

COMMITTEE ON COMMUNITY IMPROVEMENT

April 21, 1998

6:15 PM

Chairman Reiniger called the meeting to order.

The Clerk called the roll.

Present: Aldermen Reiniger, Clancy, Pariseau, Girard

Messrs: Alderman Thibault, Chief Kane, Ron Ludwig, Richard Houle,
Frank Thomas, Lloyd Basinow, Jay Taylor, Tom Lolicata

Chairman Reiniger noted that Mr. Taylor has asked that Item 3 be delayed until the City Solicitor arrives.

Chairman Reiniger addressed Item 4 of the agenda:

Communication from Alderman Thibault requesting authorization to allow the Highway Department to construct a parking area at the northwest corner of the intersection of Granite and Second Streets to alleviate the parking problem around West High School.

Alderman Pariseau moved the item for discussion. Alderman Girard duly seconded the motion.

Alderman Girard stated in concept I don't have a problem with this. I am interested to see that the Highway Department has funds to do this but I am wondering if there are any other parking lots in the City that we do not lease out or meter for use. I know that the one next to the Raphael Club which is used by the neighborhood and by the teachers at West High School is not metered or leased out, but I am wondering if there are any others.

Mr. Lolicata answered the only other one that comes to mind might be the South Commercial Lot and that is part of Singer Park. I can't think of anything outside of that.

Alderman Girard stated I would be willing to support this as long as it went to the Committee on Traffic with a request that it review some sort of fee structure for the use of not only this lot but the one adjacent to the Raphael Club. I am all for the parking but I think that everyone should have to pay for the parking that the City provides and if we are not doing it anywhere else in the City we should not be doing it here.

Alderman Pariseau stated I think we just approved a parking situation across the street from the Police Department and the employees there have free parking. You have to picture the neighborhood. Over the years I have gotten several complaints from the people who live there. They can't get into their front doors and they can't go into their back doors because the students are parked all over the place. I think if we can alleviate that problem by taking care of that parking lot it would work wonders for that neighborhood. That is why I made the motion to approve it.

Alderman Girard stated I don't oppose the parking lot. I am not familiar with what you are telling me about the parking lot near the Police Department, but how many spaces are we expected to get out of this parking lot.

Alderman Pariseau answered 39.

Alderman Girard stated with all due respect, Alderman Pariseau, I am not sure that 39 parking spaces are going to alleviate the crisis around West High School. This is not something that is going to affect the residents in the evening who want to park there or who need to park there for snow emergencies so it is not going to be an imposition on the residents. I think if we wanted to take care of that neighborhood and alleviate that burden we would look at doing something with residential permit parking around West High School as has been brought up by Alderman Thibault's predecessor and then if it is a residential area with that residential permit parking and the off street parking facilities exist to handle that overflow, we could get a handle on the problem. Between the 39 spaces that are there and the existing lot right next to the Raphael Club we are not really doing a whole lot for the neighborhood, but the City is providing free parking in one area of the City where it doesn't do it anywhere else and I don't think that is fair.

Alderman Clancy asked if this was the lot across from the Raphael Club where the ramp to go up to the highway is.

Alderman Thibault answered no that is not what we are talking about. We are talking about the one right behind Cumberland Farms on Granite Street and the old Second Street but the lot that you are talking about I am also working on.

Alderman Girard speaks about the fact that it is free parking. Well Memorial High School has free parking and has had for years. I am trying to alleviate a problem down there. For instance, if the Fire Department ever had to get into one of these streets down there in the winter time, somebody would burn in those houses because they wouldn't even be able to get a truck in through there. What I am trying to do is find parking in the area to take as many cars off the street as I can and then I hope to make most of those streets one side parking.

Alderman Clancy stated I am not for charging the kids that go to West High School money to park on the street. You are right about the parking problem on some of those side streets and the fact that it makes it hard for the fire apparatus to get through.

Alderman Thibault stated if, in fact, I can get all the parking I want to get done down there I am sure that it will alleviate the problem throughout that area plus the fact that once the Neighborhood Reserve goes down there is going to be parking there also. I believe that with those three parking lots we are going to be able to take that problem completely away. Resident parking that he was just talking about, let me tell you this. The only thing that you are going to accomplish by getting resident parking is you are going to push these kids another 10 streets further from the school. That is not going to help the situation. It is only going to make it worse.

