

**SPECIAL MEETING
BOARD OF MAYOR AND ALDERMEN
(PUBLIC PARTICIPATION)**

February 2, 2000

7:00 PM

Mayor Baines called the meeting to order.

Mayor Baines called for the Pledge of Allegiance, this function being led by students from the Derryfield School.

A moment of silent prayer was observed.

The Clerk called the roll.

Present: Aldermen Wihby, Gatsas, Levasseur, Sysyn, Clancy, Pinard, O'Neil, Lopez, Shea, Vaillancourt, Cashin, Thibault, and Hirschmann

Absent: Alderman Pariseau

Mayor Baines advised that the purpose of the special meeting is to give residents of Manchester the opportunity to address the Board on items of concern affecting the community; that each person will be given only one opportunity to speak; that comments shall be limited to three minutes to allow all participants the opportunity to speak and any comments must be directed to the Chair.

Mayor Baines requested that any resident wishing to speak come forward to the nearest microphone, clearly state their name and address when recognized, and give their comments.

George Chaprass, 69 Lucille Street, Manchester, NH stated:

I would like to talk about the civic center. There is a very large empty lot at the corner of Bridge and Elm. A building was going to happen there, but for reasons already known to the Aldermen, that building is not going up. There may be other empty lots as the 21st century wears on and there are some people and some Aldermen who believe that a hockey rink will fill the empty lots and save the inner city. Even Gulliver, in all of his travels to Lilliput, Broadnag, East of Eden and West of Nowhere, never encountered such a huge rationalization as the hockey rink rationalization, but the Aldermen, especially seem to like fantasies, especially the hockey rink fantasy except for one very pragmatic Alderman whose restaurant will do very well he says with the new hockey rink in place. I don't want to dwell too long on this. I will just say that the name is Irish. I think it starts with a K. I am not sure. \$11.9 million loan. Just about what Ogden and Enron were going to invest or loan or whatever. Incidentally, when is a loan not a loan? When it is a give away. That is when a loan is not a loan. Who or what is ultimately liable for that loan? What if certain entities like naming rights, special seats, club seats, whatever, what if they don't sell? Who pays then? Who is ultimately responsible? Has any Alderman seen the actual documents? Is there no way that the banks can dip their fingers into

the City coffers because the naming rights didn't sell? If the banks can get their fingers into the City's money, then have we met all of the criteria? I would like to get someone, any Alderman, to look at the actual documents and tell me that there is no way that my property taxes will get stuck. Thank you.

Mike Pelletier, 65 Green Acres Drive, Manchester, NH stated:

If you reference an item that the City Clerk just handed out, I want to talk about the snow emergency procedure here in the city of Manchester and ask the Mayor and Board of Aldermen to consider changing it for it is broken. It is hurting the residents who live in the downtown area, those who have the hardest time paying the tickets and the towing charges. On January 20, a snow emergency was declared. There was less than three inches of snow that day. Luckily, some quick thinking public officials changed that to a ticketing only snow emergency to help give the people of Manchester a break. However, over 300 tickets were given out to the people of Manchester during that snow emergency of three inches of snow at \$25 a ticket. That is about \$7,500 out of the pockets and wallets of the people of the city of Manchester. A week later on the 25th of January a real snow emergency was declared and the towing started. Unfortunately, approximately 200 cars were towed. \$14,000 worth of fees and fines were given to the people of Manchester. For logistical reasons, a lot of that towing does not occur where I live in Ward 6. It actually occurs in Wards 3, 4, 5, 9, 10 and 11. If you take a look at the map, the City impound lot is located on Commercial Street. The goal of a tow truck operator is to tow as many cars as quickly as possible. They want to get to the impound lot, get the car off and then go back and get some more cars. You are not going to go to the west, south, east or north side. You are going to go where the pickings are good. This has happened year, after year, after year and I have tried to work with Intown Manchester to come up with a new system or a way of warning people a little bit better, but nothing has been done. The people of Manchester are very resourceful. I think we are better than this having to tow over 200 cars in a snow emergency and this will happen in subsequent snow emergencies because there is inadequate warning, there is inadequate preparation and the people who are towed are from the inner City, the people who have the bills the highest in the winter and unfortunately they have to pay, in this case, \$14,000. Please consider reviewing the snow emergency policy. I think we can do a better job for the people of the inner City of Manchester. Thanks.

Mayor Baines asked the Traffic Committee to look into the issue.

Murray Onigman, 324 Walnut Street, Manchester, NH stated:

I have been concerned right along about the civic center, but let's go back to some facts and figures. The highest assessed property of the city of Manchester is what? The Mall of New Hampshire. You are now going to put up a tax-free, an assessor will never go there, building. It is going to be owned by you and us, the people who live here. We are talking big bucks that will never, ever, over the next 30 years, go into the coffers of the City treasury because it will never get a tax bill. That is not only what concerns me, the high school concerns me, it is 105 years old and we have another that has to be rebuilt, but we are going to do this thing. At the beginning of the entire event, I went up to the public library, our public library, and pulled a

D&B on this Ogden Corporation. At that time, my friends, their value was over \$3.5 billion, but you know what, something happened in New York with that corporation and they lost about \$2 billion in about six months and are down to about \$1 billion and you start to wonder why they couldn't come up with a \$20 million check and become our private investment. Now we have three public banks, public banks, as our private investment. That concerns me and then a week ago or two weeks ago I read that the Chairman of the Committee has been attacked by IRS.

