

**BOARD OF MAYOR AND ALDERMEN**

**November 18, 1997**

**7:30 PM  
School Administration Bldg.  
196 Bridge Street**

Mayor Wieczorek called the meeting to order.

Mayor Wieczorek called for the Pledge of Allegiance, this function being led by Alderman Domaingue.

The Clerk called the roll.

Present: Aldermen Wihby, Elise, Reiniger, Sysyn, Clancy, Soucy, Shea, Domaingue, Pariseau, Cashin, Robert and Hirschmann

Presentation to the November recipient of the "Spirit of Manchester" Award.

Alderman Hirschmann stated the Sprit of Manchester Award Committee recently convened and selected an organization to be honored in the month of November for outstanding service to the Queen City. The parameters of the award state that the recipient should "have contributed to the improvement of the quality of life in Manchester," performing acts that are "clearly above and beyond the call of duty." This month's winner is the Friends of Manchester Animal Shelter. The group was formed in 1995, and began to raise money and institute new programs at the ailing shelter on Dunbarton Road. In 1996, volunteers raised over \$250,000 in private and corporate funds to construct a new, state-of-the-art facility, aimed to be a safer and more humane environment for stray animals. The volunteers donate much of their spare time to various initiatives at the shelter. These include animal adoption campaigns, an elderly pet companionship program, and clinics to treat ailing of sick stray animals. In the words of one individual who nominated the organization, "These volunteers give inspiration to all seeking to better Manchester. They have simply gone well above and beyond the call of duty to pull off the impossible." Those being honored are President, Jeanne Morris, Vice President Nancy Letizia, Secretary Jane Hills, Treasurer Joanne Saraphis, and volunteers Ralph Garst, Cassandra Gatas, Dave Hamlen, Sharon Martel, Elaine Michaud, Shirley Oliver, Doreen Pottle, Donna Raymond, and Denise Zogopoulos.

Alderman Elise and Alderman Hirschmann presented the "Spirit of Manchester" award pins and certificates to the individuals named.

Jeanne Morris, President of the association, addressed the Board stating we'd like to accept the award on behalf of all of the people that supported our group and made it possible to do what we have done so far. We really appreciate the community support of the shelter and the animals that are there. Also need to thank the police department which runs the shelter, Chief Mark Driscoll, Deputy Chief Robert Duffey and Police Commissioner Ralph Garst have worked with us to improve condition of abandoned animals at the shelter and they continue to do so. Lastly, I would like to thank the Mayor and our alderman as well as the Highway Department. They encouraged us to go forward with a building project in partnership with them, believing steadfastly that we could pull it off even though we weren't sure ourselves, so I'd like to thank them. I would like to ask everyone to take the time to go by the shelter, see what is going on, it is pretty exciting program, place, we have a lot yet to accomplish and we will need everyone's support to do it. Thank you.

Mayor Wieczorek stated he wanted to thank everyone and congratulate everyone who received the Spirit of Manchester Award. He was there the day of the grand opening and when he saw the job that had been accomplished he couldn't believe it. It looked like the Marriot for animals, and it is just a marvelous shelter. He was very impressed and thought it was a clear indication of what people who make a commitment to getting a project done can do, and he wanted to congratulate each and every one who had worked so hard. Mayor Wieczorek noted that Jeanne was one of the originators and had Ralph and had a lot of support from everybody and that's really what made it happen. He thought they could all be proud of their handiwork and reiterate that people should go down and visit the shelter, it was a wonderful addition to the city of Manchester.

Alderman Reiniger stated he wished to bring attention to another For Manchester project that has taken place. Two weeks ago in entertaining a visitor from Europe who was raving about Manchester, who said what they needed in the mill buildings was artist lofts and galleries and more culture. And last Sunday there was an article in the paper about lofts, galleries and studios in the millyard and in conjunction with the For Manchester Group, with Chris Dastin he was coordinating a renaissance celebration to show off the studio space at the Langer Mill Building at 55 South Commercial Street. Alderman Reiniger distributed invitations to the aldermen and mayor to attend the celebration on December 6.

### **CONSENT ITEMS**

Mayor Wieczorek stated if you desire to remove any of the following items from the Consent Agenda, please so indicate. If none of the items are to be removed, one motion only will be taken at the conclusion of the presentation.

### **Minutes Accepted**

- A. Minutes of meetings held July 1, 1997 (two meetings); July 29, 1997; and August 5, 1997 (two meetings).

**Informational to be Received and Filed**

- B. Communication from the Manchester Transit Authority submitting minutes of their September 30, 1997 meeting and the Financial Report for the month of August and Ridership Report for the month of September 1997.
- C. Communication from the Elderly Services Director submitting survey results obtained by the City's elderly on City services and goals
- D. Communication from Thomas O'Rourke, MediaOne, informing the Board of planned changes and additions to the channel lineup in the City.

**Informational - Refer to Mayor's Hospital Committee**

- E. Copy of a communication from Elizabeth Cazden to Patrick Duffy urging the Optima Trustees to maintain the full-range of reproductive health services at the Elliot Hospital.

**Refer to Highway Commission**

- G. Communication from Alderman Robert suggesting that it would perhaps be a good idea to name Manchester's backstreets.

**Accept Funds and Remand for the Purpose Intended**

- H. Communication from the Deputy Finance Officer advising of the receipt of \$38,202.83 in Drug Forfeiture funds.

