

## **SPECIAL COMMITTEE ON RIVERFRONT ACTIVITIES**

**February 7, 2000**

**6:00 PM**

Chairman O'Neil called the meeting to order.

The Clerk called the roll.

**Present:** Aldermen O'Neil, Sysyn, Pinard, Thibault

**Absent:** Alderman Levasseur

**Messrs:** T. Connors, K. Clougherty, P. Ramsey, Solicitor Clark, F. Thomas

Chairman O'Neil advised that the first purpose of the meeting shall be organizational in nature, and requests the Clerk to provide a brief overview regarding typical issues addressed by the Committee.

Deputy Clerk Johnson stated I just wanted to advise the Committee and I did some research today just because there has been so much question about this Committee and what the status of it is and where everything is at. Basically, in the first instance the Committee was established at the recommendation of the CIP Committee and it was established primarily for the Riverwalk situation. They saw that as a major project that was going on that the City was doing a large portion of funding on and there was a lot of activities that were involved with that Riverwalk. There was talk about stages. There was talk about water fountains. There was talk about the walkway going across and the connectors and boat launches and a lot of different aspects about it originally. The CIP Committee's feeling at the time according to the discussion within those minutes was that they did not feel as a Committee that they should be responsible for oversight of the particular project, but felt that there should be a Committee of the Board doing so because they should be looking at larger funding issues city wide they didn't feel it appropriate to be focusing on one project. They recommended to the Board that this Committee be established. That recommendation was accepted by the Board back in 1998. At the same time, the Mayor appointed what he termed the Riverwalk Committee, which included various staff. At the time it was Rich Davis, Ron Ludwig, Robert MacKenzie, Frank Thomas and Peter Ramsey. He did that so that there would be some type of a staffing type committee to look at some of the particular details and then come in and report to this Committee. That was one of

the theories behind it. This Committee then did various oversight of the project and made some recommendations to the Board. In the interim there were budget authorizations and bond resolutions that were adopted by the Board to provide the funding base. Phase I of the project at one point in time was approved and there were other reports that went through. The last report that was submitted by this Committee back in July of 1999, there was a report that said basically that to further the development phase of the Riverwalk project they wanted to go out for an RFP not to exceed \$200,000 to do some detail that was required to implement the project. The Board approved that report, but then in October when a presentation was made and some subsequent recommendations were coming out of that report, the Board did not recall the action of accepting that report recommending the up to \$200,000 expenditure. As a result, it was a rather lengthy discussion at the Board level and there were a lot of questions raised about what was and what was to be and where it was at and they never said this at the beginning and those types of things so the end result was that the Board tabled it and said we need a special meeting to discuss just this subject. That is where it was left. In reality, the directive to Mr. MacKenzie, who I know is not here because of his illness this evening, was that you do nothing until the Board holds a special meeting. At this point in time, it would be suggested that the Committee come forth with some kind of a review for the Board to give them some history because you also now have new members on the Board that have no prior conceptions of what was going on with this. We need to place on the Board agenda that tabled item at some point soon and I did have a discussion with the Mayor's Office and my understanding is that the Mayor is amenable to holding a meeting for it. At this point, anything that comes out of this Committee, it is a Special Committee of the Board and it does go directly to the Board for report. It doesn't go to any other Committee. That was another question that was raised along the way. The Committee recommendation, whatever you decide this evening if anything, you should recommend that out to the Board in a formal report fashion to be presented at that special meeting. I think at this point, somebody needs to sit down with the Board of Mayor and Aldermen and explain what the plans are, what has been, what exactly has gone on up to this point in time and kind of give a complete oversight and then say this is where we want to proceed with this. There needs to be a recommendation out of this Committee that the Board is fully understanding and accepting of. That would be the suggestion from the Clerk's Office at this point.

Alderman Thibault asked who was there...I thought there was somebody as far as staff was concerned.

Deputy Clerk Johnson asked at the Board meeting.

Alderman Thibault answered no, for this Committee before. CLD was and Peter Ramsey was.

