

This set of minutes was approved at the Town Council meeting on July 20, 2009

**Durham Town Council
Monday June 15, 2009
Durham Town Hall - Council Chambers
MINUTES**

MEMBERS PRESENT: Chair Neil Niman; Councilor Jerry Needell; Councilor Julian Smith; Councilor Mike Sievert; Councilor Peter Stanhope; Councilor Doug Clark; Councilor Diana Carroll; Councilor Robin Mower

MEMBERS ABSENT: Councilor Karl Van Asselt

OTHERS PRESENT: Town Administrator Todd Selig; Town Engineer Dave Cedarholm; Public Works Director Mike Lynch; Fire Chief Corey Landry

I. Call to Order

Chair Niman called the meeting to order at 7:01.

II. Approval of Agenda

Councilor Stanhope MOVED to approve the Agenda. Councilor Sievert SECONDED the motion.

Councilor Stanhope said that regarding Agenda item IX, the Council didn't really have authority over the acquisition of the Mill Pond Center property. He noted that he had spoken with Code Officer Tom Johnson, who hadn't had access to the property yet.

He said there would be a significant cost to bring the property into compliance. He said he felt having a discussion on this issue was premature, and said if the Seacoast Repertory Theatre wanted to bring the acquisition idea forward, perhaps this could be done under Public Comments.

Councilor Stanhope MOVED to remove Item IX from the Agenda. Councilor Sievert SECONDED the motion.

In answer to Councilor Smith, who had asked if there was someone from the Seacoast Repertory Theatre present to speak under Public Comments, Administrator Selig said the representatives from the Seacoast Repertory Theatre were on their way. He said a week ago, he, Code Officer Tom Johnson and a member of the Fire Department sat down with them and discussed the history of the property, including some Zoning issues and code concerns. He also said a 2005 facility overview was provided to them at that time.

Administrator Selig said at the end of the discussion, the representatives noted that there were questions in the community about what they wanted to do with the property, and said it would be

good to have the opportunity to explain this. He said he had suggested that he could put them on the Agenda in order to provide a brief overview on their plans for the property.

He said he wanted people to have a chance to hear this overview, and noted that the Council had talked about the Mill Pond Center site as a possible municipal site in the past.

Chair Niman said he thought the Council was trying to be welcoming to people who wanted to do business in Town, and said that was why he thought it was ok to have this item on the Agenda.

Councilor Mower said this was an opportunity to get answers to some of the questions that members of the community had. She said she understood that a lot of work would need to be done on the property no matter who purchased it.

Councilor Stanhope said he supported the acquisition and would withdraw his motion, with the understanding that the discussion should be limited to 10 minutes.

Councilor Needell said he didn't think there needed to be preconditions on the discussion.

Administrator Selig said he had told Seacoast Repertory Theatre representatives that the presentation and discussion should be brief.

Councilor Stanhope and Councilor Sievert withdrew their motion and second to amend the agenda.

The original motion PASSED unanimously 8-0.

III. Special Announcements

Swearing in of new Deputy of Fire Prevention and Safety – Steven R. McCusker

Fire Department Chief Landry said Mr. McCusker had 15 years of experience on the Fire Department in Dover, with nine of these years spent doing fire prevention. He also noted that Mr. McCusker was a City Councilor in Dover.

Administrator Selig administered the swearing in of Mr. McCusker, in Town Clerk Lorrie Pitt's absence.

Chief Landry noted that on Saturday, the Fire Department would be conducting a training burn, and said Councilors were welcome to participate in this. He said those Councilors who did want to participate should come to the Fire Station ahead of time to get the proper gear.

Councilor Smith noted that the training burn would take place at the former home of former Town Councilor Arthur Grant, and asked if this was a service provided to all former Council members.

Chief Landry said the service was offered to anyone, and said it provided the Fire Department with a great opportunity to conduct training.

IV. Approval of Minutes

None

V. Councilor and Town Administrator Roundtable

Councilor Sievert said the first of several bi-weekly picnics the Parks and Recreation Committee was putting on would be held at Wagon Hill on June 25th at 5 pm. He noted that people planning to attend the picnic should bring their own food and games.

