

## COMMITTEE ON COMMUNITY IMPROVEMENT

**May 18, 1999**

**6:15 PM**

In the absence of the Chairman, the Clerk called the meeting to order at the appointed hour.

The Clerk called the roll.

**Present:** Aldermen Wihby, Clancy, Pariseau, Girard

**Absent:** Alderman Reiniger

**Messrs:** R. MacKenzie, S. Maranto, M. Farren, T. Bowen,

The Clerk noted that in the absence of Chairman Reiniger, a motion is in order to elect a Chairman Pro-Tem.

On motion of Alderman Pariseau, duly seconded by Alderman Girard, it was voted to elect Alderman Wihby as Chairman Pro-Tem.

Chairman Wihby 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.

### **CONSENT AGENDA**

A. Resolutions:

"Amending the 1999 Community Improvement Program, authorizing and appropriating funds for various Health Department Projects."

"Amending the 1999 Community Improvement Program, authorizing and appropriating funds for various School Department Grants."

"Amending the 1999 Community Improvement Program, authorizing and appropriating funds for the 1999 410599 Manchester Sobriety Checkpoints Project."

"Amending the 1999 Community Improvement Program, authorizing and appropriating funds for the 1999 410699 Supplemental Police Services."

"Amending the 1999 Community Improvement Program, authorizing and appropriating additional funds in the amount of \$10,000 for the 1999 CIP Project 510599 Park Improvement Program."

B. CIP Budget Authorizations:

1995	740370	Sanitary Landfill Closure - Revision #7
1998	5.30102	ADA Compliance (Loan) - Revision #3
1999	220599	Tuberculosis Control - Revision #1
1999	221199	Refugee Health Program - Revision #1
1999	222099	Refugee Health Services Grant
1999	410599	Manchester Sobriety Checkpoints
1999	410699	Supplemental Police Services
1999	510599	Parks Improvement Program - Revision #2

**HAVING READ THE CONSENT AGENDA, ON MOTION OF ALDERMAN GIRARD, DULY SECONDED BY ALDERMAN PARISEAU, IT WAS VOTED TO APPROVE THE CONSENT AGENDA.**

B. CIP Budget Authorizations:

1998	5.30102	ADA Compliance (Loan) - Revision #3
------	---------	-------------------------------------

Mr. Maranto stated the money is being used by the Manchester Historic Association to retrofit their museum space in the FIRST building. Initially, we had given them \$150,000 and we initially had an estimate lower than that which was \$115,000. That is why we gave them that, however, they had some change orders, some unforeseen difficulties in rehabbing the facility. Now we are just putting back the \$35,000 additional for the total of \$150,000.

Alderman Clancy asked are they going to retrofit the whole building.

Mr. Maranto answered no, just their space. Basically they are putting in a ramp on the outside and making the addition on the north side accessible as well.

Alderman Pariseau asked where is this.

Mr. Maranto answered in the FIRST building.

Alderman Clancy stated that is the Dean Kamen building, right. That is the one we gave \$3 million to, right?

Mr. Maranto replied right.

Alderman Clancy asked how much money have we given to Dean Kamen in total for this building.

Mr. Maranto answered \$2.200+ million.

Alderman Clancy stated plus this amount.

Mr. Maranto replied no, this is for the Historic Association.

Alderman Clancy asked and this is a loan.

Mr. Maranto answered what is going to happen is they have agreed to put it back and put it into a fund for historic revocations for properties in the City, which would be overseen by the Planning Department.

Alderman Clancy asked they are going to rehab some of the old buildings.

Mr. Maranto answered it would be a revolving loan fund for buildings that have historic value and we would probably be giving out either grants or loans in the future. Basically, we are leveraging the funds over the next 10 years.

Alderman Clancy stated if someone downtown wanted to bring their building up to ADA compliance could we loan them the money to do it. There are many buildings in town that need to comply with the ADA.

Mr. Maranto replied if it is a commercial venture, we could work it that way or else if it is a rehab that activity would be eligible for our health and rehab program. We just created this year a building improvement fund and that may be one of the things they choose to request funds for.

Alderman Clancy asked how much money is available.

Mr. Maranto answered \$200,000 this year.

Alderman Pariseau asked citywide.

Mr. Maranto answered yes.

Alderman Pariseau asked and we gave \$150,000 to Dean Kamen.

