

This set of minutes was approved at the Town Council meeting on September 8, 2008

**DURHAM TOWN COUNCIL
MONDAY, MAY 6, 2008
DURHAM TOWN HALL – COUNCIL CHAMBERS
7:00 PM
GOAL SETTING MEETING**

MEMBERS PRESENT: Chair Neil Niman; Councilor Jerry Needell; Councilor Karl Van Asselt; Councilor Julian Smith; Councilor Cathy Leach; Councilor Doug Clark; Councilor Michael Sievert

MEMBERS ABSENT: Councilor Henry Smith; Councilor Peter Stanhope

OTHERS PRESENT: Town Administrator Todd Selig; Town Planner Jim Campbell, Public Works Director Mike Lynch

Chair Niman noted that this would be an informal session where the Council would talk about what it wanted to accomplish over the following year. He noted that he had asked Councilors to submit 3 goals, and that some had submitted more than that. He said he and Councilor Leach had grouped these goals into common themes (**Economic development - Affordability - Quality of life - Processes**)

He said that hopefully the Council would reach consensus on a number of items, and said he, Councilor Leach and Administrator Selig would then create a summary document. He said if the Council then agreed that these items had been captured, it would be asked to ratify this document, which would then go on the town website for this year. Chair Niman said these goals would provide guidance for Administrator Selig and Town staff, so it was important that they be clearly communicated.

He said there would still be opportunities in the coming year to bring ideas forward, after this meeting, but he said now was the best time to do this. He noted that Administrator Selig had provided the goals from last year, and he said if there were goals on this list that Councilors wanted to remain, the Council could talk about this.

Economic Development

Councilor Leach said a question was whether the projects listed by Councilor Henry Smith were the ones Councilors wanted to see for this year.

Councilor Julian Smith suggested that the JLB and Henderson projects should be included on this list, but Councilor Needell said these projects were already before the Planning Board, so he didn't see the Council's role regarding them.

Chair Niman said there were infrastructure issues that needed to be considered in relation to the economic development goal, such as whether the Council would support the extension of water and sewer for projects.

He gave as an example Broken Arrow, and said a question was what the policy would be concerning this, and who would pay for the extension of water and sewer. He said the Town had retained a consultant to look at different possible models, in order to develop the right policy.

Chair Niman said there was the opportunity to do some economic development downtown, if that was a goal. He noted that developer Mark Henderson was somewhat nervous about building retail space downtown, and was looking for some reassurances from the Town concerning this.

Administrator Selig described the idea of encouraging the redevelopment of blighted properties downtown by providing some tax relief. He said this would assist the developer, but would also be good for the community because the property would have a higher taxable value over time.

Chair Niman said a potential goal concerning this was to establish a policy that stated the Council wanted to do something like this. He also said that with the redevelopment of Mill Plaza, they Town might or might not need a TIF district. He said an overall plan was needed for the downtown area, if the Council wanted to spur revitalization and renewal of that area. He also said they needed to be more proactive in recruiting new businesses, in order to have a vibrant downtown core.

Councilor Clark said it was important to talk about these various issues in terms of how they linked with other ideas. He also said the conversation about the Central Business District was different than a conversation about multi-unit development in other parts of Town.

He said that when he had run for the Town Council, he had said the Town needed to find some kind of balance and linkage between economic development and the environment. He said he hoped the Council's goals included green development, and said if they could say this was important to them, it would meet two goals: economic development and preserving the character of the Town.

Councilor Clark also said he hoped the Council could discuss approaches for allowing development to come into Town that didn't result in a mode of building and then seeing who came in. He said instead, Durham should build what it wanted to build. He said Mill Plaza had created a model for this kind of approach.

He also said there should be discussion about access issues, noting that the downtown needed to be more easily accessed if they expected people to move into the business parks that might be built.

There was discussion on the concept of green building and green development in general. Councilor Clark noted that among other benefits, this kind of development saved money over the long term. He said there needed to be a conversation on reducing dependence on foreign oil, and on using renewable resources. He said the goal could be to start small, but to switch over to this completely over time.

Chair Niman agreed that one of the Council's goals should be to achieve the kind of balance Councilor Clark was talking about.