Deputy Clerk Johnson stated the staff committee that the Mayor set-up basically was acting as a staff committee of this Committee and that included Mr. Davis, who is here, Mr. Ludwig, Mr. MacKenzie, Mr. Thomas, Peter Ramsey and Jay Taylor was called in for several matters and Kevin Clougherty as well and the City Solicitor has been there all along on various contract issues that were raised along the way. You have had a lot of staff involvement with this and interaction with this Committee in the past. The Committee pretty much has acted on information that has been provided by what they called the Riverfront Team, which included not only the Committee that the Mayor established, but other staff members that had been called in to help along the way.

Alderman Thibault asked why couldn't we ask those guys to put something together to bring to the Board at that special meeting.

Chairman O'Neil answered we can.

Alderman Thibault stated that is what I would recommend.

Deputy Clerk Johnson stated I just wanted to get you to understand exactly where it was initiated from and where you are at now. I know that there are people here to meet with you this evening to give you some ideas of where they would like to go with this but I just wanted you to understand the basis of where you are at. If this Committee so desires to bring out a recommendation and you want the Mayor to pursue a special meeting, I guess he's willing to do that. Other than that, we would place it on a regular meeting agenda, but I think it is going to entail some serious discussion.

Chairman O'Neil asked would somebody like to make a motion that we request that special meeting of the full Board.

On motion of Alderman Thibault, duly seconded by Alderman Pinard, it was voted to request a special meeting of the full Board to discuss the Riverwalk.

Chairman O'Neil asked, Deputy Clerk Johnson, just to review one item it is your opinion that this Committee does not need to report to the CIP Committee; that this Committee reports exclusively to the full Board.

Deputy Clerk Johnson answered this Committee was established as a Special Committee of the Board and under normal conditions it would report out to the Board unless the Board otherwise directs it.

Chairman O'Neil addressed Item 4 of the agenda:

Informational update by staff of next design and construction phases on the Riverwalk.

Chairman O'Neil stated I attended, along with the Mayor, a meeting a few weeks ago and there were some specific recommendations to keep the project going. There were a number of recommendations. Todd, do you want to go over what was recommended from a budget standpoint with regards to design and construction? Todd Connor from CLD. Would you start by reviewing what has been approved and completed to date?

Mr. Connor stated to date, what has been approved and completed is essentially Phase IA. Phase IA goes from, and this is hard to see because this is an artist's concept as opposed to an actual picture but this is where the parking lot is right now down by Singer Park and you can see Singer Park in the middle of that picture. Now Phase IA is essentially from that parking lot down to what is the old rail trestle. To date, what has been completed is essentially a two-tier walk. It is asphalt and it has some stone walls. There is an entrance element with concrete and pavers and that sort of thing. That has been completed from this trestle up to the parking lot. There are a couple of items that need to be finished up in the Spring like light poles, some more bricks and that kind of thing. Some finishing touches and a little bit of landscaping but for the most part that has been designed and constructed and I believe the total expenditure to date is about \$500,000 on that.

Chairman O'Neil asked that is design and construction.

Mr. Connors answered that is correct, yes. From our meeting a few weeks ago which is the Riverwalk Team for all intents and purposes, we tried to come up with a bit of direction to recreate some of the momentum this project had last fall when things were being constructed and it was determined that using the appropriation to date of \$2.8 million, I think...

Chairman O'Neil interjected I think there is a question on that. The appropriation may be a little bit higher than that. What was discussed in that meeting is well within the budget, though.