Mr. Maranto answered no, not to Dean Kamen to the Historic Association. Again, they are going to be putting that money back in and making it available to people in the future to utilize.

Alderman Pariseau asked when.

Mr. Maranto answered starting in January, 2000.

Alderman Clancy asked how are they going to pay it back.

Mr. Maranto answered through fundraising efforts.

Alderman Pariseau asked how long do they have to pay it back.

Mr. Maranto answered it is probably going to be over a 10 year period. \$15,000 a year.

Alderman Clancy asked any interest.

Mr. Maranto answered not right now, no. They initially came to us looking for a grant and rather than giving them a full grant we are doing this.

Alderman Pariseau asked this is because the Historic Association is taking over part of that building.

Mr. Maranto answered that is correct.

Alderman Pariseau asked it is not necessarily for FIRST.

Mr. Maranto answered no. One of the reasons we gave them money in the first place, we gave them \$300,000, was to create jobs and the Historic Association has created several jobs by moving in there and expanding their facility. That is one of the justifications for utilization of CDBG funds.

Alderman Pariseau asked are they still on Amherst Street.

Mr. Maranto answered yes they are.

Alderman Pariseau asked what are they going to do with Amherst Street.

Mr. Maranto answered continue.

Alderman Pariseau asked what is this, CDBG funds.

Mr. Maranto answered yes it is. It is basically an extension of the museum. They have outgrown their space.

Alderman Girard asked does the Historic Association own this space or are they leasing it from FIRST.

Mr. Maranto answered they are leasing it.

Alderman Girard asked do you know whether or not they are paying rent or is it the symbolic \$1 a year lease.

Mr. Maranto answered I believe they are paying rent. I think in the cash flow analysis that Dean Kamen had, he had space rented out. I could review that for you if you want.

Alderman Girard stated I have two concerns here. I don't know if you or Mr. MacKenzie could answer it, but where the Historic Association is paying rent to a property owner, it seems to me that the property owner should be responsible for these improvements. I am worried that if we do this, we will be setting a precedent whereby others can follow suit. I am not sure that this is an appropriate role for City government to be playing.

Mr. Maranto stated we have already agreed on this essentially. We are 75% complete right now. The reason we are coming back is because there was a problem that was found.

Alderman Girard asked so basically we have already allocated \$115,000 and we are upping it by \$35,000.

Mr. Maranto answered yes.

Alderman Girard moved to approve the item. Alderman Clancy duly seconded the motion.

Alderman Pariseau asked this is the third revision. Originally it was set at \$150,000. The first revision lowered that from \$150,000 to \$50,000, then the second revision was to reflect actual bids received and now because of the construction estimates we are adding the \$100,000 back in.

Mr. Maranto answered no, \$35,000. Initially, we gave them \$150,000. The initial estimate came in saying that they needed about \$150,000 to do the ramp. When we got the bids, we found that it would be about \$113,000. The actual contract came in at \$115,000. As they went through the job again, they discovered a penstock, which they needed to fill in. That is why we are coming back for additional monies. There was no way of knowing that condition was there.

Alderman Pariseau stated in reference to the project description it says the Historic Association building is at 200 Bedford Street. That is not the Historic Association building, it is the FIRST building owned by Dean Kamen. They are paying rent?

Mr. Maranto replied yes.

Alderman Pariseau asked why would a tenant be willing to take out a loan to the tune of \$150,000 to make somebody else's place handicap accessible.

Mr. MacKenzie answered it is not unusual for a new major tenant going in to provide fit-up costs and that can be fairly substantial sometimes. They did get a grant and we helped them get a grant to create this new museum and interpretive center for the Millyard, which they put inside the FIRST building. Of course, that was a very significant cost and the owner was not providing that. In this case, where that is going to be their major entrance, down along Commercial Street, they needed handicap accessibility to meet federal codes and this was part of the fit-up costs to make it handicap accessible.

Alderman Pariseau asked and this was all in the guidelines of the CDBG process.

Mr. Maranto answered that is correct.

Alderman Clancy asked, Mr. Maranto, in all of the monies that we have loaned or given Mr. Kamen, how much has he paid back the City.

Mr. Maranto answered we gave him a bond for \$2 million or \$2,054,000 that has not been paid back to my recollection.