Councilor Needell said the Conservation Commission had met on June 11th. He said there had been some questions about the status of the Colasante property, and he noted that the Commission had offered to pay the appraisal fees.

Administrator Selig said an RFP from appraisal companies had been put out, and said once the pricing and methodology of responses was compared, he would get back in touch with the Commission.

Councilor Needell said the Conservation Commission had received the grant funding for the proposed stewardship plans. He said the proposal came in at about \$9,000, and said the Commission voted to make up the \$620 difference so the entire project could be funded.

Councilor Carroll said the DCAT Committee had met on the previous week, and said their current focus reviewing policies and bylaws, to see if members felt they needed to be changed in some way to better serve the station.

Councilor Carroll said the Integrated Waste Management Advisory Committee had recently met. She said the Committee's composting campaign for spring to educate residents about the benefits of composting household and yard organic matter, and said 34 compost bins had been purchased as part of this campaign. She said the Committee was still working on building an addition to the swap shop, which would be used for large items like windows, bed frames, etc.

Councilor Carroll said she had the honor the previous week at the Oyster River High School Baccalaureate to present the first environmental sustainability scholarship of \$1,000 to Alex Freid, who would be attending UNH in the fall. She said Alex, along with a group of 80 students as well as other students were involved in various sustainability programs over the past year at the High School.

She said they had stopped the use of plastic utensils, and said the effort was so successful that all the schools in the district would be going to regular tableware next year.

Councilor Carroll said recycling had increased at the High School 50%, thanks in large part to the efforts of Public Works Department employee Doug Bullen, who had worked with students and High School employees to do single stream recycling. She said at least \$3,500 had been saved as a result of these efforts this year.

She said the students had researched composting, talked to facilities people, and designed the composting bins that were now being used. She noted the display in the Town Hall lobby, and said the students had figured out that 475 throwaway plastic and glass bottles were used per day in the cafeteria, and calculated how much oil this came out to. She said they then came up with a

solution, after observing that most of the bottles contained milk, and that UNH instead used milk dispensers and reusable glasses.

Councilor Carroll thanked everyone involved for the good work they were doing, and said it would be wonderful to see this carried on next year.

Councilor Smith said the Planning Board had met the previous Wednesday, and among other things had considered the Council's goals for 2009. He said he had brought up the issue that Durham would have to make its Zoning Ordinance compatible with the new RSA regarding affordable housing, which he called a euphemism for workforce housing.

He said he had suggested making a few changes to the Table of Uses and Table of Dimensional Controls to make it more likely that this housing could exist in the Rural District, where 150,000 sf of useable area was now required for each dwelling unit. He said Durham had pretty much zoned itself out of the area of affordable housing.

He said he would like to get some feedback from the Council on this issue in the near future. He said he realized it wasn't a popular issue, but said the Council should consider it and bring it before the public.

Councilor Carroll said she would like to talk about this issue as part of the Council Roundtable discussion. She said she truly believed that there was workforce housing in Durham, and said it was the houses in the faculty development area, the Cowell Road area, and some other areas.

She said it was less expensive than other housing in Durham, but said what was happening was that these houses were going to students. She said while they didn't want to interfere with civil liberties, there had to be a way to use those houses for workforce housing rather than having to find another solution. She suggested that the Council and others needed to address this issue.

Chair Niman asked Councilor Carroll if she had a specific proposal so they could put this on the Agenda, and Councilor Carroll agreed to do some would work on this.

Councilor Stanhope said the HDC hadn't mustered a quorum for its most recent meeting, but said they had dedicated themselves to be together on July 2nd for their quarterly meeting.

Councilor Mower said the Energy Committee had met that day, and said the wonderful news was that there was enough interest in the community to see some movement on the idea of a bicycle friendly community application that the Town Engineer was working on. She said there were several things being worked on, including the Safe Routes to Schools program for Middle School kids, as well as renewed interest in the Wagon Trail. She said perhaps these things could be worked on together, to make Durham more bicycle friendly. She said residents interested in this should contact Dave Cedarholm at the DPW.