Alderman Girard stated I would submit that if between the Naval Reserve and this 39 spaces and the lot which is next to the Raphael which I understand is used mostly by teachers are going to accommodate the parking needs of the school, then resident parking would make sure that the streets are there for the residents and the off street parking would handle the problem. I don't think that if what you are saying is true Alderman Thibault if the off street facilities are going to handle the need that the school creates then resident parking isn't going to throw it into the neighborhoods 10 streets away.

Alderman Pariseau moved to approve the request to allow the Highway Department to construct a parking area at the northwest corner of the intersection of Granite and Second Streets. Alderman Clancy duly seconded the motion.

Chairman Reiniger called for a vote. Alderman Girard being duly recorded in opposition, the motion carried.

Chairman Reiniger addressed Item 5 of the agenda:

Communication from Chief Kane regarding conducting an auction of surplus equipment at 33 Harvey Road to eliminate the City's responsibility of transporting the equipment to the White Farm in Concord.

On motion of Alderman Clancy, duly seconded by Alderman Girard, it was voted to approve the request.

Alderman Pariseau stated I guess I have a slight problem in that it is all right to conduct the auction here in Manchester because you are saving time transporting vehicles and equipment up to Concord but how many people do you anticipate using for the day of the auction.

Chief Kane replied let me explain. I came to the Board in January to request permission to dispose of the surplus equipment at the state auction which the Board gave us the authority to do. We had the auctioneer come down and look at the equipment because we wanted to package it up so we could get the best presentation at the auction and get the best dollar for it. When the auctioneer came down and looked at the equipment and saw how it was laid out, his suggestion was if we wanted to get the best bang for our dollar is that we do a separate auction here in Manchester. We probably would get a more specific crowd and probably would get more money. It would also alleviate the problem of transferring all of the equipment up to Concord. In regards to how many people the City would have to utilize to assist in the auction, it would be very minimal because the auctioneer would be handling it.

Alderman Pariseau asked how does the City do it know. Do they get their vehicles together? Is this just Fire Department equipment?

Chief Kane answered all we are currently asking for is the communications equipment that came from different City departments, not the Fire Departments. It is the old communications from the Police Department, Highway, Parks & Recreation, etc.

Alderman Pariseau asked so the vehicles and office equipment will continue to go to Concord.

Chief Kane answered at this point in time. I did talk to Leo Bernier and he thought it might be a good idea if he would jump in on the auction with some other City surplus stuff but that hasn't been firmed up. What we are specifically asking for is the radio stuff. I know that Leo had some thoughts about auctioning

off some other things. I am not sure if they were vehicles or some other surplus equipment. Would the Board have any concerns in regards to that?

Alderman Clancy replied provided it is not the same week as the auction in Concord.

Chief Kane responded it would be the same auctioneer so it wouldn't be the same day.

Alderman Pariseau stated I don't know if we are going to be duplicating efforts. I would like to know what we normally net out in Concord versus what we anticipate netting out here in Manchester including personnel.

Chief Kane replied I am not sure.

Deputy Clerk Johnson stated typically the City has to provide its own employees and own transportation mechanisms to get the stuff up to Concord and there is an expense there for the City. If what he is saying is that we would end up bringing it down to that warehouse section down in the Millyard which is what I assume would be the auction location or another place within the City, that is going to save the City money in the long run.

Alderman Pariseau stated but if you have 30 people working overtime on a Saturday for the auction.

Deputy Clerk Johnson stated our department doesn't support the auction. As I understand it, the idea is that instead of having to lug the stuff to Concord we just bring it across town in Manchester and it is a separate auction. That is all they are asking for.

Alderman Pariseau asked who is at the auction representing the City.

Deputy Clerk Johnson answered the auctioneer. The City has never been represented at these auctions. We hand it over to the auctioneer and the auctioneer runs it. He is licensed to do that.