Mr. Connors stated basically what we decided to do to get the most bang for our buck and to keep this project going in a positive direction was to continue from the rail trestle south. This is the rail trestle here. We are going to continue the walkway and here again is an artist's rendition so a lot of what you see here is what could be here as opposed to what is there now. What is there now is really not much at all. Again, the second phase, which we call Phase IB extends from the rail trestle to a southerly direction past the Jac Pac Storage facility down there, it goes under the Queen City Bridge and actually off of this map and around what is known as Nel-Tec. It is the old power station plant down there right next to the bridge. It kind of wraps all the way around that down to Sundial Avenue on the south side of that. That phase of the project is really the easiest one for us to continue on. It is over land and it doesn't have a lot of issues with respect to structures and buildings and properties and things like that. I believe other than the City land, there are two private properties that we need to cross. One is the Jac Pac property and the second is the Nel-Tec property. To this date, contact has been made with Jac Pac, but not Nel-Tec. The reason for that is that we had not previously expected to go beyond the Queen City Bridge. We expected to tie in right there, but for issues that relate to access over the railroad, the decision has been made to go further south. That phase of the project, if you reference your sheet that was just handed out, the design costs are around \$70,000 and construction cost is around \$850,000. Those two items will be nailed down a little bit further as we get into the process. Where do these numbers come from? They come from basically the Master Plan Study that was previously done this past year and presented to the Aldermen at the October board meeting where this was all tabled. These numbers were developed based on what we expected construction costs to be. They are based on materials, time. What they did not include at the time was the extra walkway around Nel-Tec. It stopped at the Queen City Bridge. So we have added a little bit to this number to keep us in a safe spot. Again, when you reference that Master Plan document, the costs are given in a range. There are two costs. We think it is going to be somewhere in between the two. The \$850,000 here I think is the average off of that page just to give you an idea of where the numbers are coming from. That is our game plan for the moment. To start on that Phase IB. Get the design done within the next 60 days so we can bid it in the spring and start construction this summer. That will help us keep things really moving along down there and keep the progress up. At the same time, we are looking to start negotiations, design work and that sort of thing on what we consider Phase III. To orient you, this is Singer Family Park and here is the Langer Mill. You can match that up to Langer Mill on this picture. Phase II would take us from the park up to Granite Street. Phase III would take us from Granite Street, across the three Gateway buildings or formerly the Seal Tanning Building just to before where Waumbec starts.

Chairman O'Neil stated this might be a good point and Tom I don't know if you want to jump in on why the staff recommendation is to skip Phase II for now.

Solicitor Clark replied basically it is a legal issue. The building where the Woman's Gym is, adjacent to the Granite Street Bridge, has been a sore in our side for a while. It has been in and out of bankruptcy. The City was going to take it by tax deed. I think the City is owed close to \$600,000 in back taxes and interest. The owner had asked for a little extra time to pay it. He was going to pay it off. Instead what he did was he transferred ownership into a trust and filed bankruptcy again so we can't take the property by tax deed and we can't do anything until we fight him. We are in the process of opposing it in bankruptcy court and we are going to try and get the property. We don't have a set time frame.

Chairman O'Neil stated it could be a considerable amount of time.

Solicitor Clark replied it could be months or it could be a year. We just don't know how long it will take us.

Chairman O'Neil stated so that is why there is a shift to get away from Phase II and go to Phase III.

Alderman Thibault stated another point on that is how is the widening of Granite Street going to affect that.

Mr. Connors replied that is a good point and, Frank, you might know a little bit more is that the corridor from the highway all the way up to Elm is going to get wider. They are adding two lanes.

Mr. Thomas stated it is going to be on the north side of Granite Street. At least that is what is anticipated right now.

Mr. Connors stated so in effect that will also widen the Granite State Bridge.

Chairman O'Neil asked, Frank, knowing that the Riverwalk might eventually come through here, that will be kept in mind with the design of the widening of the bridge, correct.

Mr. Thomas answered without a doubt.

Alderman Thibault stated right now you say you are skipping Phase II and going already beyond Granite Street, right. That is what I mean. Is that all going to be taking into consideration?

Mr. Thomas replied we are going to coordinate the design of the widening to accommodate the Riverwalk. I would guess without knowing right now, but I would guess that the actual Riverwalk would be part of the widening project, at least for the area underneath the bridge. It would make sense to do that out of that construction.