Chair Niman said a question was how active the Council wanted to be in redeveloping the downtown. He noted the triangular parcel behind the bank and across from the Pettee Brook parking lot, which the Town owned, and Administrator Selig said the property had been surveyed, and was a viable building site. He said there were two 50 ft easements running across the property that would have to be addressed, and said the Town was working on extinguishing them. He said if this could be accomplished, the Town could sell it as a

commercial space, or perhaps utilize it for a Town office, library, etc.

Chair Niman said that could be goal as well. He said if the Council decided it wanted to commercially develop this property, it could put a 35,000 sf building there, and perhaps could provide incentives in order to get the kind of businesses the Town wanted there. He said this could help provide the synergy required to develop the entire downtown area.

Administrator Selig made reference to a discussion at the Rental Housing Committee meeting that day, which related to this issue. He said the Council might want to have a conversation on where they wanted development to occur in Durham. He said if there was concern about sprawl, the Zoning on the outskirts of Town might be revisited along with revisiting the Zoning for the downtown area. He gave as an example the idea of looking at increasing the allowable height of buildings downtown, to allow for three stories of housing. He said this would make the land downtown more valuable, and would provide more incentive for developers to develop the properties there.

Councilor Leach asked how, logically speaking, the Council would go about achieving this kind of goal. She asked whether, if it was a goal, Administrator Selig would bring forward proposals, or if perhaps a committee would be engaged to do this.

Councilor Clark said the Mill Plaza committee was an interesting model, and said the Council could perhaps duplicate it for the Central Business district after the redevelopment of Mill Plaza was realized. He said there could be similar master planning for the Town's business parks, and he said if businesses with some pedigree could be identified and brought to Town, other businesses would line up.

Chair Niman said perhaps something like this could be done in conjunction with the Durham Business Association.

Councilor Needell said the Master Plan was ripe for revision, and he noted that the Energy Committee had been discussing this. He said it was important to realize that this document was owned by the Planning Board, and that revising it involved a public process. He said perhaps the Council could ask the Board to kickoff a revision to certain sections of the Master Plan that deal with economic development.

Councilor Leach said she agreed with this approach to a certain extent, and said it might be a mistake to do economic development project by project. She said Chair Niman had done a great job of trying to bring things together, but she said that to a large extent, this broader approach had been missing.

There was discussion about how much money was available to work on a Master Plan update, and also about the fact that the Planning Board had wanted to start working on rolling updates to the Plan but hadn't been able to get to it.

Chair Niman asked if Council could set as a goal the idea of doing a Master Plan for the downtown, and could then go to the Planning Board and ask it to initiate the Master Planning process, with the first step being to develop an updated plan for the downtown.

Councilor Needell suggested that there might be a joint meeting with the Planning Board, noting that there were a lot of issues that could be addressed at such a meeting. He said there was a quarterly planning

meeting coming up soon.

Councilor Needell said the vision needed to be in the Master Plan. He said they weren't going to change the Zoning Ordinance until they changed the Master Plan.

Councilor Leach said she was concerned that this might bog the process down.

Councilor Sievert said the vision from the Master Plan was pretty well in tact, in terms of uses. He said a question was whether focusing on the downtown area was the right approach, or if it would be better to broaden things out. He also said that regarding the question of whether development on the outskirts of town was a good idea, the developers there said yes.

Regarding the issue of tax incentives, including those for using green technologies, he said a question was whether providing these incentives to developers would help the Town achieve its own goals concerning taxes.

He said it was important to look at Town planning from a broader perspective, and to work with the Planning Board on this. He said this could be done fairly quickly, and said they could then focus in on more specific areas of Town.

There was discussion with Administrator Selig about the idea of possibly updating the Master Plan. He noted that the last time the Planning Board had worked on the Master Plan, a consultant was hired to help with this.

Chair Niman said it sounded like Councilors wanted a goal regarding this kind of planning, and said they also needed to figure out how to make it operational.

Councilor Van Asselt said at the Rental Housing Commission meeting that day, it had come out that there wasn't a Master Plan for development in Durham. He spoke about how students had driven, and would continue to be the driver for successful development downtown. He said Councilor Sievert's concept of a Master Plan for development made sense.