Chief Kane stated the question is if we were to do this at the state there would be a state representative and there would be state employees up there representing the state and representing the City and I guess the question from the Alderman would be who would be representing the City at the auction and there would probably need to be someone there and that is a good point. You would have to have one person representing the City. I would like to again refocus this. The request is to

do the radio equipment. I am not really sure if Leo is ready to do this yet but just to do the radio equipment. It is sitting right now at Harvey Road in the fire station there and the auctioneer wants to go in. He thought it would be a nice fit. We probably would be able to do the auction right there. We wouldn't have to transport the equipment and he would be able to advertise specifically for radio equipment and get a better clientele as opposed to advertising for a whole bunch of different things.

Alderman Pariseau asked can we get a brief synopsis of how this worked out, i.e. how much money was generated for the City, etc.

Chief Kane answered sure. The money that is generated goes back to the general fund and we will be more than happy to give the Committee a report on the auction, how it went, what our feelings and thoughts were and what monies were generated.

Mr. Houle stated in response to Alderman Pariseau's questions, I have had discussions with the Chief relative to this matter. I think this fall we are going to be ready to have an auction of City surplus equipment here in the City, particularly with the move back of City Hall into the new facility. There will be a lot of surplus. The School Department has got a lot of surplus. One of the Parks & Recreation Commissioners just mentioned to me that perhaps we could use one of the parks to store it. At least on this one occasion I think it would be a good opportunity to have a local auction because it is very time-consuming to move equipment to Concord, particularly if the vehicle doesn't run. Secondly, in terms of the accounting or the accountability of items auctioned, it is our experience that when we dispose of the cars, I went once there is no real need to because you give them the certificate of ownership or whatever you are auctioning and they give you documentation and a receipt from the individual that purchases the equipment. There is a good paper trail on all of it. I am sure it is auditable and I don't see any need to have a City representative up there. Those are my views on it.

Chairman Reiniger addressed Item 6 of the agenda:

Communication from the Deputy Director Johnson, Parks, Recreation & Cemetery submitting a proposed Scope of Services for a feasibility study to explore the possibility of locating an affiliated baseball franchise in Manchester.

Alderman Girard moved the item for discussion. Alderman Pariseau duly seconded the motion.

Alderman Pariseau stated I just wanted to know the status of the special committee that was formed by the Mayor's Office to look into baseball.

Mr. Ludwig stated I am not trying to rekindle old flames but I think that as it all ended which was about a year and a half worth of discussion as to whether we should have minor league baseball at Gill, which we all know is a sensitive issue. Basically, the Mayor formed an advisory committee and that committee reported back to CIP I believe. It is my recollection that they should take a more in-depth look at it and probably recommended looking at only affiliated teams versus independent ball teams given the nature of the quality of play. From that CIP Committee it is my recollection that they bounced the ping pong ball back to us and said okay then develop a scope of services and attach a price tag to what you feel might be an adequate amount and really I am derelict in my duties. This should have probably been here four or six months ago, but quite frankly it was the request of the previous CIP Committee that wanted this here so I have had no recent requests for minor league ball at this time. Whether it is something we should continue to explore or not, I don't know.

Alderman Pariseau asked would you consider the effort today too late to have a baseball team in Manchester.

Mr. Ludwig answered there were a lot of things to consider at the time. The Riverfront Park was being constructed. Nashua was looking at the Nashua Pride. They were going to cut a one year deal and they ended up entering into a three year deal with the Nashua Pride of the North Atlantic league. So there are several considerations there. I have talked to Frank Dorsey, Director of Parks & Recreation in Nashua and we recently visited with him. We looked at some of the improvements they are making to Holman Stadium. The timing may be a little off here, but at some point we may need to have a study in place to say whether we are going to move forward. These people seem to all pop up and want to know in two months are you ready to go and we never know.

Alderman Pariseau stated that is my problem. The City is involved in doing too much. Well I don't know if it is too much, but we are involved in a lot and I would like to see us hold up on this. If it goes further you are going to displace the American Legion for Babe Ruth and all the other activities that have already been scheduled for Gill Stadium and would we be treating them fairly. I would just as soon hold up on this and wait until the fall.

Chairman Reiniger stated in the last few days I have spoken again with very interested investors out of Maine who would like to bring a Double A team to Manchester and they have identified this as a great market to do it and they are certainly well aware of the sensitive nature of the issue we have in terms of allocating space and how to deal with that issue. They are going to get back to either me or the Mayor's Office after they confirm that the investors are still there to do this. Based on that perhaps maybe we should table this pending more information.