**REFERRALS TO COMMITTEES**

**COMMITTEE ON ADMINISTRATION/INFORMATION SYSTEMS**

- I. Communication from Alderman Reiniger recommending that Section 150.01 of the Housing Code Ordinance, Chapter 150, of the Code of Ordinances of the City of Manchester be amended by deleting paragraph (A) (2).

**COMMITTEE ON BILLS ON SECOND READING**

- K. Communication from Attorney Kathleen Sullivan submitting a proposed rezoning of property located on Holt Avenue on behalf of Norris Viviers, President of Krysnor Homes, Inc.

**COMMITTEE ON COMMUNITY IMPROVEMENT PROGRAM**

- L. Communication from Paul Albiani requesting installation of seating and bicycle racks on City property between 83 Hanover Street and Citizens Bank.

### **COMMITTEE ON FINANCE**

**M.** Resolution:

“Authorizing the Finance Officer to effect a transfer of Seven Thousand Dollars (\$7,000.00) from Contingency to Intown Manchester.”

### **COMMITTEE ON TRAFFIC/PUBLIC SAFETY**

- N.** Communication from Alderman Robert requesting the installation of three 4-way stop signs at Dubuque and Putnam Streets, Bremer Street and Coolidge Avenue, and Amory, Auclair and Bartlett Streets.

### **REPORTS OF COMMITTEES**

#### **COMMITTEE ON COMMUNITY IMPROVEMENT PROGRAM**

- O.** Recommending that a request for discontinuance of a street known as Augur Avenue be denied with a finding that same has been released and discharged from public servitude in accordance with State Statutes.

**HAVING READ THE CONSENT AGENDA, ON MOTION OF ALDERMAN PARISEAU, DULY SECONDED BY ALDERMAN SYSYN, IT WAS VOTED THAT THE CONSENT AGENDA BE APPROVED.**

- F.** Communication from Frank Buczynski regarding noise levels at the Airport.

Alderman Domaingue noted that this was listed for referral to the Airport Authority but wanted to note that the Airport Director's response indicates in number 6 that there has never been nor will ever be a promise of any sort to limit flights between 11 PM and 6 AM. While the airport director is bound by federal regulations we understand that she thought it was time for the City of Manchester to be very sensitive, not only this Board but also the Airport Authority, to the fact that the flights are increasing and they are increasing more late at night and they are cargo flights, they are quite noisy and this is not coming just from the residents of wards 8 and 9 but they were hearing it as far as ward 1, so she hoped the Board of Mayor and Aldermen in the future would be very sensitive to allowing city residents to at least get a decent night's sleep. On motion of Alderman Domaingue, duly seconded by Alderman Pariseau, it was voted to refer the communication to the Manchester Airport Authority.

- J.** Communication from Alderman Shea requesting that the issue relative to trash, litter and garbage in neighborhoods be reviewed and report to the Board on suggested solutions.

Alderman Shea stated most property owners keep their rental property in sound condition so this is not meant for them. However, there are others who own rental properties and one can only characterize the condition of such properties as disgusting -- almost sickening to the senses, and a serious health hazard. Repeated appeals from city officials to correct such conditions falls on deaf ears. Thus I think that measures must be taken to correct this situation. I believe that the

Administration Committee with the assistance of personnel from the Building, Highway, Health Departments and the City Solicitor's office would be able to send a loud and clear message to those ignoring the present ordinance. Clean up your garbage or prepare to pay a heavy penalty over and over again. He suggested it be referred to the Administration Committee and work together with these departments.

On motion of Alderman Shea, duly seconded by Alderman Pariseau, it was voted to refer the communication to the Committee on Administration.

Mr. John Brisbin, Library Director, introducing Ms. Janice Shepherd as the Program Coordinator of the State's only Literacy Volunteers of America affiliate.

Mr. Brisbin stated about ten years ago a man named Jonathan Cosell wrote a book called Illiterate America which had a very big impact on this country. We learned that one in five adult Americans is functionally illiterate. Many of those are people from other countries who are in an English second language situation but most are friends and neighbors. Some are not able to read because they had undiagnosed learning disabilities at an early age, some had sickness in childhood, some moved around, whatever the problem was they missed the opportunity during the primary grades to learn to read and write and they bluff their way through later years and into adulthood and they are in our community. That is a great number of people and that means that not only can they not take part in government, read the agenda as you have before you or read nice awards that have been handed out to the animal shelter, or they can't come into the library and read Dickens and Shakespeare. It means they can't read the label on their child's medicine bottle. They can't read a job application or fill it out. They can't read the contents of a can of soup. They can't get a driver's license and especially we, as librarians, who work in a field where we treasure the printed word and the capacity to read we take that responsibility upon ourselves to help those who can't. In December of 1993, we started at Manchester City Library our Literacy Volunteers of America affiliate and that is a national organization. We have rigorous training that national organization is some 30 years old and we have brochures we can hand out about that. We have kept that organization going since that time, first with the help of Susan Webster, I want to give her a lot of credit. She ran the program for three years. Kathleen Howard, a city school teacher here in Manchester ran it last year and this year we are starting with a new coordinator, Janice Shepherd. It is run basically with money from book sale donations. We have a small BEAN grant which funds the stipend for the coordinator, but largely it is run as a volunteer effort. The tutors, we teach people one-on-one, they are trained and it takes 18 hours to train to become a tutor and then they work one-on-one in the library with confidentiality with adults who need that gift that power. We can turn people's lives around in six months or a year. We can turn people who have been tax recipients or the tax payers. We can make people job ready for the first time in their lives. We can give them self-esteem and let them work to the capacity they always knew they could work to. I would like to introduce you first of all to Janice Shepherd. She will speak a little bit about the program. She has brought along two of her tutors in training and I would like for them to take a bow too.