Councilor Van Asselt said he was interested in economic development as a way to broaden the tax base and therefore relieve the tax burden, so it would be affordable to live in Durham. He said he thought the Council needed to decide first whether the goal of broadening the tax base was an important one, and said he wasn't sure the Council was fully committed to this.

He also said there had been a lot of time spent last year talking about affordable housing and workforce housing, but he said not one out of nine Councilors had said this was what he/she actually wanted to see in Durham. He noted that this issue had come up at the Rental Housing Commission meeting. He asked where the Council was going, concerning this possible goal.

Councilor Clark said economic development was definitely about expanding the tax base, but he said they should instead start with considering what they wanted Durham to look like, not with the goal of expanding the tax base. He said Durham should be a town that everyone would want to come to.

In response to Councilor Van Asselt's comments that students were the drivers of business in the downtown area, he said the most sustainable businesses downtown had been those that catered to residents. He provided details on this, and said a plan was needed that provided businesses that appealed to students and residents. He said that as part of this plan, there needed to be easy access, including public transportation that connected to the actual places people lived.

Councilor Leach agreed that both kinds of businesses were wanted, and said they shouldn't get bogged down over which was more important.

Mr. Sievert asked for clarification on what Councilor Van Asselt was getting at concerning affordable/workforce housing. He said he didn't think there was such a thing as affordable housing that could be built on the outskirts of Durham, and said a development almost had to be centrally located in Durham in order to be affordable, because of infrastructure costs. He said this came back to planning, and looking at what the best places were for different uses. He said there needed to be a place for single family homes, and also said the Town needed to be affordable for the people who already lived in Durham.

Councilor Van Asselt said that was a good point, and said he could live with the goal of making Durham affordable for the people who lived here, and the people who had the ability to buy the homes that existed in Durham. He said the goal should be to see how affordable they could make this.

Councilor Needell said Councilor Van Asselt had raised an important question. He said that concerning the goal of using economic development to broaden the tax base, and thus lower taxes, he wanted to be convinced that Durham could grow its way out of this situation. He said he hadn't seen good examples of this, and said he was not convinced that Durham could accomplish this.

He said a town like Newington had done this, but he said for Durham, it came back to what Councilor Clark had said regarding the goal of having a re-vitalized downtown, through tax incentives, etc. He said there was a good chance that taxes could actually rise as a result of using tax incentives. He said they needed to be careful about what they were promising, and about what they were aiming at, a revitalized downtown or broadening the tax base.

Councilor Needell said that regarding the issue of workforce housing, the Council should decide if this was or was not a goal, and something the Town was trying to provide. He provided details on his thoughts concerning this.

Councilor Julian Smith said Goss's parking lot was huge, and that there was a lot of land around there. He suggested that workforce housing could be placed there, or perhaps in the vicinity of the Evangelical Church. He noted that there had been discussion on this at the EDC meeting.

Chair Niman said he took issue with what Councilor Van Asselt had said about affordable housing. He said a problem was that this was a complex issue. He said duplexes weren't allowed in Durham because the Town was afraid of young children and was also afraid of the college students. He said if they wanted to solve the student housing problem, there needed to be a place for students to live so that their parents didn't buy the existing duplexes, etc. He said a variety of housing types were needed, so someone could live affordably in Town.

He said he thought Broken Arrow was part of the solution, and also said encouraging the revitalization of the downtown was part of the solution. He said having a greater variety of student housing options in Durham would pull the students out of the neighborhoods. He said they could then talk about changing the Zoning Ordinance to allow more affordable types of housing in Durham. He said these issues had to be looked at together.

Chair Niman noted the present unlimited meal plan at UNH, and said he didn't think the future of having successful restaurants in Town had to do with selling to kids. He said residents wanted more grown up dining experiences, and he noted that future employees at places like Stone Quarry Drive and the Durham Business Park would be a captive audience that would need someplace to eat. He said this could drive lunchtime business at downtown restaurants, which could then turn into dinnertime business. He said this was why the Council needed to have a broader plan, because these pieces had to work together. He also said if they wanted to have a vibrant downtown, they couldn't say they didn't want anything built anywhere else in Town.

