

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

**May 21, 2002**

**7:00 PM**

Mayor Baines called the meeting to order.

Mayor Baines called for the Pledge of Allegiance, this function being led by Alderman Forest.

A moment of silent prayer was observed.

The Clerk called the roll. There were fourteen Aldermen present.

Present: Aldermen Wihby, Gatsas, Guinta, Sysyn, Osborne, Pinard, O'Neil, Shea, DeVries, Garrity, Smith, Thibault, Forest, Lopez (late).

Mayor Baines stated before we start the public hearing some people are here based on a report in *The Union Leader* today about the night club ordinance. Alderman O'Neil and I are not supporting the draft that is on the agenda tonight. I don't know if Alderman O'Neil would like to say anything about that before we begin.

Alderman O'Neil replied we have had a history in this City of problems with some of these so called night clubs. Pyramid was a thorn in the City's side for a number of years. It later moved down to the 500 Commercial Street area. The Cage I think is what that one was called and later we had problems with Club Liquid. I think having served on the Committee of Administration and Aldermen Gatsas will probably back me up on this. The hearings we conduct to try to bring these places under control we have very little resources to work with. I think the intent of taking a look at this was certainly honorable, but I think what came out and why it came out with language with regards to restaurants I do not know because that was not the intent of you or I your honor. I think we have been fully supportive and I think the entire Board has supported trying to bring more restaurants to downtown Manchester. It is my understanding and I was going to move later to refer it back to staff. I think my colleagues are going to kill it, which is the best thing to do now, but we do have to get something in place to protect the City against some of these so called night clubs that get out of control.

Mayor Baines stated we would deal with that during the agenda. I wanted to clarify it at the beginning because I am in full concurrence with Alderman O'Neil's statements in that regard.

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 two 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.

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

I took a look at the final report by the Mayor's Task Force on MCTV, and I read it very, very carefully. I really do not disagree with much in it. There have been a few problems with MCTV and some of the producers that have either been reprimanded or banned know very well what kind of problems can develop when you don't have oversight of management at the station. So the recommendation that there be an independent board of directors and that it be removed from underneath the umbrella of the School Board I think is a good one. One of the biggest problems at MCTV now is it is very difficult to get studio time. So if you want to produce a show it is the people's voice, the people's soap box. So if you want to produce a show it is very difficult to get inside the studio. They need to increase the hours so that it is further into the evening so people that work can get in there and do it, produce a half hour show and perhaps on the weekends. There is a little too much of banker's hours there. There may be reasons for it, but that should really be cleared up. The other thing that I wanted to suggest is that some of the government programs like the Aldermanic meeting be put on a server so people can download in a buffer type of arrangement so they can watch the meeting at their convenience rather than when the meeting is being broadcast live or when it is being repeated. I think that even should be true when the MCTV shows themselves. A lot of times it is not convenient to watch a show at 4:00 in the morning. I do not know what that would cost. There would have to be a host server or hosting arrangement with a company or a server that is managed by MCTV itself. MCTV is really entitled to a bigger piece of that budget from the cable company than they are getting. The City is retaining I think more than half of the money that is allocated from the cable company that all the cable users pay in a fee. There is one other thing I would like to mention just briefly and that is the new project that is being proposed at Bridge Street. I don't know enough about it and I would like to see a little more public discussion before an Aldermanic Board takes a vote. There is \$5 million of the public money.

Mayor Baines interjected your time is up we have a number of speakers tonight and thank you very much for your comments.