My name is Jan Shepherd and I am the new Literacy Coordinator of the library. I am a retired United Church of Christ ordained Clergy Woman so now I tell people I used to work for God, but now I work for John Brisbin and the people of Manchester. I am still working for God. One of the reasons I am so interested in the program is that John Brisbin has a mission and his mission is to teach people in Manchester to read and I am assisting with that. I started in August. We have 30 tutor pairs at the moment. We have a match tutor and learner are matched. We have 30 at the moment. One out of five people in Manchester can't read. We have a ways to go. I do a training program and I would like to introduce you to two of our prospective tutors, Mike "Marcel" Duhaime would you stand up Marcel please and tell them what you do for a living. My name is Mike Marcel and I see the value...Thank you Marcel. Marianne. My name is Marianne...

I live in New Boston, but I love this city and when I retired and moved to New Boston and I would go in to use the Manchester Library on a friend's card, I would walk into the library and think gee I would like to work here. And I put my name in a City Hall the way you are supposed to and I never got called and I never got called and then finally Sue Webster called and said they are looking for a Director at the Library and I went to the Post Office and I said this resume has to be in John's hands tomorrow. And they promised they would deliver it tomorrow. I like this City and its rich ethnic mix and I tried to think of how I could, there are no typical students, but I would like to tell you just briefly about two. A man came into the Children's Room one night and it was late so there were no kids there and he sneaked over to the Librarian's Desk and she said I can't read. He said you can't read. He said no, I can't read. Sixty-five years old. And she said go to the second floor and talk to Jan. So he came in and he sat in my office and I filled out an intake form on him and we are now tutoring him. He wanted to learn to read. I said what do you want to read the newspaper and he said yes, something besides the want ads. He would like to be able to read a grocery list, he would like to be able to go to the store and when he wants macaroni get macaroni and not come home with something else. And the other young woman who came in is from, another student, she is from Turkey. Her husband is here getting a Master's of Finance at New Hampshire College and the Turkish government is paying for it and then they will go home to Turkey in September. And he is very literate in his own language and he is very literate in our language, except he has an accent so we are working on his accent. He came in one night looking for the Vagan. I don't know what the Vagan was but I am the only one he knows in the Library so he says Jan I am looking for the Vagan and I said spell it to the guy. He said Wagon. So I said to one of librarians he is looking for the wagon. Oh, she said the Welcome Wagon he has been invited to a meeting but he can't find the meeting because he can't say wagon the way we say it. We don't hear it. So I am working on this, he no longer says vimin, he says woman. He has learned that much. I give you my pledge that I will do all I can to lessen the problems of illiteracy in this city. We have 30 tutors now, you ask me back next whatever month this is, November, ask me back next November and ask me how many I have then. Materials were passed out. Call me if your neighbor can't read, call me if somebody's grandmother can't write, call me if you have a neighbor who speaks accented English and so you can't understand. Say go to the Library and ask for Jan. Thank you very much.

Mayor Wieczorek thanked Janice Shepherd and John Brisbin.

Brief presentation by Raymond Pinard, MDC Chairman, seeking the Board's concurrence of MDC plans to proceed with a marketing program for the vacant development site at the corner of Bridge and Elm Streets.

Ray Pinard stated I appreciate this opportunity Mayor and Alderman to address you this evening concerning our desired marketing efforts on the Bridge and Elm Street property which is owned by the MDC. Over the past several months a committee of MDC Board members have been pursuing a marketing plan for the property and we wish to present this plan to you this evening for approval. First I will briefly describe the process that we have followed up to this point. First, we sent out approximately 12 RFP's to local commercial real estate agents that we felt were qualified to deal with the property. After reviewing the proposals and meeting with the prospective agents, we have negotiated an agreement with the Norwood Group. Our attorney and Mr. Carl Norwood, the principal of the Norwood Group have negotiated all points of concern and the document is ready to be signed. The MDC Board has reviewed the agreement and has voted unanimously to move forward subject to your approval. To price the property we have selected Craft's Appraisal Associates of Bedford. Mr. Craft was both the low bidder and most timely in his completion. We intend that the property be listed at the appraised price and have made clear to Mr. Norwood that we are seeking a buyer that will construct a major, multi-use development structure similar to the other buildings at key locations in the downtown area. In conclusion we are asking for authority to enter into an agreement with Mr. Norwood to actively market the parcel. The agreement does include a budget of \$15,000 for which the MDC will control the expenditure of for various engineering and marketing costs. If I could answer any questions. Mayor Wieczorek asked the Alderman if they had any questions.

Alderman Wihby noted that this is as everybody knows a very important parcel for the City of Manchester. He asked if we are going to be looking to go outside of the State, advertising in books or economic books or stuff like that. Is that part of this proposal. Mr. Pinard responded yes.

Alderman Robert stated that Mr. Pinard obviously feels the need to be more aggressive and asked what they were doing with this parcel before. Mr. Pinard responded virtually nothing. The parcel has been sitting there since GMDC was dissolved and in our first year of existence as MDC we cleaned up a lot of old business and we are now getting to the point of moving on significant projects. This being one of our major goals for this year.