Councilor Clark said parking was also an issue to consider, and said they had to make sure there was adequate parking for people who wanted to drive downtown for lunch.

Councilor Sievert said he was not against affordable housing, but said he thought they had to figure out what the right place for this was, what utilities should be provided, and how cost effective such an effort should be. He provided details on possible approaches for different properties in Town.

Administrator Selig said issues to consider regarding affordable housing were that land costs were high in Durham; taxes were high; the Zoning Ordinance was restrictive; there weren't a lot of jobs in Town, and transportation was expensive.

Councilor Leach provided a summary of the goals session so far: She said there could be something like a goal to support economic development projects, with the following things listed under this:

- Consider a policy for extending infrastructure, with associated costs
- Consider a policy regarding tax incentives
- Vision and planning - regarding the downtown and the overall development plan, including outlying areas and the University

Councilor Leach said they perhaps could revamp goal #8 from last year, as one of the Council's goals.

Councilor Needell said there were two very specific project items the Council should address this year: Stone Quarry and the Durham Business Park

Councilor Van Asselt said if a decision was made to pursue economic development projects, it was important to allow some give and take concerning them.

Councilor Needell said he didn't think they didn't need to make the Stone Quarry project work, but said they did need to find out if it was going to work. He also they didn't have to compromise on this.

Councilor Van Asselt said there might need to be greater flexibility, for example concerning the regulations for the Durham Business Park, if the goal was to develop that property.

Councilor Needell said at a recent Energy Committee meeting, a question came up about exemptions for solar hot water and electricity. He said a question was whether these kinds of exemptions applied to commercial properties. He said this was something worth looking into, and said it would be something that would be good to be able to advertise about Durham, that there was something on the books locally concerning these kinds of exemptions.

Administrator Selig said that concerning green building and development, there was definitely consensus that this was desirable. But he said a number of developers still said it was too expensive, and he said a question was how the Town should respond to these developers.

Councilor Sievert said the Town could start by talking about tax incentives.

Councilor Needell provided some details about these incentives, which resulted from State enabling legislation, and which the Town could adopt locally. He said these rules were pretty tight, and Administrator Selig said perhaps the Town's legislative delegation could be approached concerning the possibility of broadening them.

Councilor Leach said she would like to see this addressed on a case by case, where a specific developer would have to prove to the Town that it would be a real burden to have to include certain green technologies/approaches.

Councilor Needell said the question was what tools the Town should use to get their attention. He said if the response was that a developer couldn't afford to provide energy efficient approaches, etc, the question was how to make this affordable. He noted that there could be density bonuses for providing greater energy efficiency, but said the taxes couldn't necessarily be lowered.

Chair Niman said the Council should task the Energy Committee to recommend incentives, etc. to use more green technologies.

Councilor Needell said the Energy Committee was trying to work with the Planning Board to look at these kinds of things, but said that so far, it had received a very cool reception from the Board. He said he thought there needed to be an approach that got everyone involved. He said there were people who were trying to accomplish things in this area, but the process was not working smoothly. He said a question was whether it was the role of the Council to shepherd everyone to work for common goals.

Councilor Leach explained that Dover had brought someone in to address all the city's committees and citizens, in order to get at the big issues that were out there, and to determine who the best group(s) was to move things forward. She said this kind of thing would take a lot of planning, but said perhaps the Council could work on this.

Councilor Clark said the Master Plan was written before the concept of a carbon footprint existed, and said it was important to get up to speed on this issue. He said they should reach out to get good ideas from environmental groups and others, inside and outside of the State. He said he would like Durham not only to catch up concerning this issue, but to leapfrog ahead. He noted as an example the idea that geothermal energy might be an appropriate technology for this area.

Chair Niman asked that there be the goal of having a workshop/summit on this issue.

Councilor Van Asselt asked if this would involve imposing standards related to green building and development. He said he would be hesitant concerning this unless there were some significant approaches in tax policy.

Councilor Leach said that wasn't on the list right now, but Administrator Selig suggested such standards might be an outcome.

There was discussion about this, and about the fact that there was interest on the Council in exploring ways to encourage more green building, especially lower cost approaches.