Robin Comstock, President of the Manchester Chamber of Commerce, stated:

On behalf of the Greater Manchester Chamber of Commerce Board of Directors and the Chambers one thousand members I wish to voice the Chamber's support for Residence at Manchester Place and their request for the purchase and development agreement. Our support of this project acknowledges that there are remaining issues, which we believe can be resolved. This exciting development falls in direct line with the Chamber's strategic initiative to promote and sustain housing in the downtown district. We base our careful recommendation on the following public and community benefits. A \$4 to \$6 million a year direct economic impact by the Residence at Manchester Place in the downtown vicinity, approximately \$500,000 a year increase in property taxes initially and growing over time, significant increase in downtown housing, increase in downtown retail, increase in downtown public parking options and finally enhanced street scape and sidewalk improvements. We as a community have made enormous strides in the revitalization of downtown Manchester. With the Residence of Manchester Place our downtown will take one more step towards providing a vibrant housing community while serving as a catalyst for economic development. Due to the dedication of many throughout the community downtown Manchester is alive and flourishing as a home to offices, shops, restaurants, entertainment and many residents. Your support of this project will build on our great foundation and lead to the future development of a well-balanced downtown. Thank you.

R. J. Norton, 21 South Elm Street, Manchester, NH, stated:

I would like to talk about MCTV a little bit. I have been away while the negotiations have been going on so I have not been to informed. I do not work for MCTV and I produce a show. I am an independent producer. I produce a history show every Thursday night at 8:00p.m. I have been doing a show there for many years. Before that I produced shows down in Medford, Massachusetts. I used to drive down there after work. Some of these things may have been covered but from my experiences down there something from another access station, or another point of view. Just a couple of things that I would like to read to the task force. They broke away down in Medford. They broke their access away from their government and their education channels and opened up a separate facility. They did that, and Jeff was just complaining that he did not have enough studio time, editing time etc., they had the same situation down there. They were in a school and they shared the studio with the school. They had the studio after 2:30 PM. Kids had it during the day and public access could not use it before then. They were closed Saturday and Sundays and it was terrible down there trying to get some time do a show. They had similar problems. They had to after a while break away and put in a separate facility for the access. They put a Board of Directors in there. Some of the things that we ran into, I urge the task force or whoever is working on this and the Aldermen to really take it slow. There are a lot of lawsuits and stuff

that could come out of this whole thing, and if things are done right it is needless. Thank you.

Eric Sawyer, 40 Wilmot Street, Manchester, NH, stated:

First off, I passed out two memos tonight. One on Bridge and Elm and I was concerned that as a tax neutral project it would be consuming more city services than it has generated. I have since discussed that with the developer and he prepared to address those issues. The next item I would like to talk about is the Disabilities Commissioner. Alderman Gatsas raised a possibility of having a Disabilities Commissioner last year sometime. I do not know where it has gone. I had an opportunity to look through the catalog of Federal Domestic Assistance recently. There were 57 programs available for grants for the disabled to help matriculate them into the community. There is not one Manchester resident that is eligible for hardly any of those programs. You need to have a government entity to administer, apply for and administer those grants. People are losing out because there is no organization in this City to take care of that. It is not just the nicety of life, it is the necessities of life that they are losing out on. You really need to address that and take corrective action. Thank you.

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

Mark, you have one of these and Katie you have one, all of you got one of these little things, Mr. Baines you have one. For the people out in TV land this is a picture of the proposed Derryfield Country Club, a ballpark and the Verizon Wireless Center. At the bottom it says what is wrong with these pictures. There is a blank spot for the Senior Center, it hasn't been filled in yet. You have been beating that thing to death, but all these other things are going to come to fruition before the Senior Center is ever put together.....Why? You guys need to answer that question if you vote on anything else for sporting activities before you take care of the seniors' shame on you. If you are going to put up a new complex at Derryfield Country Club. I would say you have to renegotiate the lease, because you are going to give the person that is operating the restaurant up there a larger banquet facility and better facilities. Therefore he should be paying more than he is for the old dilapidated building then he is now. I hope you renegotiate that. It brings us to the big project, Bridge and Elm Street. I fail to understand how the access value of several years ago is now down to about one third of what it was then. Somebody once said that the Civic Center would bring up property values and raise the tax revenues. That was Mr. Skip Ashooh and all of you guys on this Board that voted for that Civic Center why is this property value going down. It is the most prime piece of real estate downtown. Try buying a house right now for the asking price. You won't get it because somebody will out bid you. Before you go into this contract I suggest unless you have had it for months and months and studied it to death and you had a New York lawyer come in here and tell you where you are being swindled, don't vote on it tonight. It will come back to bite you just like the parking revenue deal that you agreed to for the Civic Center. Hold out and get your price.