Mayor Baines stated I think that is in appropriate comment. That is a personal matter that should be addressed with the individual.

Mr. Onigman replied well it was a public matter when it hit the newspaper and I am just quoting The Union Leader NH Sunday News.

Mayor Baines responded I would appreciate it if you would address the issue concerning us as a Board.

Mr. Onigman stated let's say that we have involved in the acquisition of a hockey team, management that has gone broke on two other hockey teams. I don't want to be negative. I know that I am not running for office. We just know this about this gentleman who wants to bring this fourth rate, unaffiliated team to our City. I wanted to bring this all up to you, that these guys who will come on this team will be rejects of the American Hockey League. Rejects of the National Hockey League and they will come here to play. You want to go ahead with it, go ahead. It is our money. It is your money.

Richard Whelan, 174 Brennan Street, Manchester, NH stated:

I would like to pass my time on to the next speaker.

Mayor Baines replied that is fine.

Alderman Wihby stated, your Honor, there is a rule that we have. I know that we allowed that to happen last year, but there is a rule in our book that says that you can't do that. I know that we did it last year and said it was okay, but I looked into that. The City Solicitor is here, but I read it.

Alderman Vaillancourt stated if there is a precedent set that it was done, that would override the rule.

Mayor Baines stated I don't want to establish a precedent. I think we should follow the rules if we have them. I have not seen the rule, but I will look at it. We will allow this to go forward this evening and perhaps we can rectify that or clearly articulate our rules in the future. I think that is the fair thing to do at this point.

Billy Dodd, 181 Mammoth Road, Manchester, NH stated:

I want to thank Aldermen Shea, Vaillancourt, Cashin, Clancy, Pinard and O'Neil for your votes to reconsider. You did the proper thing in wanting to take two steps back and take another look at this project. It wouldn't kill it; it would just take another look at it. We want to especially thank Alderman Pinard for his vote to reconsider and not caving in to the pressure that was put upon him. The Price Waterhouse Study, I read that a couple of days before you had your meeting last month and as soon as I read the phrase "limited due diligent study" that told me that you asked for very little and you got very little. Alderman Shea was trying to get into that avenue last month. You asked for a limited study and that is exactly what they gave you. They basically went through your \$50,000 CH Johnson Study and your Memorandum of Understanding, shuffled it up and put the ace of spades in a different spot. There was some new information in there that I hadn't seen before. I didn't know there was a Wall of Fame being considered. I didn't know there was \$3.5 million in a slush fund already for the civic center and \$1.9 million in landowner donation. The proponents of this civic center were trying to scratch any way they could to show that they had public support for this. It just isn't there. Aldermen Levasseur and Hirschmann, on your show last week you stated that the opponents of the civic center had ample opportunities to ask questions. Yes, we did, but in this forum right here we never got any answers. Why didn't this Board give us these seats up here and unlimited time like you did with the proponents of the civic center. Let us state some facts and you ask us some questions. I think that the reason that didn't happen is because you knew the gig would be up then. All of the information you need is right here in these reports. If you spent the time to study them, they would tell the true story. Premium seating revenue, advertising naming rights. If you go to the last page of your CH Johnson Study you are going to see that all of that revenue has already been allocated to pay off the revenue bonds so what funds are you going to use to pay off the private investment, private financing? Go to that last page and study it. I don't know where the money is going to come from. Alderman Wihby, you stated a month or so ago...you voted against the Bridge and Elm Street Grossman Project because you wanted something better for the City, but you don't have a problem with Ogden Entertainment taking \$1 million right off the top of the luxury suites and the advertising revenue. I just don't understand that lack of consistency. Alderman Lopez, a lot of senior citizens supported and counted on you to do the right thing. Reconsider. I can only tell this whole Board that if you people don't open the doors to a senior center before you open the doors to a civic center, you are going to have a lot less votes come two years from now. Mr. Baldwin. There was an article in the paper that he is not going to have a commitment from a NHL team for three or four months from now. We are going to be looking at May or June, but if this project starts in February or March, you are going to have a hole dug over there. What if Mr. Baldwin backs out because the agreement is not to his liking? You have a deep hole and that is it. The Police Station. Everything is not negative coming out of me up here. The Police Station is a very functional building. I think it is just crowded. If you look to the west side, look right across from Bass Island Park. You have a big, vacant lot there. You could be a west side precinct station over there. Your lot on Cleveland Street that is a junk pile, that could become employee parking for the Police Station. Secure it and they could walk across the street. The Candia Road project and the upgrade of

Candia Road, if done properly, a small, commercial elderly housing project would be a better overall project for that area because it would have a negative impact on the school system, but you have to do it right. You have to look at the citizens around there. Don't make dead end streets through streets, have side buffer zones that are adequate, proper lighting and a traffic control device at Lake Shore Road because when you repave Candia Road, that is going to become the Indianapolis Speedway. You are going to need to slow them down. 120 houses on 40 acres is going to be devastating to the school system.