Alderman Robert then asked if this would be the route of marketing parcels that you would utilize in the future or would you do this in house. Mr. Pinard responded I think that in a situation like this and for the type of development we are looking for we can only benefit by hiring a professional who has experience in this. The Manchester Economic Development

Office nor the Board members of MDC either have the experience or the time to actively market a parcel like this.

Alderman Pariseau asked if the \$15,000 budget included commission. Mr. Pinard replied no. The commission is a separate fee schedule.

Alderman Pariseau asked what the appraised value was. Mr. Craft has just been engaged and has just begun his work, this week or last week and we don't have the appraisal yet.

Alderman Hirschmann applauded the MDC Board's actions, stating he attended one of their recent meetings where they made this parcel one of their goals and they did say they would put it out for a marketing effort and this is an excellent plan.

Alderman Domaingue had one question for Mr. Pinard. You talked about a bidding process with respect to the appraisal group. Did you also have a bidding process when you selected the real estate firm. Mr. Pinard replied that yes they did, they went out to 12 prospects. We received proposals from only two. One asked for an extension which I granted and he still never responded.

Alderman Wihby stated that normally if you are selling your house and you have a listing price and then if you sell it or if you don't sell it you are still going to pay a commission. What happens if they come back and they want to put a service charge or something there. How is that going to work. Are we going to have to pay a commission. Mr. Pinard replied that we control who we sell it to, obviously with your approval. Any proposal will have to be brought back here for final approval and sales agreement. It is very clear to Mr. Norwood that we are looking for a multi-function, like the Fleet Bank Building across the street or any other major development that will bring jobs to the downtown area.

Mayor Wieczorek asked if there were any other questions. There were none.

On motion of Alderman Reiniger, duly seconded by Alderman Sysyn, it was voted that the MDC Board may enter into the agreement for marketing the property.

Brief presentation by the MDC Civic Center Sub-Committee relative to reviewing their selection process for the building and concession manager and presenting their finalist.

Skip Ashooh stated that it is always a pleasure to stand here and report progress and as you know this feasibility study has been going on since February 25th when this Board first gave MDC the authority to proceed with the feasibility study. Since that time, the committee has made several key decisions and not the least of which was to take the time necessary to bring before the City of Manchester the best partners we could during this feasibility study. The Board of Mayor and Aldermen has given us specific goals and we have established high

standards by which we choose to measure our prospective partners in achieving these goals. Earlier this year, we conducted a search and interview process that brought to Manchester one of the most prominent architectural firms in the sports and entertainment field. That process concluded with the recommendation of Lavallee Brensinger and HOK Sport as our preferred provider in the architectural service field. MDC sub-committee immediately began the process to find a building manager and concessionaire. The next major block in this study. The review process was an extensive one. It began in June, just after we selected the architectural firm. John Snow apprised this Board of our need for more time during the Summer because it turned out to be such an extensive process. The Board concurred and we used that time wisely. After receiving seven initial proposals from building managers and concessionaires from all around the country, a round of face-to-face presentations, three written refinements of the proposals were received from our finalists and finally another round of three face-to-face interviews with the presenting firms we found a partner that we believe measures up to the high standards that our Board set and that this Board expects. Ogden Entertainment is the largest provider of facility management and related services in the world, serving more than 130 facilities in North America, South America, Europe and Australia. These facilities include venues such as Anaheim Stadium, the Seattle Kingdome, and the Great Western Forum. Closer to home, Ogden provides services to the Providence Civic Center and the Mullen Center at the University of Massachusetts and Amherst. In total, Ogden manages over 50 public assembly facilities worldwide, provides food and beverage services to over 85 clients, primarily public assembly facilities. Ogden also has a promotional background to bring entertainment and sporting events to our civic center. Ogden Services is a subsidiary of the Ogden Corporation, a New York Stock Exchange listed company with a market capitalization of \$1.25 billion dollars and over 30,000 employees worldwide. During the interview process, Ogden Services made evident their broad experience in the market. Unanimously the committee agreed that any organization that would be a partner with the City in such a venture as this had to have the ability and the willingness to perform on their promises. The building manager would have to be willing to take on the operational risk of this facility and have the financial wherewithal to make good on those promises. As you know, one of the benchmarks that we sought to achieve was a guarantee by the operator against operational deficits resulting from the operation of a civic center in Manchester. Ogden has agreed to guarantee the bottom line of this facility. In essence, they have agreed to put their capital at risk in a Manchester, New Hampshire civic center. Ogden has the financial clout to perform on that guarantee. Therefore, after completing a lengthy and exhaustive review process, this committee will recommend to the full Board of the Manchester Development Corporation that memorandum of understanding be executed with Ogden Services contingent upon this Board giving us approval to move forward in Phase II. Subject to that approval being given, our committee will draw up an interim agreement and execute such an agreement with Ogden. We have secured the services of the best architects. We now believe that we have secured the best building manager and concessionaire for the civic center in Manchester. We hope to report to you soon that we have found the best major tenant for this facility, an AHL hockey team. We will use the same standards in evaluating the hockey franchise that we used in the past to evaluate our building manager and to evaluate our architect.

Once we have found the right team for Manchester, we will complete and make our final report to this Board, hopefully early in January of 1998. Thanks for the opportunity. We are looking for your input at this point. I would be more than willing to answer any questions that you have on this phase.

Alderman Pariseau asked if we are putting the cart before the horse. By that I mean that we are going ahead and selecting this Ogden Entertainment group and we don't even know if we are going to have a civic center. I anticipate it being shoved down our throats as you go and I guess that I shouldn't have said it that way but that is what it appears. That you are going step by step by step and then come at the end we are not going to have a choice of whether we are going to have a civic center or not. It is forced upon us the way it is going now.