State Representative Peter M. Sullivan, 85 Blodget Street, Manchester, NH, stated:

The remarks that I was planning to make have been rendered somewhat moot by the announcement the Alderman O'Neil made a few moments ago. I would like to still put in my two cents and urge the board to kill this proposed ordinance outright. We have come too far in this City over the last few years to lurch back to where we were twenty years ago. I understand entirely the problems that have been mentioned in terms of certain clubs in the City. I hope a way will be found to address those problems however using a cannon ball to swat a fly is probably not the way to go about dealing with this. If we really want to build a vibrant community here in Manchester we have to take into account the need for vibrant nightlife which includes nightclubs. I just want to stress that it's an over draconian measure and there are other ways to deal with the concerns that are on the table without endangering lively hood of investors and business men who are operating in the City. There is another angle of this that I would like to touch upon quickly. I hope that as the City goes about addressing this problem that there will be somewhat different tones then we have heard over the last 48 hours. From what I saw in the paper there was an air of political favoritism that was inherent in that. I hope that was not the case, and I hope as this process continues it will be a fair and open process and not one which pits businessmen against businessmen, and resident against resident. Thank you.

Linda Garrish, 7 Irwin Drive, Manchester, NH, stated:

The MCTV Task Force report is on your agenda tonight. I have only yesterday read the summary and scanned the addendum. While I do appreciate their efforts and time I have comments on the reports, the process and what wasn't in it. The task force interviewed only eight public access producers, apparently not random. Since four have heard as liking Grace and four as not. I was interviewed and never perceived or portrayed myself as representing well over 120 other access producers. What happened to their voices?...and wasn't this all about MCTV not Grace Sullivan? Written testimony presented at the hearing was not included. Mr. Welch and Mr. Kassel were afforded the opportunity to speak before a meeting having missed the hearing. What about the others who missed it?...Why not hold another hearing? Very little if anything was discussed about education and government access and its relationship to public access and yet they are differing missions. No details were given on transition and funding mechanisms if a non-profit were formed. The New Hampshire Public Television model would remove the control of content by the producer fly in the face of the people TV and the first amendment and create one more marathon of TV fund raising. More than 70% of public access stations in the country are non-profit, and still get a percentage of the cable fee, most the entire contracted amount. Was a facility actually visited and the employees interviewed, or the School Committee members? With all the experience of thousands of access channels the alliance for community media and regional organizations why weren't they studied? Lastly for tonight at least some producers interviewed had no familiarity with MCTV policies. Why not ask if they actually didn't want to know in order to operate by their own policies. Thank you very much.

Kathy Staub, 374 Laurel Street, Manchester, NH, stated:

I am the president of the Manchester Coalition for Quality Education. After spending a year and a half listening to how the high cost of education is breaking the backs of City taxpayers. I decided to investigate a little and find out how other communities in the state are coping with this horrific burden. I went to the web site of the State Department of Revenue Administration and looked at the table of 2001 tax rates for every community in the State. What I discovered is that Manchester is one of only four communities in the entire state that has a higher municipal tax rate than the combined state and local tax rate for schools. I realized that many of the 250 or so communities on the DRA list do not offer the level of services that are offered in a city like Manchester. I found that it really did not matter. With the exception of Berlin all the other Cities in the state devote more of their tax revenues to their schools than they do to City services. In 2001 Manchester's municipal tax rate was \$11.26 and its combined school tax rate was \$10.91. Concord \$9.95 municipal tax and \$15.75 for education. Dover \$8.13 for municipal taxes, and \$11.96 for education. Laconia \$7.78 municipal taxes, and \$12.11 for education, Nashua \$7.82 municipal tax, and \$12.83 for education. The only other community in the state that pays higher taxes for town or city services than for schools is Berlin, which is under terrible stress since their largest taxpayer left town without paying its bill. Elsworth a town in the White Mountains with a total population of 87 people and Farmington, last years third grade assessment test scores placed Farmington 139<sup>th</sup> out of 141 school districts in language arts and 140<sup>th</sup> out of 141 school districts in math. Is that what we are aiming for? Thank you.

