamber report and some of the feedback that your department gets, what would be those key points of emphasis this committee should look at?

Mr. LaFreniere replied I'm not so certain that the committee wants to take it as part of their scope, but I think one of the themes that I read in the report that I have experienced as part of our daily operations, is the whole coordination issue. If you're going to open a restaurant in the city and you figure out you need to have a hood, so you hire a guy to put in the hood, but you're hiring a person to put in the hood, and then you're hiring the person to do the gas piping to the cooking appliances, and then it might even be another company that does the piping to the heating and cooling appliances, and then there is hiring a plumber who supplies the drainage and water, and then there are all of these different various contractors. That's where things fail if there isn't somebody who's coordinating the trades, because the guy who installs the hood and he designs the hood and it's all well and good and it's exhausting X number of cubic feet per minute of air out of the building, but if the guy who is installing the heating system doesn't take into account what's going out of the building with the hood, then there is a code conflict, and the code conflict doesn't rest necessarily with the contractor who put the hood in or the contractor who put the heating system in, but it's created by the fact that there wasn't coordination of the two. And that's one of the things that I

read in the chamber report is that there's been a lot of concern and conflict about code requirements that were unexpected and a lot of times those result from the fact that there wasn't a single coordination opportunity on the part of the developer to get all of those sub-trades on the same page.

Alderman Roy stated thank you, Mr. Chairman. Leon, thanks for coming, and I'd agree with what you said that your department has already shown its willingness to improve the process because you were one of the first departments that I remember in my tenure here that came forward with a reorganization and it was designed specifically to make the process better, and I appreciated that being a licensed plumber and you did a good job with it. Thank you. A lot of these comments are for the chair. I couldn't make it to the last meeting, and I apologize. My daughter was giving birth to my granddaughter and that took precedent. I apologize for not being here at the time. One of the things I wanted to make clear about this letter from the chamber, and I don't know if it was made clear by anybody else because I was trying to find the rerun but I didn't catch it, is that there are no names on the complaints. And to be honest with you, when I get an email at home, if people don't have the intestinal fortitude to put their name to it, I delete it. I'm not interested in it, and the idea that there's going to be retaliation, and I speak from experience pulling permits many times in Manchester, is that there is no retaliation. If you make a mistake, it's worked out, it's not the end of the world. So I think that that's a hollow excuse for not putting your name on it. I think you hit the nail on the head just recently here, Leon, when you talked about the different trades coming together and the fact that you need a general contractor in charge of that so that they can blend them all together in the best interest of the business owner. In this bad economy I see that a lot of business owners aren't hiring those contractors trying to save money, and I understand it, but you've got to understand that when you don't do what's commonly viewed as the best route, then there are going to be consequences. Sometimes it is pennywise and pound

foolish there. With my experience with the Planning Board, we've even seen where some of the general contractors who are hired today might not have gotten the jobs in better times, but they are the low bids so they are getting the jobs. And one that comes to mind was a general contractor who was doing a rather big commercial project and worked off of a set of unsigned plans, and when your department went out there and did some inspections and found things to be wrong and told him they needed to be corrected, they were pointing the finger at you, it was your problem. The reality was that that general contractor worked off a set of plans that weren't even approved, and I think there's a lot of that going on these days. In that report I believe that I saw there was comment there that said that the Zoning and Planning Boards are always acting in defensive, and I thought shouldn't they be. They are our enforcement tool; they make sure that all of the rules are enforced, as does your department for us trades. We have to have these rules adhered to and you already said it more eloquently than I will, just for the safety of the general public. And these are the people who sit there and look at the plans and make sure that that happens. There was a question about an easy project, one that might not be so involved. I know on the Planning Board many times we'll see small projects come before us and they have hand drawn plans. We're used to seeing sets of plans that are done by architects, but they come in with hand drawn plans, and one of them that I'll never forget was the guy had put in that he was going to install a "mop sing", obviously he meant a mop sink, but we had a little chuckle about that. That plan went forward, we accepted it, it wasn't the end of the world, and they were successful in starting their business up. The permits for those jobs, those small jobs, and I can speak from a unique perspective being a licensed plumber, are pulled by each of the trades. You have to be a licensed plumber to come in and get a plumbing permit. Is that correct, Leon?

Mr. LaFreniere replied yes.

Alderman Roy stated you have to be a licensed gas pipe fitter to get a gas piping permit. Is that correct?