Alderman Pariseau moved to table the item. Alderman Girard duly seconded the motion.

Alderman Clancy asked have we been contact with anybody other than the Maine team.

Mr. Ludwig answered no I really haven't. You hear about Portland but I haven't had any contact with them.

Alderman Clancy stated you know yourself, you are the head of the Parks & Recreation, how much money it is going to cost to upgrade Gill Stadium. It hasn't had any work done to it in a number of years. The only thing we put in there was lighting.

Mr. Ludwig replied actually we put about \$480,000 into Gill in 1985. So structurally it is really in pretty decent shape. The roof is good and the electricity is fairly good but what I am seeing in Nashua and what the North Atlantic League is demanding that they do is a major retrofit of a ballpark like Gill Stadium to try and make it comply with what these teams are demanding. It is my belief that the North Atlantic League chose to exist in Nashua for one year originally until another facility, I believe someplace in New Jersey, was constructed and you are looking at \$12 to \$15 million to construct those types of facilities today but that is the marketing and all the bells and whistles that you would need to accomplish their marketing strategy the way they market a ball club today.

Alderman Clancy stated we had the New York Yankees and the New York Giants here back in the 50's and 60's and it didn't work attendance wise. I lived right around the corner for about 40 years and I was going to all the games and opening night there would be about 2,500 but the next night there would be 183 people. It didn't pay for itself.

Mr. Ludwig replied that is true. I don't have blinders on about what happened in 1969 as it relates to the Yankees and their failures. Yes they were a group that wasn't really sensitive to the community but some of these franchises today it is a different ploy. They bring things to do with families, they bring in entertainment and they bring in all those type of give away items, etc. I would hate to displace any of the Legion ball clubs in Manchester or high school teams to think that a team came in and paid us off to put 25 people in the stands and we displaced people. That is one of the reasons we really need to take a serious look at this.

Alderman Clancy asked we are all committed this year for Gill Stadium right as far as the American Legion and Babe Ruth and other things.

Mr. Ludwig answered we are and I have not been notified that one football game to date will be moved from Gill and played at the Riverfront Park.

Alderman Clancy stated I am not in favor of throwing the Manchester teams out of Gill Stadium for someone who is going to come in here and who knows how long they are going to be here. I am for the Manchester schools and teams.

Alderman Girard stated as I understand this request here you are basically looking for a go ahead to do a feasibility study to determine what the objectives, the potential market, the competitive market, and the different stuff that needs to be done to know whether or not major league or minor league baseball would work in Manchester so we are not talking about displacing any teams sports of any kind by proceeding with this study. Am I to understand that because you have asked for this study that the Mayor's Task Force on Baseball did not produce any of this information?

Mr. Ludwig answered no, they really didn't. There were several meetings of which I was in attendance but to my knowledge the basics of that report was one that they wanted to see an affiliated ball club come in here versus a non-affiliated ball club and the other thing was that they felt there should be a more in-depth study looked at.

Alderman Girard asked if you had the information that a study like this would have produced available when all of the different teams were calling Manchester and the Mayor's advisory committee was together, would that have given some structure to the process.

Mr. Ludwig answered I think so.

Alderman Girard stated I will agree to tabling this to keep it alive but I really don't seem the harm in going ahead and taking a look to know whether or not major league baseball can work here. This is a feasibility study and I think it is premature to conclude that anything would or would not work without doing it.

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

Chairman Reiniger addressed Item 7 of the agenda:

Communication from the Public Works Director requesting \$250,000 for equipment replacement (subject to approval by CIP consistent with MER purchases).

Alderman Clancy moved the item for approval. Alderman Pariseau duly seconded the motion.

Mr. Thomas stated as you know we had a mild winter and as such we have surplus funds in our operating budget. What we have proposed here is to take some of those surplus funds and utilize some of them in the amount of \$250,000 to replace some of our equipment. If the City maintained the equipment replacement schedule that was last developed by John Snow, the Highway Department should have approximately \$5 million worth of equipment replaced this year and obviously we don't have those type of funds. What we are proposing to purchase with the \$250,000 are items that are below the \$75,000 level that the CIP Committee has established for cash purchases. These would be items that are high priorities on the equipment priority list. The equipment is identified on some of the correspondence included in the agenda.