Mr. Ashooh clarified a few things. First of all, we have not engaged or authorized anybody to spend money. We have not contractually obligated anyone to perform services for the city beyond their commitment to be a willing partner if this committee gives a positive review to this Board and then this Board, the Board of Mayor and Alderman will then give us the authority to go forward. Everyone that we have talked to has agreed and has come to an understanding with us on that contingency. Now in order for us to complete a feasibility study, in order for us to have the finances before this Board so that you can properly review this proposal, we need to have firm financial commitments on how they would operate. So what we have done and why it has taken frankly so long for the building manager portion is we have seven very difficult proposals to review. They all had their own pro formas, their own per caps. They all had different ways on how they were going to make money on this facility so in order to answer the questions that would come up when we make a recommendation we needed to define each player in this role.

Alderman Shea stated that something slipped by here and he wants it clarified. Did you say that if we approve this Phase II would be approved. Is that what you said.

Mr. Ashooh replied no, that in this engagement of Ogden Services we are looking for your input at this point. We will engage them as an interim step until we present to you a final report and then you will make a vote on whether Phase II takes place or not.

Alderman Shea asked how the vendors are going to help the taxpayers.

Mr. Ashooh stated that there are a couple of things they are looking at here. First of all, one of the first offers that came to us from our vendors was the ability to step into this process and do some value engineering. In other words, we are looking to them to give us advice on how to get the best building for the lowest cost. Number two they have also all come to us with the offer of capital contributions in their participation in the facility. A lot of these proposals included the purchase of various equipment and the like. Whether we end up with that or not I can't say for sure at this point. It will be in our final report and you will see how they have indeed tried to

bring down the bottom line to the taxpayers of Manchester. Last, but not least, in this case they have put up their money and they will guarantee to the taxpayers of Manchester that there is no shortfall on the operating side so that the taxpayer, there will be no recourse to the taxpayer from an operating deficit.

Alderman Shea asked how the taxpayer was going to benefit. They are going to look out for their interests, how is it going to reduce or help the taxpayer. You explained what was going to be beneficial for them and how they are going to run the concessions, get the money from the concessions, and as far as managing the building how they are going to do that. But how is it going to help the average taxpayer. What impact is that going to have on the average taxpayer.

Mr. Ashooh replied that his office sits on the corner of Elm and Hanover Street. The downtown business district in this city pays probably on a percentage basis the lowest amount of tax. The residents in this city pay more property tax than probably the business owners do downtown. What we are trying to do with this facility is create a catalyst for economic development downtown. To raise the tax base downtown to take the strain off the property tax payers in the residential areas.

Alderman Shea stated that the property they will be taking over is assessed for almost \$5 million. So, in order to get that property you are going to have to either get it by eminent domain or pay off the people that own that so right away it is a \$5 million deficit. Okay, my second question if we could leave that is it has now been five months since your sub-committee received a grant for your feasibility study. When will we receive a report from your committee regarding any financial expenditures. We haven't received anything yet.

Mr. Ashooh stated we are not going to present the financial numbers until we have, and we can't until we have all the pieces of our pie together. We can't tell you what the revenues from the facility will be and what the profit will be to the operators or anything else until we know who our tenants are.

Alderman Shea noted that he is talking about the feasibility study itself.

Mr. Clougherty noted that the budget information is maintained by Jay Taylor and the Economic Development Office. They can get that out tomorrow if that is something that the Board wants or they could give you a report at the next meeting as to how that has been used. It is available.

Alderman Shea asked when they can expect a report relative to private funding for constructing of the civic center.

Mr. Ashooh said that they hope to make their final report, including private funding early in 1998, once we have all our pieces together. We can complete the marketing of the building and at that point we will have hard numbers for you.

Alderman Shea asked if his sub-committee was in favor of a referendum to determine whether public funding should be used to finance the building of a civic center.

Mr. Ashooh replied that he didn't think a referendum was a decision that they would make. It is a decision that the Board would make.

Alderman Shea asked Mr. Ashooh whether he was or was not in favor of such.

Mr. Ashooh stated that if we go forward with this process and put together the right deal and give it a positive recommendation a referendum one way or the other doesn't matter to us. We know we would have done the best job, presented the best deal and if you evaluate that a referendum is necessary then we would support the referendum.

Alderman Robert reiterated that this is the management company that you folks have selected. These people, just looking through this book, they seem to operate and work out of a lot of different arenas like this. I guess civic centers of the type there is probably 100+ that these people...

Mr. Ashooh replied that there are 130 facilities all together and there is a broad mix in there. If you take a look they have a high percentage of municipal stadiums in there. Municipal assembly facilities in there.

Alderman Robert wants to be assured about these people's experience and their expertise. That if we were to enter into an agreement with these people we would be getting top flight management, we wouldn't be getting anything sub-standard.

Mr. Ashooh stated that after completing the review process of the candidates they had before them they are unanimous in their opinion that these are the best people that they could bring before the Board.

Alderman Robert remembered the LDR study, the past civic center studies that they had that one of the key pieces to make sure that this was a viable venture was that what we took on in this capacity would be experts. The quality of management would be second to none. I guess what I am seeing here it looks as though you folks have done that. I would just like to say that I share your vision of rebuilding the tax base of the City of Manchester. I do believe that the residents of Manchester are going to benefit from this in the long-term and I look forward to hearing your report on your next step.