Mr. LaFreniere replied yes.

Alderman Roy stated so that's something that the business owner wouldn't be doing anyway. So they could run a small job if the scope wasn't too big. I was just talking to Alderman Levasseur; if you have a pizza shop that is sold and another pizza shop is moving in, it's not going to take a lot of work. So that individual very well be able to handle the transformation. But if it was a building that had nothing in it before, then it's going to be a lot more involved and that's when they're going to need a general contractor and all of those licensed people. My last thing I have is a question. During this whole debate we're talking about a flow chart. I think it's a great idea. Has the chamber done anything on creating a flow chart for their members?

Chairman Arnold asked you're directing that at me?

Alderman Roy replied yes. Again, I didn't hear the other meeting and I didn't know if that question had been asked and answered.

Chairman Arnold stated I don't recall whether or not the chamber said that they had specifically made a flow chart. They have materials that they have for their stakeholders.

Alderman Roy stated it make sense to me if they wanted to help their members out.

Chairman Arnold stated I agree with you, Alderman Roy. I think if there isn't specifically some kind of flow chart or how-to manual out there, whether it is through the chamber or through the City, let's get everybody together in a room, chamber, City, representatives and hammer one out.

Alderman Roy stated thank you, Mr. Chairman.

Alderman O'Neil stated thank you, Mr. Chairman. I will try to be brief. I want to echo comments that Alderman Levasseur and Alderman Roy made. I personally have always found Leon very helpful; I try to encourage people to reach out before they start a project. Nine times out of ten, or maybe 19 out of 20 they do not, so when the call comes, it's usually asking Leon to put out, excuse the pun, a fire. And even in that process, he's very good at trying to work through how to meet the needs of the code, safety of the public, but respect the building owner, etc., and he is very, very helpful whether it's commercial property or residential property. Leon and I have talked regularly about how, I know for me, and Alderman Roy may back me up on this, very, very few complaints from the licensed trades, if any, on Bill Glennon, Jack Vaillancourt or Dick Gilbert, and I had the pleasure as a licensed electrician to work with Dick many years and he really was very easy and cooperative and accessible, and I understand Jack and Bill are very similar. I think for some of the staff they need to recognize that we are in this age, and I don't think it's new, maybe it's happening more now than ever, where the building, the homeowner or the business owner are acting as their own general contractor. They think they can save some money and that's generally where we get into problems. They'll get some, my buddy knows how to shoot a lot line or something and he's not a lot licensed surveyor. There are all these little things to save money and they don't understand the importance of getting a professional onboard and Leon touched on that. Leon, if you had to guess, and I'm combining both residential and commercial properties, when there have been issues, what is

the percentage where... Could you put a percentage where its either the owner acting as the general contractor or they have hired a general contractor maybe not familiar to the City. Can you put a percentage on that? Especially the homeowner. I think that was something very important you touched on. A homeowner or business owner acting as their own contractor.

Mr. LaFreniere replied I don't know if I can really put a percentage on it; that would be meaningful. However, I think what is important to recognize moving forward for us is that we're seeing it much more commonly that people are utilizing that opportunity to try to save some money. And if that's the case, then we need to make sure that they have the tools they need to be able to accomplish what they're trying to accomplish. So I'd be hard pressed to put a percentage on it, but it is definitely has been increasing in the last few years.

Alderman O'Neil asked and you would agree that with some of your staff, they maybe need to be a little more understanding of that and helpful to say if somebody steps off, to say this is what you need to do, we're here to help you, we can't do the job for you, but these are the steps, these are the tools, either the website or some printed documents. Do you think some of your staff could and should be a little more understanding of that?

Mr. LaFreniere replied I guess what I'd like to say to that is I've been doing this for a long time and I can tell you that they have a tough job. They've got a real tough job because they're either telling people what they can or can't do with their own property. Right from the start it's a challenge with some people to try to have them understand why we're there and yes, we're trying to help them. With that said, I think there is always room to reinforce that. At the end of the day we're a service agency.

Alderman O'Neil stated thank you Leon, and thank you, Mr. Chairman.