Mayor Baines stated, Mr. Dodd, we have two more speakers and we are going to run out of time so I would appreciate it if you could wrap it up.

Jeff Kassel, 22 Appleton Street, Manchester, NH stated:

I, too, wanted to complain about the vote last time about the civic center. The reconsideration vote. I had a chance to review Mr. Lopez's comments on Mr. Vaillancourt's TV show and I couldn't help noticing the glaring change in his view regarding the vote on this civic center. This is now a \$70 million project. There is a 300% multiplier on that figure so this is going to cost \$200 million and that is without a parking garage. That is coming out of our pocket. The last time I was here, I offered a bet to any Alderman that would take it and that bet started with Mr. Hirschmann. When I talked to him on the phone he told me that there was going to be 8,000 for everyone of those hockey games. I told him that I would put \$50,000 up against his \$50,000. My money against his money. Not City money and I never got a call from any Alderman about that bet. When I told Joe Kelly about it, who is my Alderman, Joe Kelly thought it was kind of hilarious but actually I was not too pleased with Joe Kelly at the last Aldermanic meeting either because I asked personally for Joe Kelly to recuse himself from that vote. Joe Kelly on a previous television show about a month or two ago said that he was going to personally benefit from the building of that civic center and that is almost certainly true. He said that on his television show and, in fact, he went even further than that and indicated that he might have trouble voting for this project at all because of the conflict of interest. If there is a major construction project there, all of the restaurants that are in that area are going to benefit and Joe Kelly almost certainly should have recused himself, but that wouldn't have changed the character of that vote because that vote still would have been 7-6. The proponents of the civic center still would have won. Mr. Vaillancourt has another motion on the floor tonight to reconsider the vote. I personally am not that optimistic about it. You guys are going to have another chance to not sink this City in a mire of debt, \$200 million. Mr. Gatsas last week told us all that the City is not really on the hook for this money. Of course, that is a complete lie. The City cannot afford to default on this loan because it will turn our bond rating to junk and it will make it impossible for Manchester to borrow money in the public market again. That notwithstanding, we are now considering running a slate of candidates for the next Aldermanic that will default on this bond issue. That will have serious implications for the City. We want you to do the right thing here. We want you to act in a way that is responsible to the people of this City and I am personally asking you to do it otherwise you are going to create a divided City. Thank you very much.

Joey Vachon, 221 Riverbank Road, Manchester, NH stated:

I come here bewildered. I just can't imagine why everybody who seems to be talking here tonight and on past nights are talking on deaf ears. I understand that you have more paperwork in front of you to understand the situation of the civic center and we don't, but a lot of these people have done their homework to help you understand this issue a little bit better and I just wish that there was some sort of reaction from this side to say how appreciative you must be of these people to bring these facts forward. There is only one thing that I want to say about the civic center tonight other than I am unhappy about Mike Lopez doing what he did and that is that the one thing he talked about was parameters being met and one of the things when you talk about private investors with the banks, the banks only did it because you bent to them because they wanted the loan paid off faster and you bent to how much revenue they were going to receive from the Lion's share of after expenses so they are going to get their money back a lot quicker. It is not a long investment for them, it is short term. Enough said about that. My main concern is tonight that we have a new Administration and when I voted for you, Mr. Baines and Mike Lopez and the other ones because I wasn't happy with the old Administration I asked you one favor, please don't insult me by putting a binding referendum for a mere figuring out what we are going to do with fluoride in our water and then insult me again by putting a non-binding referendum which would not compel you for the civic center to be bound one way or the other and you guys are still making the decisions. We cannot make the decision...well we are going to go with \$100 million project by the time it gets done but you won't let the citizens of Manchester make a binding choice, but you will make us vote on whether or not we are going to put fluoride in our water. Please don't insult me like that. Thank you.

Mayor Baines stated I want to clarify and reaffirm Alderman Wihby's statement. The rule of the Board is, "A registered member of the public cannot relinquish allotted time to another speaker." Therefore, in future meetings we will abide by that rule.

Mayor Baines advised that there being no one else present wishing to speak, on motion of Alderman Pinard, duly seconded by Alderman Levasseur, it was voted to take all comments under advisement and further to receive and file any written documentation presented.

This being a special meeting of the Board, no further business can be presented, and on motion of Alderman Thibault, duly seconded by Alderman Pariseau, it was voted to adjourn.

A True Record. Attest.

City Clerk