Mr. Connors stated so those are a couple of reasons why we are going to skip Phase II and jump right into Phase III. Another is that Phase III is currently being rehabbed as you are well aware if you go down there. They are making some substantial improvements to those buildings. That draws people's attention and people get excited when they see something new going in like that and we think it is a good opportunity to put that section of the walk in as well. If you look again at the handout, we are budgeting about \$200,000 for the design of Phase III in your next fiscal year. The intention is that this spring we do the design work for Phase IB. This summer we do the construction and that will last through the fall. Then we are going to get into the design of Phase III with the intention that it will follow the next fiscal year. I believe this design number, like the other two numbers on this handout, come from the Master Plan report which had construction estimates and design estimates and things like that. As we had done with Phase IB, we are going to be submitting amendments to our contracts to the Planning staff with an actual estimate which tightens down this number. We know exactly what we need to do with respect to this. Again, these numbers are budget numbers and they are here for you to do your planning for the next fiscal year.

Mr. Thomas asked is it my understanding that there was already \$2.8 million allocated.

Chairman O'Neil answered correct.

Mr. Thomas asked the budgeted number is just the work that is going to be done, but the money has already been allocated.

Chairman O'Neil replied correct.

Mr. Connors stated as part of the exercise, what we are basically showing is what it is going to cost this next fiscal year. As we mentioned to Alderman O'Neil earlier, this money was basically appropriated in your fiscal year 2000. Where we go beyond that, I am not sure.

Chairman O'Neil stated why don't you just continue your portion and then we will have Kevin Clougherty or Bill Jabjiniak talk about the appropriation.

Mr. Connors stated beyond the design of these three, which will happen towards the end of this fiscal year, what we will look to do in the following fiscal year is to work on either this bridge project and again this is a nice pretty picture from an artist of what the old rail bridge could be. The Planning staff has applied for grant money from the Federal Transportation Acts, with the State Planning Office and what not. Some of that money will be used if they obtain it, for this bridge project. This is basically looking beyond this fiscal year and into 2002. We would look to do some work on the bridge and we would potentially at that time have the opportunity to work on Phase II if it has cleared some legal hurdles. That is an overview of where we are and where we are going. We are excited about starting design on Phase IB and entering into Phase III later this year. If you have any questions, I would be happy to answer them.

Chairman O'Neil suggested that the Committee move on the recommendation from the City staff, which includes CLD and Intown and recommend this to the full Board at the special meeting.

On motion of Alderman Thibault, duly seconded by Alderman Sysyn, it was voted to recommend that the Riverwalk design and constructions costs for FY2001 be approved.

Chairman O'Neil stated I don't want to put Kevin or Bill on the spot, but I was operating under this \$2.8 million that we committed, but Deputy Clerk Johnson seems to have dug out that there might have been \$4 million committed to this. If you are not in a position tonight to talk about it because I know this all came up today, I don't want to put you guys in a bad spot.

Mr. Jabjiniak stated I can tell you that in FY98 there was a project approved for \$2.1 million and in FY2000, expedited into a 1999 project, there was \$1.9 million allocated.

Mr. Ramsey stated to be fair, some of that FY2000 money was dedicated to design and construction of parking.

Chairman O'Neil asked \$700,000 for parking, correct.

Mr. Ramsey answered that would supplement the Riverwalk. The idea was if we were going to bring people down to the riverfront, it was only fair to business owners that we help them with parking.

Chairman O'Neil stated there seems to be a question of about \$500,000. If you take the \$2.8 million plus \$700,000, that is \$3.5 million.

Mr. Clougherty replied I think the \$700,000 is within the \$4 million.

Chairman O'Neil responded correct. So if we can just work that out for the Committee. Is it safe to say that there is money for what the staff recommended which is \$1.12 million for that if the Board approves it?

Mr. Clougherty answered yes.

Chairman O'Neil addressed Item 5 of the agenda:

Update by staff, if available, on development management proposal for Riverfront development.

Chairman O'Neil stated I believe this still needs some work, but one of the things that was recommended at the last staff meeting was that it makes sense to have the Highway Department be the City agency that oversees design and construction of the Riverwalk. Frank, do you want to talk about that a little bit?

Mr. Thomas replied whatever the Committee wishes. We can handle the administration of the contract with CLD. We have worked with them in the past. We do have the capacity to devote time to that.