Councilor Carroll thanked the Department of Public Works for the flowers that had been planted to beautify the downtown area.

Administrator Selig told Councilors that the 40 proposals had been received concerning the CBD RFP, and were in the process of being narrowed down.

He noted that a mosquito control plan had been included as part of the Friday Update, and provided details on this, including the fact that the plan emphasized personal responsibility to control mosquitoes. He noted that Councilor Mower had pointed out to him an article on Lyme disease, and said this would be included in a Friday Update as well.

Councilor Mower noted that this information had been provided by the Garden Club.

Administrator Selig spoke about the former Don Thompson property, which was currently the subject of a site plan review application submitted by the Kostis family. He said there was a Town owned parking lot that stretched behind the Kostis property, and said there had been discussion between DPW and the Kostis about selling them that area, which would allow them to increase their density. He said the Town was currently evaluating this idea, and said if the Town did sell the acreage, it would retain the existing pedestrian right of way and sewer right of way.

Administrator Selig noted that the Town and 6 Jenkins Court owner Matt Crape were currently looking at the idea of having the Town possibly release a two foot easement it owned in front of the former Houghton Hardware property in order to allow Mr. Crape to create a sidewalk in front of the mixed use building he would be constructing there.

Administrator Selig noted a Council goal for 2009 to engage the Cooperative School District, and asked Councilors to think about the best way to perhaps do this, and pass on their ideas to him.

He noted another goal regarding the issue of elderly tax credits and exemptions, and Councilor Carroll would be doing some work on this issue.

Administrator Selig said the Town Assessor had been working on abatement requests for both Lee and Durham. He noted that over 90 abatement requests had been received for Durham, based on the 2008 revaluation. He said the Council would have time to look them over and discuss them with the Assessor.

Councilor Mower said she recalled that there had been discussion at previous Council meetings that included asking the Assessor to provide more information on the specific abatement requests. She asked if that would be done this year, and Administrator Selig said yes.

VI. Public Comments *(NLT 7:30 PM)*

Town Engineer Dave Cedarholm said he was actively recruiting residents to serve on a committee that would be charged with coming up with a display at the Wiswall Mill site. He said a notice had been put in the Friday Update about this, but said there had been no interest in it yet. He said there would be 5 members of the Committee, and said he would like to have 2 members from the Wiswall Bridge area, one Councilor, one member of the Lamprey River Watershed Advisory Committee and possibly someone from the HDC or the Planning Board.

Councilor Smith noted that he was the Councilor who lived closest to this area, so would volunteer to serve on the Committee.

VII. Unanimous Consent Agenda *(Requires unanimous approval. (Individual items may be removed by any*

Councilor for separate discussion and vote)

- A. Shall the Town Council approve abatements for water and sewer recommended by the Business Office and authorize the Town Administrator to sign said abatements?
- B. Shall the Town Council, upon recommendation by the Town Administrator, authorize the Town Administrator to sign a contract with Wright-Pierce Engineering of Portland, Maine for engineering services associated with the aeration blower project at the Wastewater Treatment Plant with said contract amount not to exceed \$45,500?
- C. **RESOLUTION #2009-13** approving the submission of an application to the New Hampshire Clean Water State Revolving Fund Program in the amount of \$445,000 for the artificial recharge study of the Spruce Hole well project and authorizing the Town Administrator to sign the appropriate loan documents on behalf of the Town
- D. **RESOLUTION #2009-14** approving the submission of an application to the New Hampshire Clean Water State Revolving Fund Program in the amount of \$750,000 for upgrades to the aeration blowers at the Wastewater Treatment Plant and authorizing the Town Administrator to sign the appropriate loan documents on behalf of the Town
- E. **RESOLUTION #2009-15** approving the submission of an application to the New Hampshire Clean Water State Revolving Fund Program in the amount of \$750,000 for the Dover Road pump station rehabilitation project and authorizing the Town Administrator to sign the appropriate loan documents on behalf of the Town

Chair Niman said he had been asked to take Item VII C off the Agenda.