Alderman Pariseau asked do you want to get all six of the items.

Mr. Thomas answered that is correct. Basically we want to spend the \$250,000. As you can see, it totals \$289,000 so we may have to go to another piece of equipment if funds aren't there. We have already talked to the Finance Department regarding how to set-up this account. It would be an MER account separate from the other MER account and we would work with Dick Houle regarding the specifications and following the procedures that have been established.

Alderman Girard asked Deputy Clerk Johnson what the Board had already authorized.

Deputy Clerk Johnson answered the Board authorized the \$250,000 for the equipment purchases and referred it to CIP for the purposes of having those purchased consistent with MER standards so it was up to the Committee as to whether they wished Highway to bid, they wanted PBS to take care of it or whether it was going to be a combined effort. That is where the question arose. The funds have been appropriated for that purpose and authorized for expenditure at this point provided that the Committee approves of the purchases.

Alderman Girard asked is any of this equipment in danger of failing if it is not replaced this year.

Mr. Thomas answered it is in very tough shape. It depends on the amount of money that you want to invest in the equipment. I can't guarantee that it is going to not survive or break down tomorrow requiring serious investment in funds. An example is we had to put \$40,000 into our paving machine this year just to make it through another year. That is the type of repairs we are doing now.

Alderman Pariseau stated the way I understand it, this can only be used for Highway Department equipment right.

Mr. Thomas replied it was Highway Department operating budget money that we proposed to the Board of Mayor and Aldermen to take some of that surplus and buy equipment.

Alderman Pariseau asked Mr. MacKenzie if he had a problem keeping tabs on this.

Mr. MacKenzie answered this would not likely come before the CIP. This would be handled between Highway and the Finance Department.

Alderman Pariseau asked isn't the MER account through CIP.

Mr. MacKenzie answered only the bond portion is. The cash portion is in the general operating budget.

Mr. Thomas stated what we would propose to do is to follow the requirements of the Finance Department regarding setting up a separate account to hold this money. We would then propose to work with Dick Houle, present him with the specifications for the equipment, get his concurrence and follow the bidding procedures that have been established in the past.

4/21/98 CIP

12

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

Chairman Reiniger addressed Item 8 of the agenda:

Communication from the Public Works Director recommending that the City accept a swap with Southworth-Milton, Inc. of a used D6H II dozer for a new D5M-LGP dozer.

On motion of Alderman Pariseau, duly seconded by Alderman Clancy, it was voted to approve the request.

Chairman Reiniger addressed Item 9 of the agenda:

Communication from the Water Works Director requesting the approval of a Lease Agreement between Manchester Water Works and Cellco Partnership (Bell Atlantic Mobile) for the placement of an 88 foot free-standing antenna tower on the property of Manchester Water Works off of Hermit Road in Manchester.

Alderman Clancy asked does Water Works have any problem with this.

Deputy Clerk Johnson answered they submitted it.

Alderman Clancy moved the item for discussion. Alderman Girard duly seconded the motion.

Alderman Girard stated these mobile communication towers have been something of a piranha around the City. Neighborhoods don't seem to care for them much. There have been some scraps at your Board and at the Zoning Board of Adjustment. Has the Planning Board had an opportunity to view the site that this would go up on and has it been screened for any sort of aesthetic value to the neighborhoods there?

Mr. MacKenzie answered this particular one has gone to both the Zoning Board of Adjustment because it is not normally allowed in this particular zoning district, and it has gone to the Planning Board for approval. In this case, this tower is quite a bit shorter than originally proposed. Originally it was almost twice the size but that encroached on the airport approach zone. I do recognize that a lot of communities are struggling with these towers right now. I think Manchester is in

a little bit better shape because our zoning ordinance does not allow them within residential zoning districts so the only ones that are allowed are in the industrial zones or by special exception by the Zoning Board of Adjustment in rare situations. This one has gone to both boards and it is much reduced from what it was originally.

Alderman Girard asked what type of visual impact is this going to have on those neighborhoods though.