Chairman O'Neil stated the discussion was that in your opinion you would not need any additional staff to do the administration of this project, right.

Mr. Thomas replied no. The construction administration inspection would still be done by CLD. We would provide the oversight to administer the contract on behalf of the City.

Chairman O'Neil stated those were the areas if you recall that were in that special management group we were doing and the staff was recommending and I would agree and I think the Mayor agrees to hold that. At least for now we can identify an agency to take those two areas.

Alderman Thibault stated I have something that I would like to bring out. In serving on the Southern NH Planning Commission and Kevin I think this is something you can check with the Mayor on because he is aware of it as of last week, there is something big that might be coming into that area that might help us save some money out of that. Just ask the Mayor about the meeting he had with me with the Southern NH Planning Commission. I can't divulge it right now.

Mr. Clougherty asked and this is in the Phase III.

Alderman Thibault answered yes, as far as the parking phase of it.

Mr. Clougherty stated one thing today on Phase III is that SilkNet has gone through a merger. SilkNet, which is a company down here that makes software and another company from California have agreed to what appears is a \$4 billion merger which would consolidate them. What that all means to the Millyard, I don't know.

On motion of Alderman Pinard, duly seconded by Alderman Sysyn, it was voted to recommend that the design and construction portion of the Riverwalk be turned over to the Highway Department.

Mr. Ramsey stated to follow-up on what Kevin said, the staff committee and the reason I know is that I have been co-chairman with Bob MacKenzie for the last two years, we met about 15 or 20 times and spent a lot of time on it. The staff has done a fabulous job. These are talented people who spent a lot of time on this. It was the conclusion of the staff and the Committee that the only way the project ever will get up and running with regard to private money, federal money...Judd Gregg promised that he would help us get \$3 million from the federal government and an application was done by the Planning Office. It actually never got done because we ran into some troubles in the summer, but my point is this. The staff feels strongly that there needs to be somebody who wakes up every morning in the City of Manchester and thinks about getting this project done. It is a tremendous economic opportunity for the City of Manchester and how we actually do that I think we haven't agreed yet, but Bob MacKenzie and I have met with the business owners in the Millyard. We had about 25 people at the last meeting and a majority of them were business owners. They are willing to help us hire a staff person, but what they want to do is match that to a City person. That is good news. The reason I mention this is I think it is something we need to decide on right away and get to the full Board or the project will never get done.

Chairman O'Neil stated the Mayor attended the last staff meeting and I think this needs a little more work. I think that turning the design and construction portion over to Highway is heading us in the right direction now. We kind of craft somebody to do the economic development and marketing end of it kind of. I don't think we are far off, but I think it does need a little more work and maybe a recommendation from the staff could be ready for the special meeting with the Board.

Mr. Ramsey stated perhaps we should work toward a solution and present it to you before the Aldermanic meeting.

Chairman O'Neil stated we will work with the Mayor's Office and the Clerk's Office to figure out the best time to schedule the special meeting and then we will try to have this Committee meet before that. I would like to do that when Alderman Thibault is around because he is going on vacation.

Mr. Ramsey stated I just want to say that I met with the Mayor and he is about as supportive as you are going to get. He believes that we need to do this and it was exciting talking to him.

Chairman O'Neil stated I think the recommendations that we have approved tonight send a very strong message to the business owners in the Millyard that once the full Board is comfortable with it, we are ready to go. They have been hesitant. The City has been talking the talk, but not walking the walk down there.

Alderman Pinard stated I was just at the Highway meeting and my friend from CLD brought up a good point. May I ask that Mr. Connors be allowed to speak because we have spent a lot of money on the Riverwalk and people are dumping snow and I would like him to explain.

Mr. Connors stated it has been brought to our attention and I took a look myself today and about a week or so ago...we have a situation in the City of Manchester where I think there is a little miscommunication. We have the Traffic Department in need of a location to put snow that they remove from City parking lots. What is happening is they are doing what they did last year and the conflict is that they are using the Riverwalk as access to an area where they can store snow. To give you an idea, and again this is an artist's picture and doesn't really represent what is out there now, but this is Singer Family Park. The concession stand/locker room area is on the south end of the park and if you go out there now you will see that large trucks have been accessing across the top portion of the Riverwalk, that back area to dump snow and store snow.