Alderman Domaingue stated that she thought when they took the initial vote on Phase I for the \$180,000 expenditure we were talking about the feasibility of constructing a stadium, some sort of facility downtown. What I am hearing you give us tonight is a tailoring of that down to the

specifics of certain companies who can management it, can construct it, can be the concessionaires and I am wondering whether there is any conflict here Your Honor, whether you can answer this or whether the City Attorney can, with any kind of bidding process that the city already has in place. I understand that we are talking in the realm of feasibility but by the same token you have narrowed this down to specific companies and I am wondering whether we are crossing any lines here with respect to a bidding process. Are we going to be open to challenge to this process in the future because other companies may want to step forward and bid on certain aspects of this facility.

Mayor Wieczorek asked if Skip or Tom had an answer.

Mr. Ashooh stated that they put before anybody who responded to their RFP the benchmarks that the Board of Mayor and Alderman gave them in seeking these services providers. They believe that they followed a very thorough process and anyone who wanted to enter that process was allowed to.

Mr. Clougherty stated that the Development Corporation is the appropriate vehicle to oversee the management of this. It is laid out in the state statutes. The process they have followed is one that mirrors the procurement code. They have been very careful and very deliberative in their RFP process to make sure that they are notifying people and going through an open bidding procedure if you will so that people can respond. In order for the Board to make a decision down the road you have to know where it will be located roughly, how big it is going to be, and what's it going to cost, who is going to manage it, what types of acts are going to be there, who is going to be the day-to-day overseer for concessions and you want to see as much of that detail. Without that detail in front of you, you really shouldn't go to Phase II. You shouldn't go to Phase II based on concepts. You could very easily say here is a feasibility study and the feasibility study says that there is somebody out there that is interested or that there should be somebody out there interested in managing this building. What the Development Corp. is doing is saying we already got that study. Now that is legitimate. There are people that are interested in managing this facility in Manchester. They are an internationally recognized firm and they will stand behind certain things so that when a decision is brought to you to move forward to the second phase if you will, you will have something concrete in front of you that says this is either favorable or not. The other thing is you are testing the concepts. If the Development Corp. has gone out and said we want to build an arena in Manchester and we have got HOK that says that we can build it and nobody bid on it that tells you that the prospect of doing an arena in Manchester is not something you should be considering any further. But if you do get people and they are willing to commit and make positive commitments then you are willing to move it to the next line. That doesn't mean that as we get down the road there won't be other issues that can't be overcome but as you take it step-by-step and get to the point where you have something concrete that the Development Corp. can present to you for consideration and that if you decide that needs to be presented to the electorate then you can do that and it is clear. I think that is what they are trying to do is to go through a process that eliminates a lot of

the doubt that is raised in conceptual studies and say yes this is how much it will cost, this is where it will be, this is somebody that will manage it and is willing to contract and commit to dollars in cash and this is the public/private mix. Eventually all of that information in the early part of next year will be presented for your review. I think they are going about it in a proper procedure.

Mayor Wieczorek asked if Tom had anything to add from a legal standpoint regarding process.

Solicitor Clark replied that this is a classic example of why the city set-up a Development Corporation. They are able to do things in a more expedited manner than the city can. They are not strictly subject to our procurement code. However, they did follow an open process here. There have been no violations of our procurement code and I don't anticipate that there will be any.

Alderman Domaingue asked about the button that says Manchester Civic Center and noted that it was obviously a promotional item. Is that correct.

Mr. Ashooh stated that it was a button that was provided to them by the architects for their first series of public forums.

Alderman Domaingue replied that it came from the architect and not from the feasibility study money. Is that what you are saying.

Mr. Ashooh responded that it may have been funds that the architect received from them, but the architect also put in a fair amount of their own money in this process because they bid a job that was beyond the scope of the money that we provided to them. I couldn't tell you exactly where those dollars came from. I know that we didn't pay for them. We did not write a check for those buttons.

Alderman Domaingue then asked about the postcards that were mailed out to everyone to attend, the red, white and blue postcards to attend the public meeting. Was that part of the feasibility study.

Mr. Ashooh replied that again those did not come from MDC. The architect might have paid for them but I couldn't tell you whose dollars they used to pay for them.

Alderman Domaingue added one final comment. Feasibility study is not a marketing effort, should not be a marketing effort. If we are truly talking about studying whether or not the city can afford or needs a civic center I don't think we ought to be crossing lines and I found this to be a line crosser. I found this at an international trade program today at the Chamber of Commerce. I understand that there are a lot of supporters for this issue but we appropriated \$180,000 to study this issue not to promote one viewpoint on it.

Alderman Hirschmann noted that this was an excellent marketing brief of Ogden. I summarily went through it and they are top notch. I was just curious if they are the selected vendor, why isn't their proposal in front of us. Why don't I see their capital investment. Why don't I see their price for a cup of Pepsi Cola or Coca Cola. Both of these are things that the Alderman need to see. If they are the selected vendor we ought to be able to see the numbers.

Mr. Ashooh replied that after going through the review process for making their recommendation that they were the ones who presented the best overall case and they have the financial capability to perform. When we make our final recommendation this Board those details would then be available. We are just saying at this point, comparing their proposal against everyone else's that they had the best proposal for us, the ability and the willingness to perform on the guarantees that we also requested.