Mr. MacKenzie answered you will be able to see it from Interstate 93 from the Bodwell Road, Hermit Road area. You will know it is there. Again, it is about an eight story building which is higher than the tree growth that is on that hill. This is actually on a hill near Hermit Road. So it will be visible above the tree line.

Alderman Clancy made a motion to approve the request. Alderman Pariseau duly seconded the motion.

Chairman Reiniger called for a vote. The motion carried with Chairman Reiniger duly recorded as abstaining, and Alderman Girard duly recorded in opposition.

Chairman Reiniger addressed Item 10 of the agenda:

Communication from Lloyd Basinow requesting that the Board declare 1,255 units of public housing within the City limits to be "Drug Free Zones".

(Note: referred to Committee on Traffic/Public Safety who voted to receive and file on April 7, 1998.)

Chairman Reiniger stated Mr. Basinow has requested, pursuant to the Charter, to address the Committee on his request.

Mr. Basinow stated I beseech this Committee to pass my recommendation and suggestion. The only thing that the elderly and the senior citizens of the City want is the same protection that is afforded to our schools. Since this letter came before the Board and I mentioned 1,255 units, that was the figure given to me by MHA, there has been additional construction throughout the City so I would venture to say we are probably talking closer to 1,300 units. This does not mean an additional expense on the City of Manchester. We are talking about putting signs up. I think the most important part is the deterrent factor here and this is by state law and I refer you to the state law 47:17 paragraph 17 and particularly paragraph C the sub of it. Those signs that would be constructed would, quoting state law

“warn that a person who violates RSA 318-B the Controlled Drug Act within the Drug Free Zone shall be subject to severe criminal penalties under RSA 318-B and a penalty of up to \$1,000 under this paragraph. All we are asking is put a sign out there so it will be very clear that the City, if it finds someone within those areas that are in violation of the law, they are going to get stiffer penalties. As I said, this is not going to be a big expense on the City. The enforcement of it will be no greater than what is presently done in regards to the schools throughout the City and as a matter of fact probably a lot less in as much as it only calls for penalties once that property is posted.

Alderman Girard stated I had the opportunity to speak to Chief Driscoll and Director Grogan from MHRA regarding a proposal similar to this if not the exact same thing during the fall and I know they were both supportive of it. What I would like the Committee to do is to invite both Chief Driscoll and Director Grogan to come speak to the Committee regarding the merits of the proposal. I will be candid with you, I think anything that we can do to expand that drug free blanket around the City is probably a good thing. I know they both looked at it as an additional tool for them to do what they needed to do to keep those areas clean.

Mr. Basinow stated I would point out that there have been problems, particularly down in the Spruce Street area near the high-rises. I am not saying that all of these signs would have to go up all at the same time. I would suggest it be done over a period of time and that the problem areas which the Police Department can point out be singled out for immediate action. This is something that will have to be done over a period of time and it has gone on for quite some time so we are not under big pressure to rush this thing into immediate action but I think we should give it careful consideration.

Chairman Reiniger stated the easiest areas to do would be the high-rises on the west and east side.

Alderman Pariseau stated my question concerns the Housing Authority. I want to know their position.

On motion of Alderman Clancy, duly seconded by Alderman Girard, it was voted to table this item and invite Chief Driscoll and Grace Grogan of MHRA to the next Committee meeting.

Chairman Reiniger addressed Item 11 of the agenda:

Communication from Gale Hennessy, Executive Director of Southern NH Services, Inc., requesting a sidewalk on Pine Street from Silver to Valley Streets.

Alderman Pariseau moved that this item be referred to the Year 2000 CIP budget. Alderman Clancy duly seconded the motion.

Alderman Girard stated I was going to ask that it be referred to the Planning Department since we have this sidewalk program.

Mr. MacKenzie stated later on this year I will be bringing back the priority listing of sidewalks to this Committee for review again so it could be referred to that if you would like.

Alderman Girard moved to amend the motion and send the request to the Planning Department for placement on their sidewalk list. Alderman Pariseau duly seconded the motion.

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

CONSENT AGENDA

Chairman Reiniger advised 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.

Recommend approval to BMA

- A. Request for sewer abatement at 77 Goffstown Road.
(Note: EPD recommends abatement in the amount of \$616.90.)