Councilor Needell said a question was what the Council was trying to accomplish. He said if they were just trying to get student housing built, this goal would get in the way.

Affordability

Chair Niman said the Council had talked about the tax rate, including the Budget and spending as it related to this. He also said UNH as well as the School portion of the tax rate had been perennial topics, in relation to affordability. He asked if the Council was interested in setting a goal concerning this, and asked what was next on their list after negotiations with UNH concerning policing were completed.

Councilor Van Asselt said he would be happy to go after a 0% increase in the tax rate again this year.

Councilor Clark said he didn't have a problem with that goal. He said it made a statement, although he said he wasn't sure it would fix anything. He said they had to go after UNH and the School budget in order to make a dent in the affordability issue.

Councilor Julian Smith said he didn't think the Council should set the goal of not having a tax increase, given the fact that costs were going up.

Councilor Van Asselt said there could still be a zero percent tax increase.

Councilor Leach asked if they could look at ways to keep spending down, and increase revenues. She said they couldn't just say that costs were up, so the Budget had to go up.

Councilor Needell said a 0% increase was not relevant, and was an arbitrary number. He also said it was a cut in services as far as he was concerned. He said his feeling was that they should do their best to look at the services that were provided, to keep costs down, and to try to increase revenues. He said if there was something like an 8% increase, they would have to look at removing some things from the Budget, and would have to deal with this.

Councilor Leach said she was looking for Council consensus that they were willing to make the hard choices. She said there should be a Budget committee, which would be much more involved in the Budget process and whose role would among other things be to inform the rest of the Council concerning this process.

Councilor Needell said the Council hadn't made the hard choices last year, and it was up to them to do that.

Councilor Leach said she felt the Council needed to be involved with the Budget earlier in the process. She said it had felt very forced in 2007, being involved at the end of the process.

Councilor Needell said he don't have problem with the Council being involved earlier, but said he felt all the Councilors needed to be involved instead of a subcommittee.

Councilor Leach said she didn't think they would get anywhere if all nine Councilors were involved.

Chair Niman said to him, a 0% increase was an important number, and represented a philosophy of how thing would be run. He said the way the Budget presently was run didn't fit with the way he ran his life, and said he would support the adoption of a 0% tax increase because they had to be prepared to give things up, but also to come up with a strategy of how to pay for things. He said that otherwise, they would have to give up more and more.

Councilor Clark said another option was how to get more for less. He said they knew the price of energy would continue to go up, and they also knew there were alternatives. He said they needed to balance the short term goals with longer term goals and said he hoped there would be more conversation about this. He provided some examples of what might be done, including the Town's possible use of hybrid vehicles.

Chair Niman agreed this was a very important point. He noted as an example that the Council had discussed the idea of moving the Town Hall to a building/site that was more energy efficient.

Councilor Sievert said it seemed a bit unfair that the Council said the School budget was responsible for a large percentage of the Budget, but the Council was not a player in this. He said it made the Council's job harder if the School District wasn't willing to be part of the cost savings.

Councilor Needell said people should be pushing harder for the School District to address spending and its impacts, and he said the place to address this was at the School district meetings during the School budget process. He said if there was a problem, they should ask the School District to solve it. But he said it was not Durham's job to solve it.

Councilor Sievert disagreed, and asked why they couldn't look at this as a team effort.

Councilor Needell said every resident of Durham had a huge part to play in this, but not the Town Council.

Administrator Selig said the Town had tried to take a holistic approach concerning revenues and keeping expenses down, and he provided details on this. But he said the most effective thing the Council could do concerning the Budget would be to provide guidance, early on in the process. He provided a detailed example concerning this, and also spoke about how the process had unfolded in 2007.

He said if the Council wanted a 0% increase in the Budget, they should let him know. He also said he would be glad to include Councilors in the Budget process. He described some ways the Council could be more involved in evaluating Town departments, but said he would like to stay way from the idea of having a

subcommittee, noting that this would involved more meetings, at night. He explained that much of the Budget process took place during the day, including visiting the different departments.

Administrator Selig said he also had some ideas about simplifying the Budget process and presentations.

Councilor Leach said it would be a good idea for the Council to have a meeting on the Budget, and to talk about the idea of a 0% tax increase.