Mr. MacKenzie stated the Board in essence followed through on that project and gave that as a grant. The City purchased the property and gave it as a grant on the condition that they meet certain requirements to create unusual facilities.

Alderman Girard asked would it be safe to say that we are engaged in this endeavor because the Historic Association is expanding as a non-profit to provide sort of a tourist attraction or an attraction for the Millyard and that we are not doing this generally for “for profit” ventures or even other non-profits.

Mr. MacKenzie replied if this was a profit organization, we would expect a loan perhaps with some percentage of interest. We do like...most companies in Manchester provide handicap accessibility. Here is a non-profit that is creating a Millyard interpretive center, which is going to help the Millyard grow and revitalize, and we felt that was an appropriate use.

Alderman Pariseau asked the taxes that Mr. Kamen was supposed to pay to the City was based on rental. Has he done that?

Mr. MacKenzie answered I am not as familiar with those original agreements with FIRST.

Alderman Pariseau stated he was going to rent out portions of that building and the City was going to get taxes from that rental.

Alderman Clancy stated what I find hard, really, is that we only have \$200,000 for the whole City and they get \$150,000. Not that I am against the Historic Association, but what if somebody else comes in and they need \$75,000?

Mr. Maranto replied we do have the business loan fund where we have money available as well. We have about \$600,000 available if someone wanted to utilize those funds.

Chairman Wihby called for a vote on the motion to approve the budget authorization, 1998 5.30102 ADA Compliance (Loan) – Revision #3. There being none opposed the motion carried.

Chairman Wihby addressed Item 4 of the agenda:

Communication from the Director of Parks, Recreation & Cemetery, on behalf of the VFW 8214, requesting the placement of a Veteran's Market at the corner of W. Hancock and Second Streets to honor Col. Gerald Hemlich, a Vietnam Veteran and West High School graduate.

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

Chairman Wihby addressed Item 5 of the agenda:

Request of Christopher J. Blevens for a sewer use abatement.  
(Note: EPD recommends abatement of \$230.95 be granted.)

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

Chairman Wihby addressed Item 6 of the agenda:

Communication from Brown Avenue residents asking that they be fairly relocated, as previously having been reassured by the City, due to the Brown Avenue Reconstruction and Widening project.

Alderman Pariseau moved to refer this item to the Airport Advisory Committee. Alderman Girard duly seconded the motion.

Alderman Clancy stated I know this has been talked about. There are four people down there. Something has to be done. We have to have some better communication. I don't want to see people left high and dry. I would like to take care of these people but we need more information. How many more houses are there? There are only four houses involved right?

Alderman Pariseau replied six.

Alderman Clancy stated now if we buy these six houses, maybe six more will jump in. Where do we end?

Alderman Wihby asked are you on the Airport Committee.

Alderman Clancy answered no.

Alderman Wihby stated I thought all of this was discussed yesterday.

Alderman Pariseau stated it was.

Alderman Clancy asked what was the outcome.

Alderman Pariseau answered they are going to look at it.

Mr. Farren stated there are four folks, now six that live north of Depot Street petitioned, through this letter, to have the Airport participate in relocating them. We talked with Alderman Pariseau's group last night at considerable length in this

regard. I think the basic fact that you should now is that there are 19 homes south of this group, which come right to the airport entrance road where it is currently located.

Alderman Girard asked, Mr. Farren, is that just on Brown Avenue or does that include everything to the river also.

Mr. Farren answered we are only talk about 19 homes all on Brown Avenue.

Alderman Clancy asked on the East Side or West Side.

Mr. Farren answered the West Side. Mr. Testa worked very hard to get the FAA to agree to fund their relocation. The FAA is denying that on the basis that they don't purchase homes for traffic purposes. The other homes that we are talking about right here are north of that. Much further north. I talked to the FAA this morning and they said we told you no on the first 19 and definitely we are not going to do it for the other six.

Chairman Wihby asked where did you leave it with the Committee yesterday.

Mr. Farren answered I said I would work with them as best I could to help resolve the issue, but really the Airport has no authority to pay for those homes.

Alderman Girard asked, Mr. MacKenzie, the proposed zoning map that we have here maintains the residential zone that is down there now. I have a hypothetical question for you. If we were to take the areas of Brown Avenue, say from Pine Island Park down to about the Airport entrance or just beyond it, if we were to change the zoning district there so that it was zoned commercial/industrial, would the homeowners there be in a position to perhaps sell their properties to industrial/commercial concerns that might be more compatible with the area as it is developed.