Alderman Levasseur stated thank you, Mr. Chairman. Just very quickly, is it possible that you could give us a copy of what you read, and secondly do you think there is a way that you could try and figure out what you would need as far as how to get the ball rolling? I don't know if speaking with Jennie Angell would be the first step because we have our own info tech department. Correct? Maybe they could draft the software for you. When I look at what Alderman Roy said, it would be a huge undertaking, but I don't think that we need to get so in depth, and I'm not looking at building something like we are on Valley Street, I'm looking at the regular homeowner who wants to add an addition on or a small business owner who wants to simply add a patio. I think you could probably list ten things that are necessary for the first project I came up with. I bet you could say these are the top ten things you're going to need right away, and I think that's probably what we're looking for, and then maybe we could get advertisers in the trades to advertise on the website. If you need a construction permit, if you need a contractor, this is probably the guy to go with; he's a small guy, whatever. There could be a way to probably pay for this with advertising on a link like Alderman Corriveau said. Go to the building department, there's a link on there, and then it could link to everything else that needs to be linked to. To the chamber with their suggestions, to Intown Manchester... It is amazing to me how many people don't realize the resources we have, and that's what we need to do better. I think we just need to be able to link to everything that you can possibly get to. If you're a new business coming into Manchester, this is probably who you want to hit. First you want to talk to the chamber, second you want to talk to economic development, if you have any problems, you go to the Mayor's Office or you call your alderman, and then finally and lastly, and please do not come here before you have done A through Z, come to the building department, and when you come to the building department, this is what we're going to expect. I think if we can do that flow chart,

that would really, really work, but I think you need to kind of get an idea, get a grasp of how much this is going to cost and how we can make it easier. Thank you, Mr. Chairman.

Chairman Arnold stated Leon, I don't think it's the expectation of any member of this board that the perception or the problems or the challenges, rather, are going to be solved overnight. But I think the discussion today has yielded a lot of suggestions and in many ways, I think, is a small investment or small commitment of manpower that could yield some very constructive results. The flow chart, how-to manual being one such example. I would certainly hope that at future committee meetings you and other department heads and City staff, would be prepared to offer recommendations for further improvement.

Alderman Katsiantonis stated Leon, I worked with you for years as a restaurant owner myself and you've done a great job. Anytime I've had an issue you were there for us. One of the biggest issues as a restaurant owner, myself and people that I know, is the hood we just brought up. I will give an example. About six years ago I was remodeling my restaurant and the same installer was told at another restaurant get the permit and he installed it at my restaurant the exact same way and my hood didn't pass. So I think sometimes maybe your staff needs to work better and figure out why one restaurant got the permit and why the other restaurant didn't get the permit.

Mr. LaFreniere stated we could certainly take a look at that.

Alderman Katsiantonis stated the thing is, especially when somebody remodels, because back then I was remodeling the restaurant, I wasn't even opening the restaurant, I was remodeling, so I was spending money in the City, staying in the City. I wasn't involved in politics back then. I was so aggravated that I was ready

to quit. We just need to stick together and everybody should have the same rules for every restaurant.

Mr. LaFreniere stated I would agree. The consistent enforcement is critical to our business. We can't have inconsistent enforcement.

Chairman Arnold asked could I get a motion on the how-to flow chart.

Alderman Long moved that the Planning and Community Deveoplement Department, the Economic Development Department, and the Greater Manchester Chamber of Commerce establish a committee to implement a flow chart or pamphlet and recommendation in moving forward with making the process friendlier and understandable within 60 days.

Alderman Long asked would that be acceptable, Leon? I just spoke with the chamber rep and he thought 60 days would be ample time that you would come back to this committee with those recommendations. That encompasses everything, the website, whatever you feel the city needs to do.

Alderman Corriveau duly seconded the motion.

Alderman Levasseur asked do you want that to be for informational purposes only on how to go forward in 60 days, not to have the whole the process done and wrapped up?

Alderman Long replied no. Come back with updates in 60 days. It may be ongoing.

Chairman Arnold stated clarification. I'd like to see a draft of the how-to manual in 60 days. What I would like to see is something... It doesn't need to be anything more than a pamphlet. Certainly bring additional suggestions for improvement either from your discussions through developing that manual or otherwise. I'd like to see a draft of that within 60 days.

Alderman Levasseur stated one last thing. Good job, Alderman O'Neil, in putting this committee together. Very good job.

Chairman Arnold called for a vote on the motion. There being none opposed, the motion carried.

*There being no further business, on motion of **Alderman Long**, duly seconded by **Alderman Katsiantonis**, it was voted to adjourn.*

A True Record. Attest.



Clerk of Committee