Al Heidenreich, 53 Lincoln Street, Manchester, NH, stated:

I am still 75 feet into Ward 7 and I would move it another 75 if I have to because I would really like to stay there. Thank you for having me here tonight and I thought it said two minutes for each subject not two minutes total, cause I could be here till quarter of nine. I just wonder if anyone in the room has seen an 80 million dollar power ball ticket? It looks exactly like this only different numbers. I want to talk about MCTV but first of all I went for a walk this morning through Arms Park at about 6:00AM this morning. There was a lot of trash all over the place. Fortunately there was a plastic bag that was around a tree and I picked it up and then put the trash in it,....No big deal except when I went to deposit it somewhere. There is absolutely nothing in Arms Park to put it in, I walked around for seven to ten minutes there was not a receptacle down there. I had to carry it back with me to the YMCA and I deposited it there. If we want people to keep it clean we better get some more receptacles back down there. Also with Memorial Day coming up there are a couple of flags down there that are faded and tattered and I was really disappointed to see that. I hope that somebody will take a look before the Memorial Day weekend comes up because they are in pretty tough shape. I want to talk about MCTV but the people that came on ahead of me here have covered it fairly well and I now there is a short period of time. I have read the reports that people are talking about and I read the rebuttals and I am quite concerned that some quick action will be taken without reading into all sides of it. I hope that the full Board

of Mayor and Aldermen will take a real good look at that and to continue this excellent program and the funding of it and do it to everybody's satisfaction. Thank you very much.

Walter Stiles, 226 Sagamore Street, Manchester, NH, stated:

Janet and I have just returned from a New Hampshire conference on aging. We are all aging, I am aging, she is aging, and you all are too. What I would like to talk briefly about is the Senior Center, which we need. We have been throwing the Senior Center back and forth. We have not done anything about it yet, and I think it is time we make up our minds and find a location for the Senior Center and get under construction. I don't need a Senior Center and my wife doesn't either, but many of the people who are living in Manchester do need a senior Center. I would just like to say, as a matter of fact we sent a recommendation to you Mayor Baines. I am on the Elderly Commission and we all signed it so on and so forth. What I am going to do is I have a successful aging packet here called missed realities and persisting problems. I have a copy coming for all of the Aldermen and Mayor Baines with maybe an extra copy left over to read. Maybe by reading this you will be able to make a decision and get going on this Senior Center. Thank you.

Janet Stiles, 226 Sagamore Street, Manchester, NH, stated:

The senior's are very important to any community. Some of them are left alone in their apartments and become isolated and other things happen to them because they are alone. When they have a Senior Center a place for them to go and meet their friends and have some social life. It is very important for their mental health. This gentleman who gave this talk and brought this whole packet to this statewide conference on aging, is a specialist. His name is Robert Kahn and is from the Institute of Social Research at the University of Michigan. I think we need to listen to him. He is a white hared gentleman and he was in his late 70's early 80's and very impressive, he is 84. The other item is that later on we had another speaker and he was speaking about the baby boomers that are coming right behind us. We are on the curve on the edge of the curve and they are coming right behind us and we need to be aware that they will need a senior center, and it will be quite a rush when that hits. Thank you very much for listening and I hope your enjoy your packets.