Mr. MacKenzie replied that is possible. Some communities have done that. That has happened right now in Concord. There was a residential neighborhood that they changed to industrial. It can be a difficult process for a homeowner because some developer might want to come in and buy two homes and then the three homes right beside that aren't sold for three or four years. That in itself can be a frustrating process because then you have some homeowners that are left there and new commercial properties going up around them. It is a possibility. We have thought about that because certainly commercial is much more compatible with the airport noise issues than residential. The difficulty is the more commercial you add in that area with already tremendous traffic issues, until you have traffic relief with the airport access road, it would be difficult to rezone a significant area to

commercial just because there is no traffic capacity for additional commercial traffic.

Alderman Girard stated something needs to be done now in this area of the City. It seems there are three options. The one that we just discussed. The one that Mr. Farren just ruled out, at least in some areas, of having the airport buy the homes or the City going through and buying the homes and buying the property for resale later. That seems to be a potentially very expensive item for the City. What do you see as a logical first step to try to change this area so that the residential uses that are there, which are admittedly incompatible with what has grown up around it, so we can begin to solve the problem. It may not happen in two or three years, but what can we do to solve the problem.

Mr. MacKenzie replied I am not sure if I am fully prepared to answer that because I haven't put much thought into it, but historically, different planners have looked at the issue that perhaps Brown Avenue should become commercial and, in fact, recommended that many years ago before a lot of that residential development happened in that Brown Avenue corridor. I still believe that the key is the airport access road. Until you get the relief from traffic congestion on Brown Avenue and there will be relief when the airport access road comes in, there is simply no capacity to add additional commercial in there. You could have one small store or a 10,000 square foot shopping area and that could generate tremendous amounts of traffic and traffic conditions are already extremely difficult in that area. I believe that in the long-term it is possible to look at it. It might be preferable, but until you get the alternative access to the highway system that is going to be difficult.

Alderman Girard asked does the City have the capacity to go through one of those options and buy the residential land, buy their houses and just land bank the land. Can the City do that?

Mr. MacKenzie answered in my opinion it is rare for a City to do that. I don't believe that we have programmed the money in the next five years. As you know, we only have maybe \$10 to \$12 million a year for all of the school projects and parks. It would be hard for me to imagine that we could come up with the amount of money necessary to purchase those homes.

Alderman Girard asked what is the timetable for the airport access road.

Mr. Farren answered approximately five years. If you are talking about the State funded access road, they are talking five years but it is still being contested.

Alderman Girard asked five years before it is started or five years to have it completed.

Mr. Farren answered five years to complete it.

Chairman Wihby asked does the FAA control all of your money.

Mr. Farren answered yes. They have to approve how we give the money way from the airport. We have to submit a form each year, the head authority does, attesting to the fact that every dollar that is given to the City for whatever purpose is only used for services provided.

Chairman Wihby stated I am not talking about the City, what if you wanted to buy something.

Mr. Farren replied yes they have to approve it.

Chairman Wihby asked if you want to buy a truck they have to approve it.

Mr. Farren answered no.

Chairman Wihby asked did they have to approve the money for the parking garage.

Mr. Farren answered the parking garage was part of our bond issue. They don't provide federal funds for that. It was part of the master plan approved by the FAA.

Chairman Wihby asked why can't you take some of the money, for instance, that is coming in from the parking garage and buy houses.

Mr. Farren answered that is pledged against the bond issue.

Chairman Wihby asked there is no additional revenue there that you are going to get. You just told me the other day that you are going to have to build another garage.

Mr. Farren answered we are going to build additional parking. The bond for the garage as currently issued is \$40 million and the pledge of that revenue comes from the parking garage to pay back those bonds. Tonight we are going to have another \$7 million for a pedestrian bridge. The pledge for that revenue is going to come from facility charges of \$1.50 for every rental car.

Chairman Wihby asked who decided that you are going to have a \$1.50 charge for the pedestrian walkway. You guys?

Mr. Farren answered yes.

Chairman Wihby asked why don't you make it \$2 and buy the houses.

Mr. Farren answered we are really limited with what we can buy. We can only buy properties that benefit the airport or that alleviate some situation that is directly or totally caused by the airport.