Chairman O'Neil asked they have been driving 10-wheelers over the Riverwalk.

Mr. Connors answered correct. They have put in some of those posts with the reflectors on them so that when they plow the Riverwalk they can know where it goes.

Chairman O'Neil asked who plows the Riverwalk.

Mr. Connors answered I don't know.

Chairman O'Neil asked not the City agency.

Mr. Thomas stated Tom Lolicata contracts with private haulers to remove snow out of parking lots. I assume it is the private hauler who is doing that.

Mr. Connors stated the fact of the matter is that this is going on and I just think it needs to be brought to your attention and resolved because this isn't why we are building a Riverwalk.

Chairman O'Neil asked could this Committee direct the Traffic Director to do something, can we.

Solicitor Clark answered no.

Chairman O'Neil asked could we strongly recommend.

Solicitor Clark answered you can recommend that they find a different alternative.

On motion of Alderman Thibault, duly seconded by Alderman Pinard, it was voted to send a memo to Tom Lolicata asking that the private haulers stop dumping snow there and that he coordinate with Mr. Thomas on where he can put the snow and that if additional monies are needed to do this, he contact Kevin Clougherty in Finance.

Alderman Thibault asked is there anyplace else they can dump the snow.

Mr. Thomas answered the Highway Department has a snow dumping area on Goffs Falls Road. It is on Airport property. The Highway Department hauls the snow down there and that has been mentioned to Tom Lolicata. It is just that in his budget he did not have enough money to pay the private contractors to haul all the way down to Goffs Falls Road. Obviously, he was hoping to use the Rubenstein property, but the paperwork hadn't gone through.

Alderman Thibault asked why couldn't we use the old landfill.

Mr. Thomas answered first of all, it is too steep. Also, you don't want to add a liquid to that.

Alderman Thibault asked how about the area you used to use as a stump dump or whatever there. Why couldn't you use that?

Mr. Thomas answered quite frankly, it is easier to go to Goffs Falls Road. There is a nice area that is open there in the clear. We have been using that for the last two years now.

Chairman O'Neil asked that the City Clerk's Office make sure that the Traffic Department gets the memo tomorrow.

Mr. Clougherty stated at the next Board meeting we are going to be putting in an item on the Rubenstein property.

Solicitor Clark stated basically the Board has authorized the execution of the Purchase & Sale agreement of the Rubenstein property. It is basically being donated to the City with three provisions. One is that we pay the back taxes, which are approximately between \$4,000 and \$5,000, that we agree to remove the soils that were excavated because of the contamination that are sitting on top of the ground now, and that we indemnify them from future problems. We have executed the Purchase & Sales agreement. It is scheduled to close by the end of February; however, we need to transfer some funds to pay for those things. So we are coming in with a request that up to \$30,000 be transferred.

Mr. Ramsey stated this is another good example of what the City staff has done. It is worth \$300,000, that piece of property. That is coming to the City for about \$30,000. That is good work and it is something that the average citizens in Manchester won't know about but it is something to be proud of. It took a lot of work.

Mr. Clougherty stated we are going to take the \$30,000 out of the account that we used for the Airpark so the Resolution will be to direct the Housing Authority to provide us with the \$30,000. We can only use it for economic development purposes and there is about \$135,000 or \$136,000 in that account. We used it before when we did Hackett Hill and we think it is a good match. We will not use contingency.

Chairman O'Neil asked Kevin and Bill could your offices work together to clear up whether it is \$2.8 or \$4 million. Please double check the figures and get out to the Committee members, as well as the staff, exactly where we are at. We want to know how much money has been committed and how much has been spent.

Mr. Clougherty stated I will put it all on one sheet and get it out to everyone.

There being no further business, on motion of Alderman Pinard, duly seconded by Alderman Thibault, it was voted to adjourn.

A True Record. Attest.

Clerk of Committee