Councilor Van Asselt asked if a compromise would be to have a Budget workshop in early August, and to talk about these goals then, so Administrator Selig would know then where the Council wanted to go.

Chair Niman said June would be the appropriate month to do this.

There was discussion about having the Budget workshop then, and about what it perhaps could accomplish.

Councilor Leach suggested that the Budget process itself could be part of the discussion at the June meeting. She said most of the Councilors were looking for a way to keep taxes reasonable, and said she realized Administrator Selig was trying to do this as well.

Administrator Selig said he shared the concerns about taxes, as a resident of Durham.

Chair Niman asked if Administrator Selig could identify for this workshop 6-7 areas in the Budget, in terms of services, that the Town could live without, and could provide details on the savings that would be associated with this.

Administrator Selig said he could do this. He noted that the information wouldn't be real time budgetary submittals, and would be based on last year's projections for the coming year.

Chair Niman said if Councilors had a sense of what the choices were, perhaps they would be able to defend these choices.

Administrator Selig said he was also trying to bring to the fore potential inconsistencies. He noted the idea of a 0% tax increase, along with something like a new library, or new conservation land, and said a question was how to balance competing interests.

Councilor Leach said the kind of information Chair Niman and Administrator Selig were talking about would be good to have in advance of the Budget workshop meeting.

Chair Niman suggested the meeting should be held on the second Monday in June.

Administrator Selig said he would paint a picture of possible tradeoffs for that meeting.

Councilor Leach asked if a goal was to move the idea of a tri-town education committee forward. She noted that the Council had already voted on this.

There was discussion on the letter sent to the School District, and the upcoming School District meeting.

Councilor Clark said the bigger question was whether, after 50 years, the Council should check on what the expectations were today, and whether Durham was getting what it wanted. He said one of the goals of the committee would be to look into this, and said another goal would be to get a greater understanding of why enrollment was going down.

Chair Niman said he was interested in looking at these things, after 50 years. He said it should be considered whether the current district was the best way to operate, or if perhaps there should be another school district, or if there should be no district. He said he felt it was the Council's obligation, as leaders of the Town., to determine how the children who lived in Durham were educated.

Councilor Needell said he saw nothing wrong with that, although he was not driven to answer that question now. He said he would first prefer to see these kinds of questions asked internally, by the School District.

Councilor Van Asselt said this issue was more than just academic to him, noting that the School Budget accounted for 60% of taxes for Durham residents. He said he would prefer that the Council look at this issue.

Councilor Needell said the place to deal with this was at the School Board.

Councilor Leach said she was uncomfortable with the idea of the Council getting into the quality of education issue. She said she was fine with the committee if it dealt mostly with money issues. She also said it wasn't high on her list, in terms of the Council spending time on it.

Administrator Selig said this was a high minded idea, but said he was concerned that a huge amount of time would be spent on this committee, but it wouldn't foster change. He said if there were a district wide Budget Committee, it would have to look at this issue, and would have the statutory authority to create some effective changes. He suggested that the Council advocate this approach.

Administrator Selig also said he did feel the funding formula was unbalanced, and suggested that this issue might be pursued further. He said the Town had never taken the next step, but said the Council was the political body to do this.

Councilor Leach agreed that the Budget committee was a good idea, and Councilor Van Asselt said he agreed with Administrator Selig concerning the idea of looking further at the apportionment formula issue.

Chair Niman said people had different ideas concerning what was fair. He provided details on the previous process where the apportionment formula was looked at by the three towns. He said committee members had agreed on a way to handle State aid in the formula, but he said the School Board didn't want to have anything to do with that.

Councilor Needell said sometimes things didn't succeed the first time, and said there was no reason not to push to have State aid dealt with as Chair Niman had said. He said there were lots of ways to apply the formula, but noted that if Durham's taxes shifted down, the taxes of the other two towns would shift up, which related to the fairness issue.

Chair Niman said he had tried to understand the magic of how other towns had agreed to changes in an apportionment formula, and said it seemed to involve people acting in good faith. He said in his opinion, that hadn't happened here.