- C. Communication from the Director of Planning recommending approval to the full Board that authorization be given to the Water Works Department to submit an application for a 20-year \$3,755,000 loan to the State Department of Environmental Services Revolving Loan Fund Program.

- D. An amending resolution and budget authorization allowing for the acceptance and expenditure of a donation and grant funds totaling \$8,258.00 be added to the 1997 CIP 5.20201 Library Literacy Volunteers of America Project.
- E. An amending resolution and budget authorization allowing for the acceptance and expenditure of additional grant funds for the 1998 CIP 4.20106 Motor Vehicle Prosecutor in the amount of \$1,976.00 from the State of NH Highway Safety Agency.
- F. An amending resolution and budget authorization allowing for the acceptance and expenditure of a donation totaling \$30,000.00 be added to the 1998 CIP 5.10258 Livingston Park Capital Improvement from the Oval Society.
- G. Resolution:

“Amending an Amending Resolution ‘Authorizing and appropriating funds in the amount of (\$21,790,000) Twenty One Million Seven Hundred Ninety Thousand Dollars for various Airport Authority Projects’,” so as to revise the funding source for the 1998 Community Improvement Program 7.30279 Ammon Center Parking Lot Project from \$540,000 MAA Cash to \$540,000 MAA Bond.

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

- B. Communication from the Director of Planning recommending approval to the full Board that an estimated \$100,000 be authorized to utilize unencumbered funds from the Center of New Hampshire Garage rehabilitation to initiate other repairs to include the upgrading of the revenue control system, lighting improvements and renovation of the management office.

Alderman Girard asked how much work is left to be done to the Center of New Hampshire Garage. If memory serves there was a significant amount of structural repair work that needed to be done there. Is that all done now?

Mr. MacKenzie answered I know a good portion of the work is done. I think that Tom Lolicata could probably better answer that and why they want to utilize the balance of funding for it.

Mr. Lolicata stated first of all, after the two delays, etc. we should be out of there hopefully by the beginning of September. After July we should be nearing the end of the last phase and this should be picking up speed around June or July. The money is already there, we are asking to update the lighting down there.

Alderman Girard stated my question is just to make sure that the major structural repair work is going to be concluded and that transferring this money will not take away from that work.

Mr. Lolicata replied it won't take away at all. It will be completed within the time-frame.

Alderman Girard asked so all the structural work will be done.

Mr. Lolicata answered that is correct.

Alderman Girard moved to approve this item. Alderman Pariseau duly seconded the motion.

Alderman Clancy stated I know that the Victory Parking Garage, especially the stairwells, need some work done. Is that going to be done this year or next year or what?

Mr. Lolicata answered we put monies in for that for the following year starting with Victory I put so many thousands in there for the 1999 budget and as of now there is only \$100,000 in there. Prioritizing we might be starting right there after the Center of NH is done. That is not quite over with yet because of the Hartnett Parking Lot and the Victory Garage so we are looking into prioritizing that.

Alderman Clancy stated I know that both stairwells on Vine Street need some repair work real bad.

Mr. Lolicata replied depending on how much it costs, we might be able to take care of it this year. I am not guaranteeing it, but it is a possibility.

Alderman Clancy asked why don't you go and get some bids on that so we will know how much we are talking about.

Mr. Lolicata answered right now we have to finish up for September, but that will be prioritized. Victory is first.

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

Chairman Reiniger addressed Item 3 of the agenda:

Revised agreement between the City and The Sargent Museum and Amoskeag Industries, Inc. related to the reverter rights on the 88 Lowell Street property.

Chairman Reiniger noted we were waiting for Mr. Arnold, but I think Mr. Taylor is well versed in this issue. This is The Sargent Museum on 88 Lowell Street. It is an exciting project to create a museum and they have been haggling I guess over the last year over a legal issue involved with Amoskeag Industries and clearing the title to the properties.

Alderman Pariseau moved the item for discussion. Alderman Clancy duly seconded the motion.