Councilor Smith MOVED to approve A, B, D, and E. Councilor Sievert SECONDED the motion, and it PASSED unanimously 8-0.

Councilor Smith said he had asked that VII C be taken off the Agenda because he wanted to vote against it. He noted that he had consistently spoken against the artificial recharge project, and said he would prefer that the Town find another way to get the water it needed, including removal/modification of the 401 restriction on the Lamprey River.

Councilor Sievert MOVED to approve RESOLUTION #2009-13 approving the submission of an application to the New Hampshire Clean Water State Revolving Fund Program in the amount of \$445,000 for the artificial recharge study of the Spruce Hole well project and authorizing the Town Administrator to sign the appropriate loan documents on behalf of the Town. Councilor Needell SECONDED the motion.

Chair Niman asked if the reluctance for Councilors to second the motion indicated a need to discuss this issue.

Councilor Clark said he couldn't help but agree with everything Councilor Smith had said, but said he was under the impression that this was a necessary step to get to the point where they could make an informed decision, and that it wasn't costing the Town a lot of money.

Administrator Selig said that was true.

Councilor Sievert said he thought the Council had agreed that it was appropriate to do the study. Administrator Selig said the Town had gone after federal stimulus money for the project in lieu

of local tax dollars.

There was discussion as to whether the fact that the Town had gone after federal funds for this work had committed it to moving forward. Mr. Cedarholm said it committed the Town to install the water supply well. He said the Town had argued that it needed the well and additional monitoring wells in order to conduct the recharge study.

He said the Town would get 50% of the cost for these wells paid for by the stimulus money, but said this didn't commit the Town to doing artificial recharge as part of the Spruce Hole project. He said the funds would also help pay for temporary piping to pilot trenches, so they could see if artificial recharge would work. He said it was fantastic that the funds were helping to pay for the water supply well, which cost more than \$100,000.

Councilor Carroll asked whether with the information available today, the project to get water from Spruce Hole would go forward if artificial recharge couldn't be done.

Mr. Cedarholm said having a well installed and doing a pump test would allow them to use Spruce Hole for water supply, although they hadn't quite figured out how to get the water from the well into Town. He said the pump test portion of the project and the artificial recharge investigation would mean that the well would be installed and they would see how much it produced.

He said they anticipated that it would produce between 300,000 and 400,000 gallons per day. He noted that with the artificial recharge piece of it, they could use Lamprey River water to supplement that withdrawal.

Councilor Needell said the Council had had a discussion on the recharge piece of the project, and that he had asked that this part be deferred and that public hearing be held. He received confirmation that he had not convinced the Council to do this, and that what was proposed now was to secure the funding for the project that was approved.

Mr. Cedarholm said that was correct. He said the grant would pay for 50% of the funding to move forward with the artificial recharge investigation, in addition to installing monitoring wells and the water supply well.

The motion PASSED 7-1, with Councilor Smith voting against it.

VIII. Committee Appointments

None

IX. Presentation Item

Seacoast Repertory Theatre – possible acquisition of the Mill Pond Center for the Arts property

Stephanie Shaheen told Councilors that the Seacoast Repertory Theatre had operated a main stage theatre in Portsmouth for more than 20 years, and would continue to do this. She explained that the Theatre held workshops, classes and day camps for young people, senior citizens, etc., and also constructed sets and housed actors while they were performing at the Theatre.

She said they didn't have enough space now for all of these activities, which was why they were

interested in the Mill Pond Center property. She stressed that they were not looking to do large special events there if they purchased it, and were more likely to do small black box productions if approved for this. She said the main goal in having a facility in Durham would be to expand youth programming, noting the already existing demand for this from families around the region.

Councilor Sievert said it didn't sound like there would be that much of a change from what had taken place at the Mill Pond Center, and said he was therefore confused as to why there would be so many planning and zoning hurdles to get over.