Alderman Hirschmann asked if in three months he came to him with the final report and he had three months to look at their proposal and know that they are the concessions vendor and know what their capital investment is of equipment and apparatus shouldn't we know that before that report. They were selected. Am I wrong.

Mr. Ashooh reiterated that they are their selection at this point. They are not selected and will not be contractually tied to us frankly because we cannot pay them until you approve Phase II. So we have done a review process of what they have come to the table with, what they are willing to perform on, the commitments they are willing to make to this city to make the building a reality. Once we put all of these pieces together we will forward our final report then all those details will be available. Frankly we have been in a very competitive confidential process up until this point.

Alderman Hirschmann agreed but thought that was over with at this point. You have selected Ogden obviously and we should be able to see the capital investment from them.

Mr. Ashooh stated that you should recognize that at this point we will still be in negotiations with them going forward.

Alderman Elise commented that the MDC has consisted of volunteers and they have really contributed a lot of their time to various projects, two of which we have heard about this evening. We did vote for, the majority of us did vote for the people on this Board and we have entrusted out economic development future to them. I just wanted to commend the MDC at this time for the amount of time and research you have put into these two projects today. I know that some of us may disagree and some of us may agree with the work that you are bringing forward but I want to compliment the Board on the work that you have done to date. It has been millions of hours I know and a lot of dedication.

Alderman Shea stated that he appreciates the work that the Board and the MDC has done but before any final decision is made he appeals to the Board of Mayor and Alderman to have a referendum vote on this issue so that we don't have the divisive kind of situation existing that has presently existed with CMC and Elliot Hospital through Optima Health and Optima Care. That is my appeal to this Board or the future Board. Let the people decide in the community if, in fact, they want a civic center. If they do want that I will be very happy to go along with that but if they don't, I think we should accept that decision and be willing to abide by it. They are the people whose tax money will be used if there is public funding so they should have a voice and it shouldn't be done behind closed doors with people that have their particular concerns in this matter.

Mayor Wieczorek asked if there were any further questions or comments. There being none, the Mayor thanked Skip Ashooh and stated that they all did a very good job and that the Board appreciates the time and effort everyone put in.

On motion of Alderman Pariseau, duly seconded by Alderman Cashin, it was voted to recess the regular meeting to allow the Committee on Finance to meet.

Mayor Wieczorek called the meeting back to order.

A report of the Committee on Finance was presented recommending that Resolution:

“Authorizing the Finance Officer to effect a transfer of Seven Thousand Dollars (\$7,000.00) from Contingency to Intown Manchester.”

ought to pass and be Enrolled.

On motion of Alderman Wihby, duly seconded by Alderman Reiniger, it was voted to accept, receive and adopt the report of the Committee on Finance.

### **OTHER BUSINESS**

10. Communication from Thomas Seigle, Chief Sanitary Engineer, requesting permission to apply to the Water Environment Federation for an Industrial Pretreatment Grant for developing industrial pretreatment protocol.

On motion of Alderman Pariseau, duly seconded by Alderman Soucy, it was voted to approve the request and authorize the application for Water Environment Federation funds.

Resolution

“Authorizing the Finance Officer to effect a transfer of Seven Thousand Dollars (\$7,000.00) from Contingency to Intown Manchester.”

On motion of Alderman Cashin, duly seconded by Alderman Soucy, it was voted to read by title only and it was so done.

On motion of Alderman Clancy, duly seconded by Alderman Reiniger, it was voted that the Resolution pass and be Enrolled.

Mayor Wieczorek. advised he had no nominations to present.

### **NEW BUSINESS**

Mayor Wieczorek welcomed the Aldermen-Elect present to the meeting.

Mayor Wieczorek referred to the item that came up at the last meeting with regard to Roger Bouchard sitting on the Board of Adjustment and the question of his not being a resident of City. Mayor Wieczorek advised that he had spoken with Roger and spoke with the City Solicitor, and even though they had an indication that Mr. Bouchard was going to resign, they had to make sure that in the event that he wanted to have a public hearing held, that this opportunity would be granted to him; that he had spoken with Mr. Bouchard who indicated he did not want to have a public hearing to be held; that he had sent in a letter of resignation, and therefore his seat was declared vacant.

Alderman Wihby requested that the Finance Department bring forward a resolution at the next meeting to transfer funds from contingency to fund the At-Large positions.

Alderman Wihby stated they had some problems at the Labor Department with regard to payroll today asking if they had any more status on that, asking if they were almost caught up or what.

Alderman Wihby stated people hadn't got paid for months.

Mayor Wieczorek stated these would be referees he guessed.

Alderman Wihby stated no, one was a nurse and one...

Mr. Clougherty stated these are independent contractors with the school department. There is some issue within the school department itself as to whether these people should be independent contractors or weekly salary people. They have paid them on a contract basis and that's fine, we have no problem with that from the school department standpoint that's their decision. In order for these people to be paid though they have to key them into the system. They have not keyed in anything into the payable system that is the school department for this cycle. As the Board knows, we have a normal processing cycle of bills are in by the 25th we pay the 15th. That's been the cycle for a long time. School was unable to get in its payables. We have met with them. We are going to do a separate payables run for them. They are keying that information in. We expect by the end of the week or as soon as they are able to tell us that will be out.

Alderman Wihby stated all of these people did not know they were independent contractors and they think they are employees, which I think we would probably rule that they were employees, and therefore we are in violation.