Irene Robie, 1046 Hayward Street, Manchester, NH, stated:

Good evening Mr. Mayor and Members of the Board of Alderman. I have just recently learned that the City has finally decided to make a bid for the Rines Building. I think it is a wonderful idea to have you buy the Rines Building because you have been worrying for so many years about how you could find a place that you could shelter all of your agencies. On the other hand, I heard and hope I am wrong that you decided to shelter the Senior Center on one side of that building. I do hope I am wrong because I went in there all by myself to look around. I spoke to some of the students who were there and I asked them how big it was and they replied 33,000 sq. feet, which is 3 floor plans. We would not be improving ourselves if we move there with a promise that if things turn out okay you would all improve our conditions. We have all gone through that already with the Sears building. I didn't think

you would try to do it again. The West Side has been offered and the people, the seniors in Manchester are very excited about that. I am afraid that they are going to stick to that promise. We are trying to do everything we can do. We as the commissioner have offered to move out of Hanover Street. We have offered to have the people bused over to the West Side Center and then bused back. The Director of the elderly has offered to give up her office and be housed anywhere in the library where there is a spare room. We are thinking of the economy all the time. We are willing to wait a year or two or even three so it can be done and be done properly and it will end any discussion about having a new senior center. Thank you very much.

Mayor Baines recessed the special meeting to call the regular meeting to order.

Mayor Baines called the special meeting back to order.

Edward Russell, Selectman of Ward 3, 200 Hanover Street, Manchester, NH, stated:

My pleasure this evening is to endorse Brook and Elm Street as a Senior Center, and also use it as a voting place. We need a new voting place real bad in Ward 3 and we would surely love that as our place. The seniors are looking forward to being there. Being a senior myself from the Gallen apartments and knowing what is going on in the inner city I think it would be wise move for the Board and the City. We would like a pay raise as far as the aldermen and selectmen and everybody goes. Thank you

Don Welch, Ward 7, Dix Street, Manchester, NH, stated:

I would like to commend the Mayor for the committee he put together with Lamontagne?.....Karol LaCroix from the University System of New Hampshire, Dick Gustafson from Southern New Hampshire University, and Mr. McCluskey and, Al Cappannelli from Highpoint Communications. Of all the committees that I have served on when I was in the House and watched throughout this process in the City of Manchester, it was one of the best working committees that I have ever seen. They should be commended for the work that they did. I am here tonight to speak about taxes. Alderman Wihby is the only one that was on the Board, maybe Alderman Thibault too back when Bridge and Elm was acquired by the City of Manchester. There is a long standing history of this property with Dick Shannon and this NYNEX building that you see plopped right over here in the back yard of City Hall. I went to the Concerned Taxpayers meeting last night and it behooves me to think that in two years time this property evaluation is now lowered to about 1/3<sup>rd</sup> of what it was two years ago. The over inflated price of two years ago was one of the measuring sticks that was used to evaluate the property at the Civic Center when the City of Manchester purchased that property. The City of Manchester has a long-standing history of getting involved in projects that fail. I am not here as a nay sayer I wish these developers well, but we should stop and take a different direction in this city on how we do economic development. We can offer some type of financing arrangement or something, but we should not be involved in the parking garage business and putting up \$5 million dollars.

This is not going to increase the tax base because the money that is on the bonds to pay the parking garage is going to be eaten up by that. Do I have the answers,....no I don't, but we have to take a different direction thank you.