Councilor Needell said they hadn't tried to get a warrant article on the ballot, and said sometimes this kind of approach as well took more than one try.

Chair Niman said it was because of the challenge of changing the formula, and the lack of success in the past, that he had been thinking with Councilor Clark about the idea of taking a different approach. He said enrollments were declining at the High School, and noted that the town to the south of Durham was having problems housing kids in their high school. He said instead of fighting with Lee and Madbury, maybe a new partner should be brought into the district, to share marginal and fixed costs, and to lower everyone's taxes. He said this was why he felt there might be some promise in a tri-town approach. He said he had to believe there was a different way to configure things that would make everyone better off, and a way where they would be working together rather than working against one another.

Councilor Leach said goal #4 was to hold a Budget planning meeting in June.

Councilor Needell said an issue to consider was the unfair business practices of the University, at places like the Food Court, and the convenience stores in the Gables. He said these businesses impacted local Durham businesses, and he asked whether there was perhaps anything the Council could do about this. He noted a bill passed by the Legislature two years ago, whereby if the University leased property to a private entity, the lease was taxable. He said this had been a crack in the armor, and said a question was whether that crack could be pried open further.

Councilor Leach said she had a big problem with the idea of taxing the Whittemore Center if there was an event there, because this was the same as putting another tax on residents, since the ticket prices would simply be increased.

Administrator Selig said the University had been careful to structure leases so they were exempt from the new law Councilor Needell had spoken about, and he provided details on this.

Chair Niman said he agreed with Councilor Needell that this was the next issue to address with the University, especially given the Council's discussion on the need to build up the downtown area. He said he felt there were some people at UNH who felt it would be a good thing to have a strong downtown. He said perhaps some Councilors should sit down with these people after the policing discussions were completed, to see how they could work together on this issue. As an example, he said he would be interested in discussing with them the idea of closing the dining halls at 9 pm, as part of a goal of having thriving restaurants downtown.

Administrator Selig noted that the lease for the Store 24 lot expired soon and said there was also Strafford Ave., which the Town owned. He said in the existing agreement, the Town had given control of the parking meters to UNH, and this was linked with the use of the Store 24 lot by the Town.

He said there were other areas where there was real promise for working with the University: infrastructure partnerships, especially regarding economic development; and synergies resulting from the existence of

technical research capabilities at UNH.

Councilor Leach said the Council should make this a goal.

Administrator Selig said the Council had an overall goal a few years back to get housing as much as possible onto the UNH campus. He said the University was working to reach 60% on this, but he said this was impacting the housing market downtown. He asked if the Council was interested in revisiting this issue.

There was discussion on this, and Councilor Leach said it would be put on the goals list.

Library

There was discussion on whether there were other properties in Town besides Mill Plaza where the Library Board of Trustees would be interested in putting a new library.

Administrator Selig said their strong second choice was the former Cutter property, in back of Ocean Bank. He said another potential site, thinking outside the box, was the area around the Oyster River Dam. He noted that the dam had sustained significant damage during the floods, and would be very expensive to repair. He also noted that there had been discussion over time about dredging Mill Pond, which would be an expensive, temporary fix.

He said the idea would be to remove the dam, with government funding, and said the channel would be restored. He said additional land would be created as a result of this process, and said this land would be close to the heart of Town, and would perhaps be developable. He said there could be a pedestrian bridge to the Mill Pond Center, and noted that it would be right next to the Milne sanctuary. Councilor Leach asked if the goal should be to look at these other options.

He said it would be important to have other options in case the Plaza option didn't work out, and there was discussion on this. Administrator Selig said it would be to the Town's benefit to identify a secondary site, noting that this would provide more leverage when they spoke with the owner of Mill Plaza. He also pointed out that there was no guarantee that the library could be built on that site.

Chair Niman said another issue concerning the library was that the Trustees wanted a 12,000 sf library, but Mr. Pinto had said he was not willing to sell the Town the space for a 12,000 sf library. He provided details on this.

Councilor Julian Smith said the assumption was that something would happen at Mill Plaza, but he said if that wasn't going to work, they should look carefully at being near the Plaza. He said redevelopment of the Plaza was an important quality of life issue, and was an important place to provide a hub for the community.