Mr. Taylor stated I think your statement about me being well versed might be slightly over exaggerated, however, I will do my best. Let me go back a little bit. The discussion regarding The Sargent Museum goes back over a year and half now when this Committee or the predecessor to this Committee decided to put the 88 Lowell Street property out for public proposals. We did get a couple of proposals. The one that we are discussing now, The Sargent Museum, seemed to be the most appropriate for the building given that it is a non-profit institutional type use that we think will make the best use of that property. They have agreed to put it back into shape considering its historic character and we think that the use that they proposed fits in very well with the other uses around Victory Park. The institutional, the churches, the library, the Institute of Arts & Sciences, the Historic Association and so forth. Basically what they are talking about is renovating the building and using it to house archeological artifacts which the namesake of the museum, a gentleman by the name of Mr. Sargent, has collected over the years. He has a number of artifacts as well as an extensive library and some other materials which will be useful in the museum carrying on its non-profit work in addition to its educational functions. They plan to do programs with the Historic Association and with the school system as well. In August of last year, the City signed a purchase and sale agreement with The Sargent Museum to sell them the building and there were a whole series of restrictions on how that was going to be done, not the least of which was a time schedule within which they had to complete all the work that was required. To try to make a long story short, the outside limit of that time schedule was the Year 2005 when they are supposed to

complete all of these improvements. If they don't complete these improvements before that time, the property can revert to the City of Manchester and we can try to sell it to somebody else. Part of the complicating factor in selling this property was the fact that the Amoskeag Industries, Inc. has a reverter right on the property as it does on the City Hall, as it does on the City Hall Annex, as it did on a number of the school properties, including Amoskeag School, Straw School, Franklin Street School. Most of the school properties have Amoskeag reverters on them. Part of the responsibility of the City in consummating this deal was to come up with an agreement whereby we would get that reverter waived so that we could, in fact, give The Sargent Museum clear title to the property. That process has been a little sticky and has taken some time to put together, however, the agreement that you have before you embodies the result of a meeting we had between the three parties about a week and a half ago whereby all of us agreed that this agreement that you see here appears reasonable. It solves the problem with the title. It gets Amoskeag to waive its reverter right under certain conditions. It also provides, after the Year 2005 which is when The Sargent Museum is required to complete their improvements, that if they should sell the property after the Year 2005 for a profit that they will pay Amoskeag Industries 20% of that net profit as part of their reward for waiving the reverter. The only part of this agreement that really affects the City and I will refer you to paragraph number two, this refers to the purchase and sale agreement whereby The Sargent Museum sells the property prior to the Year 2005. If that were to occur and there were, in fact, a net profit generated by the sale of this property and as you can see in this paragraph net profit is defined as the sale price minus the sale price that the City sold it to the museum, minus \$25,000 which the City put in for a roof and the balance of that is split between The Sargent Museum and the City. So the cost of obtaining the Amoskeag Waiver then is 20% of the City's share of those proceeds. This is really the only paragraph which directly impacts on the City at all. Most of the rest of the agreement refers to what happens if they sell it to a not for profit versus a for profit or if they sell the property after the Year 2005 in which case Amoskeag and Sargent are dealing directly with a percentage of the net profit. The thing I would like to point out here is I think we are probably trying to protect against an instance which may never, in fact, occur. My own view is if The Sargent Museum invests \$450,000 or \$500,000 in this building and they are ever able to get a profit from selling the building I guess I wish them real good luck. I think we are talking about something which may never occur, but the previous Committee felt it was important that we address all these issues in the event that some unnamed angel would come down and give The Sargent Museum a tremendous profit on this property.

Chairman Reiniger asked are you recommending approval of this.

4/21/98 CIP

20

Mr. Taylor answered I am.

On motion of Alderman Girard, duly seconded by Alderman Clancy, it was voted to recommend approval of the lease agreement subject to the review and approval of the City Solicitor.

NEW BUSINESS

Petition for Discontinuance of a portion of Bodwell Road.

On motion of Alderman Pariseau, duly seconded by Alderman Girard, it was voted to recommend that this item be referred to a road hearing.

TABLED ITEM

Communication from the Director of Planning seeking the Committee's acceptance of the assignment of promissory notes and mortgages from the Manchester Housing and Redevelopment Authority of various Housing Rehabilitation Programs.

(Note: Re-tabled 2/17/98, pending Planning recommendation - attachments previously forwarded to Committee.)

This item remained on the table.

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

A True Record. Attest.

Clerk of the Committee