William Dugan, 111 Wheelock Street, Manchester, NH, stated:

A couple of weeks ago I addressed this Board regarding the issue of quality education and the need for moving the discussion from adequate education to quality education, and along with that moving the agenda forward as well. A couple of speakers following me of course provided antidotal evidence to suggest that yes we do have a quality education system in the City of Manchester, NH. Quality education programs such as full-day kindergarten, Spanish in the middle school, full funded libraries and gifted and talented program, which Alderman Shea has brought up in the past several years. These are all elements of a quality education. These are the elements that we need in our schools. I am not here to talk about the distinction between adequate and quality I have already done that. I would like to talk about leadership tonight. After that public hearing on the Mayor's budget, I went home and did a few calculations. Please do not hold me to the exact numbers because these are rough calculations and have been rounded upwards for greatest impact. Based on the Mayor's property evaluation numbers it turns out that a property evaluation of \$100,000 the additional cost between the Mayor's proposed school funding and the School Committee proposed budget is \$140.00 per year which comes out to \$11.67 a month. If we round that up to say less than \$12.00 a month. I think the few people in Manchester would say let's not spend \$12.00 a month on the kids. Maybe we could cut out a couple of lunches and let's brown bag it a couple days a month or there are other ways to do this as well. I think the children of Manchester are worth \$12.00 per month. Please show some leadership and move in this direction and fund the School Boards proposed budget. Thank you.

Mel Lessard, 75 Hamblet Street, Manchester, NH, stated:

I have been going to MCTV for nine years. The first year I worked on every camera number 1, 2, 3 and I went three and four times a week. Many years after producing my own shows and Linda Garrish can back me up on that, all I can say is praise to that studio and everyone in there. Mark, Jason, Joe and especially Dr. Grace Sullivan. I have never met a woman besides Linda Garrish that has a sweet spirit like Dr. Sullivan. I am at home and all my life I wanted to attend one of these, here I am and you can watch on TV.

Mayor Baines interjected that you are on TV now camera number one.

Mel Lessard replied, oh, great praise the Lord! What an honor to be able to participate in all of this and see the football games that I used to love to go see, and the Miss New Hampshire Pageant and on and on. I have been on community stations to speak all over the country. When you go somewhere to speak they always call you before and say give your testimony on TV. I get blessed every time. Every time I do a show I see somebody in the street that says I hate God, don't talk to me about God. Then I see them a year later and they say I

watched your show and I love it. I walk out of there with tears in my eyes and say thank you Lord.

Joe Levasseur, 866 Elm Street, Manchester, NH, stated:

I just want the people in the City of Manchester, NH know that if you ever feel that you are being pressed upon by certain politicians or they are going to change an ordinance on you to effect your business you do have people that you can turn to. I want to thank Alderman O'Neil and all the Aldermen here for publishing their home phone numbers. I know a lot of people got rallied up this weekend and called you all to stop an ordinance from getting through to stop nightclubs or an ordinance from happening in downtown Manchester. I want to send my thanks especially to Alderman O'Neil for seeing the light and coming back around and deciding that this ordinance as it is written is not the right thing for downtown. If they are going to have an ordinance that says we can not have nightclubs, what would be next?....we have too many coffee shops? You can't dictate to people what they are going to put in their buildings as long as they follow the rules and the zoning and the ordinances that are in place. To try to change them to help one person over another is not a good policy. I would like to also say Mr. Mayor the Committee that you put together for the MCTV were very good, quality people from around the area. I read their report and I agree with it 100%. I thought they did an excellent job, they are protecting the city from legal battles that may occur. It seems to me that a lot of people are here thinking that MCTV is going to be thrown away or disbanded, but that was never the intent of the Mayor or the Aldermen, or the School Board. They are just trying to improve on it. This report by MCTV does do that and I hope that you do spin it off to a 501C corporation and improve it and get a full-time director that will work more than 180 days per year. I think that would help a lot with the City. I would like to say thank you to the Aldermen on this ordinance and I appreciate you taking my phone calls and helping me out on that. Thank you very much.

There being no one else present wishing to speak, on motion of Alderman Wihby, duly seconded by Alderman Thibault, 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 was presented, and on motion of Alderman Lopez, duly seconded by Alderman Sysyn, it was voted to adjourn.

A True Record. Attest

City Clerk