He said it time the Council should talk with the Library trustees about scaling back the idea of having a 12,000 sf library. He noted that they were making good use of the 3,000 sf they currently had, and said having 6,000 sf or more would be a luxury. He said Durham didn't need a 12,000 sf library, and needed one with room to expand in the future.

He said he regretted that the voters had decided to break the Town's relationship to the UNH library. He

also said that if anything was redeveloped at the Plaza, it was likely that the building the library was in would be torn down. He said they would have to start making some decisions about where to put the library or else they would have to think about putting books in storage and putting library employees on furlough.

Councilor Sievert asked if there was a property in Town that could help the Town pay for a new library.

Chair Niman noted the triangular shaped property discussed earlier, across from the Pettee Brook parking lot.

Councilor Leach said perhaps it was time to have a conversation with the Trustees about the size of a new library, cost implications, etc., which related to where it could be located.

Councilor Van Asselt said it would be a change for the Council to play a greater role in terms of the siting of the library.

Councilor Julian Smith said he would encourage the Council to follow the recommendations of the Mill Plaza Study Committee, which had put the emphasis on placing the library at or near Mill Plaza.

Councilor Needell agreed that this should be a starting point, but said he didn't think the library concept should be driven by the Council. He said his goal had been to support the Trustees in their efforts, but he said the siting of the library was up to them. He noted that it was up to the Town to acquire the land for the library, so the Council did have a role to play. He also said the Town had to pay for it.

Councilor Leach said she didn't think the Trustees could make the decisions they needed to make without discussion with the Council. She said the question was what supporting them meant, and she said perhaps that support would come from Administrator Selig, not the Council.

Councilor Needell said the Council needed to listen to them.

Chair Niman said a goal would be added to the list that the Council would support the idea of a new library, and they would work out what that meant.

Administrator Selig said he saw this as more of a collaboration. He said the Council needed to be involved in discussions on price, and needed to be very involved in discussion and negotiations concerning Mill Plaza.

Councilor Van Asselt said the Council might take the lead in selling a piece of land, but said he didn't feel the Council should get into the business of picking possible new library sites.

Chair Niman said the Council did get to pick the Town Hall site. He said he assumed there would be an offer to buy this property for about \$2 million, and said a question was whether there was interest on the part of the Council in selling it. He said the Council would then have to identify a location the Town Hall could be moved to; the Evangelical Church, downtown, perhaps the triangular parcel, or Mill Plaza, or the location of the Oyster River Dam, if the dam were removed. He said the Council could also decide to sell that property and use those funds to pay to put a Town Hall someplace else.

Councilor Leach said if the Town could sell the Town Hall site that would be great. But she said she personally didn't care where the Town Hall was, stating that it wasn't a big part of her quality of life in Durham. She said finding an amazing site was not one of her goals.

Chair Niman suggested that a goal of the Council was to identify an alternative location, and to see if there was interest in selling the existing Town Hall site.

Councilor Needell said if someone made a serious offer to buy the existing Town Hall site, this should be considered, and said it wouldn't bother him. He said where a new Town Hall site would go was something that should be looked at closely. He said a bigger question was, what the Town did if no one came forward to buy it, and if the Town would have to build a new Town Hall. He said he was looking for some guidance on how important it was to leave this site.

Chair Niman said the idea of moving the Town Hall and the Police Station to the Evangelical Church fit with the idea of finding a cheaper way to accomplish things. He provided details on some general financial aspects of making this kind of change, and said it might be very appealing. But he said a different point of view was that it was important to have the Town Hall downtown, and that a new building could be built, using funds from selling the current Town Hall property.

Councilor Van Asselt asked if a new Town Hall was needed, and Administrator Selig said not today. But he said if they were going to stay at the present site, within a five year period the Town would have to make some modifications to the building to address safety and storage issues.

Councilor Van Asselt asked if the idea of building a new Town Hall, as part of a public/private partnership on this lot and the Court House had been considered. He asked that there be a goal to look into this.

Councilor Leach reviewed the items the Council still needed to discuss.

Chair Niman said a revised document would be provided to Councilors at the next meeting.

The meeting ended at 10:00 pm

Victoria Parmele, Minutes taker