Chairman Wihby asked this isn't.

Mr. Farren answered if the airport wasn't there, Alderman, there would still be traffic on that road.

Chairman Wihby replied not as much. I was down there the other day and I thought it was a zoo.

Mr. Farren stated there is no doubt that there is airport related traffic, but the FAA would not approve it and did not approve it.

Chairman Wihby stated forget the FAA. I am talking about adding another surcharge on something else to buy the property. If you can do it to put in a pedestrian walkway, why can't you add on another \$.50 and take care of the problems that are there?

Mr. Farren replied it sounds easy, but believe me it is not easy to do. The pedestrian bridge serves the airport and serves the terminal and it is clearly related to what is going on on a day-to-day basis at the airport. I have had your concerns also and that is why I called the FAA this morning.

Chairman Wihby stated why don't you charge more for taxis. They robbed me out of \$20 to get home. \$20 for a taxi ride from the airport.

Mr. Farren replied it is not a question of the revenue. We could raise the revenue. The problem is that it would be considered revenue diversion by the FAA. There are very strict rules that we have to abide by because of the federal funding we have.

Chairman Wihby asked so money that isn't generated by the City, money that is generated by parking or cars, all that has to be okayed by the FAA to spend.

Mr. Farren answered yes for airport activities. Anything that is not airport related is subject to FAA approval.

Chairman Wihby asked if you guys wanted to charge an extra \$1 for all the cars that are parked there so you can buy the land, you are going to tell me that the FAA will tell you that you can't do that.

Mr. Farren answered no; they will approve it as long as it stays on the airport. Any land that we buy has to be approved by the FAA.

Chairman Wihby asked so if you wanted to buy this land...

Mr. Farren interjected if they were to approve it, we would buy it but they already said no and we tried very hard to get them to say yes.

Chairman Wihby asked did you ask them to pay for it.

Mr. Farren answered no, we would pay for it out of our own funds but that has to be approved.

Alderman Clancy asked if they buy the land, what are they going to do with it.

Chairman Wihby answered I don't know.

Alderman Girard moved to amend the motion to ask that the Planning Department come up with some recommendations on potential zoning changes in areas near the airport. Alderman Pariseau duly seconded the motion.

Chairman Wihby asked what did they do in the master plan. Did they change it?

Alderman Girard answered no they kept it the same.

Chairman Wihby asked why.

Mr. MacKenzie answered because of the traffic issues.

Chairman Wihby called for a vote on the motion to refer the communication to the Airport Advisory Committee and to have Mr. MacKenzie submit a report regarding possible rezoning around the airport to the Airport Advisory Committee. There being none opposed, the motion carried.

Chairman Wihby addressed Item 7 of the agenda:

Communication from Wayne Vetter, Executive Director of the NH Fish and Game Department, requesting the City's consideration of entering into an agreement with the Department to construct a fish ladder at Pine Island Pond Dam.

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

Alderman Pariseau asked Mr. Bowen if he has any issues relative to this.

Chairman Wihby stated first of all, this has to be okayed by Blue Cross. I sent them the document and they wanted me to get back to somebody and I am wondering if they called when I wasn't there, but what is your concern.

Mr. Bowen replied our concern is that there would be strings attached to it. It sounds good, free money, free construction, but there may be strings such as the minimum flow. Right now, during the summer months there are no minimum flows out at Lake Massabesic which contributes more than half of the flow of Cohas Brook. We would hate to divert water that is not only being used by the...

Chairman Wihby interjected so do you want to get together and find out what he wants to do and then we will table this.

Mr. Bowen stated I talked to Ron Ludwig this morning and we kind of kicked it around a little bit. I think one of the things that is mentioned in the letter is that they have similar agreements in other places. I think one of the things we need to do is take a look at what those other agreements are.

On motion of Alderman Girard, duly seconded by Alderman Pariseau, it was voted to table this item.

### **TABLED ITEM**

8. Communications and report regarding One Dow Court's request to purchase property in the vicinity of Kidder/West Brook/Commercial Streets.  
(Note: Finance Department received copies of information to analyze on May 7.)  
(Tabled 5/10/99 pending recommendations from City Solicitor, Highway, Planning and Traffic Departments.)

This item remained on the table.

5/18/99 CIP  
15

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

A True Record. Attest.

Clerk of Committee