Mr. Clougherty stated again it's a school management issue, it's not something from our side that we have gotten into, we were contacted today and found out people weren't paid and again the way that we pay contracted employees or people is through the accounts payable system. If school wants to change that we will work with them to change it but if you feel that Human Resources should get involved in working with school to make a determination as to how those people should be paid I'm sure that they would be happy to do that.

Alderman Wihby stated could we do that before there is a fine levied.

Mayor Wieczorek suggested a motion to refer the matter to both the School Department and to the department of Human Resources because this could present a very serious problem.

Alderman Pariseau moved to so refer the matter of independent contractors to School and Human Resources. Alderman Wihby seconded the motion.

Alderman Cashin stated he was not opposed to the motion, but his understanding was that this was not just the school department they had other problems out there with other departments in reference to this system.

Mayor Wieczorek stated that before they traveled around on the issue.

Alderman Cashin stated he was not traveling around, it was all encompassing. There is a major problem with this system, he didn't know what it was but someone better look into it and find out pretty quick.

Mayor Wieczorek stated he was trying to zero in on the point that was made, and that is that people who are independent contractors or employees --what are they and let's establish what they are, that was the purpose of contacting Human Resources and the School Department.

Alderman Cashin stated he understood, appreciated and supported that, but there was a bigger problem here, he was not sure what it was, with this computer system that's been brought on line. It was not only the School Department, there are other departments in the city of Manchester that are being adversely affected and he thought they should look in to it.

Alderman Wihby stated all the calls we have is the schools.

Alderman Cashin stated that there are others that have called him that had problems.

Mayor Wieczorek asked if he wished to add something to the motion on the floor.

Alderman Cashin stated he was suggesting that somehow we get to the bottom of this computer situation. We have been talking about it for a month and now we are at the labor board and he thought Alderman Wihby could appreciate the next comment which was that we could be sued at this point, we could be fined. It can't go on like this somebody had to find out what was going on.

Mayor Wieczorek stated if the alderman wished to submit something else then present it, but now the motion was to clarify this situation of independent contractors or employees between the School Department and the Department of Human Resources.

Mayor Wieczorek called for a vote, the motion carried with none recorded in opposition.

Alderman Cashin stated he would like to get to the bottom of the problem that they were having because it was not just the School Department, he had other departments call and they had problems; that they were getting to the end of the year and questioned where they would be with budgets. Nobody seemed to know how much money they have or what was going on. This was a major problem.

Mr. Clougherty stated if the alderman had specifics, please give them to him and he would address each one of those individually, and that's helpful. The departments have information. When we laid out the process to the departments, they understood that we were going to go through some transitions here. The departments have information in the system and its available to them. I understand from talking to some of the departments, that they're a little re---in the past the Finance always provided the reports and they counted on those and that was something they depended on. The new system, the departments have the ability to generate that. And there is a little bit of redosance [SAS] to go out and put out a report until Finance does something. What we've said to the departments, what we talked to information systems about this week is, if that's the case then fine. Info Systems is generating reports now, they are going to generate one for every single department and send it out to the department so they can get some reassurance that what they are seeing on the screen is in fact what is the numbers. If there is something that they have that's different, then we can reconcile that. But any problem with respect to someone being paid or a vendor or something like that we handle. That's a normal course of any cycle. You could have gone into any money of a previous period and found something that should have been paid that wasn't because they were keyed into LGFS wrong and that's just normal. We have expectations with our different departments. We know there are learning curves in different departments and we are gong to be working with them. But overall, he thought that the information was available and if somebody wasn't getting it than let him know and they would get it out to them.

Alderman Reiniger stated the Police Department would be having a Ward 3 meeting on crime issues on Thursday, December 4 at 6:00 PM at the City Library.

Alderman Cashin submitted a rezoning petition for the area of Summerside Street and Lewis Street and moved to refer it to the Committee on Bills on Second Reading. Alderman Pariseau seconded the motion. The motion carried.

Alderman Shea stated that at a recent School Board meeting a lengthy discussion focused on issues relating to failures in proper school maintenance. Including the lack of adequate custodial workers. Alderman Shea proposed that a joint committee consisting of School Committee members, Aldermanic Board members, Public Buildings officials, representatives from the WFF and PTO representatives be formed to examine these problems. Such a committee would allow the opportunity for students, school personnel and parents and others to present their concerns for public scrutiny. Accountability is the key component which seems to be missing in this scenario. If the school buildings are not cleaned then who's accountable and what measures should be taken to correct this problem. Your Honor, I am asking you as the city's Chief

Executive to form such a committee. It's badly needed. We've gone through this problem over and over, we receive reports from different schools, the School Committee discusses it, you were present for meetings when they do discuss it, it is about time somehow we resolve some of these problems.

Mayor Wiczorek stated that he would be meeting with Mr. Houle and before taking the step proposed he would like to find out from Mr. Houle precisely where we are at. After his discussion with Mr. Houle it is indicated that there is a problem, then he would try to put together a group to deal with the problem.

Deputy Clerk Johnson advised that a communication relative to the resignation of State Representative Asselin had been distributed. The previous Board action had been taken prior to the official resignation, and if the Board desired a motion was in order to request the City Clerk to forward a letter to the Secretary of State asking that an election be conducted to fill the vacancy.

On motion of Alderman Robert, duly seconded by Alderman Pariseau, it was so voted to have the City Clerk forward a letter to the Secretary of State requesting an election to fill the vacancy.

There being no further business to come before the Board, on motion of Alderman Pariseau, duly seconded by Alderman Sysyn, it was voted to adjourn.

A True Record. Attest.

City Clerk