Councilor Stanhope said one issue was that the auxiliary apartments could only be used if the owner occupied the main residence, and said a variance would therefore be needed for this. But he said the bigger issues were the code issues, noting that there hadn't been a code officer on the property in many years. He said his concern was what the Theatre would be willing to pay in order to come into compliance.

Ms. Shaheen said they would work with Mr. Johnson to address the code issues, and she noted that her children would be participating in some of the programming.

Councilor Sievert said he was all for this acquisition, but said it was unfortunate that there was this mountain to climb regarding the code issues.

Councilor Smith received clarification that the bank that now owned the property was agreeable to having the Code Officer inspect it.

Councilor Clark asked Ms. Shaheen if she thought the Seacoast Repertory Theatre would have partners.

Ms. Shaheen said she would like to be able to have some partners, noting that there was ample acreage on the property for this. She said there were a lot of people interested in using portions of the property for such things as a community garden, a local teen center, etc, and said the Theatre was open to these and other kinds of collaborations.

Chair Niman said anything that contributed to youth programming in Durham was a wonderful idea. He applauded the Seacoast Repertory Theatre's efforts, and said he hoped they would be successful.

X. Unfinished Business

- A. **PUBLIC HEARING AND ACTION ON RESOLUTION #2009-16** authorizing the acceptance and expenditure of \$63,444.75 in unanticipated revenues from the State of New Hampshire for FEMA disaster declared for the December 2008 ice storm event

Councilor Smith MOVED to open the Public Hearing on RESOLUTION #2009-16 authorizing the acceptance and expenditure of \$63,444.75 in unanticipated revenues from the State of New Hampshire for FEMA disaster declared for the December 2008 ice storm event. Councilor Mower SECONDED the motion, and it PASSED unanimously 8-0.

There were no members of the public who spoke at the Public Hearing.

Councilor Smith MOVED to close the Public Hearing. Councilor Sievert SECONDED the

motion, and it PASSED unanimously 8-0.

Councilor Clark MOVED to approve RESOLUTION #2009-16 authorizing the acceptance and expenditure of \$63,444.75 in unanticipated revenues from the State of New Hampshire for FEMA disaster declared for the December 2008 ice storm event. Councilor Mower SECONDED the motion.

Councilor Carroll noted that these FEMA funds were different than the funding the agency had provided for picking up debris at residents' houses as a result of the December ice storm. She said she had discovered in talking to people from some other communities that they hadn't gotten that funding for picking up the debris.

She said that FEMA money, as well as this money were very welcome in Durham, and very helpful to residents. She said it contributed greatly to their quality of life, and helped with taxes. She thanked the Public Works Department for their efforts in getting the funding.

In answer to a question from Councilor Needell, Administrator Selig said the funds to pay for the costs associated with the emergency shelter at the High School would come in part from these FEMA funds and in part from the Red Cross.

The motion PASSED unanimously 8-0.

- B. PUBLIC HEARING AND ACTION ON RESOLUTION #2009-17** raising and appropriating an additional \$40,000 in the 2009 Capital Fund Budget to engage an architectural consultant to conduct a Space Needs Assessment to evaluate possible sites for the future Durham Fire Station (2009/10 Council goal)

Councilor Smith MOVED to open the Public Hearing on RESOLUTION #2009-17 raising and appropriating an additional \$40,000 in the 2009 Capital Fund Budget to engage an architectural consultant to conduct a Space Needs Assessment to evaluate possible sites for the future Durham Fire Station (2009/10 Council goal). Councilor Sievert SECONDED the motion, and it PASSED unanimously 8-0.

There were no members of the public who came forward to speak at the Public Hearing.

Councilor Sievert MOVED to close the Public Hearing. Councilor Clark SECONDED the motion, and it PASSED unanimously 8-0.

Councilor Needell MOVED to approve RESOLUTION #2009-17 raising and appropriating an additional \$40,000 in the 2009 Capital Fund Budget to engage an architectural consultant to conduct a Space Needs Assessment to evaluate possible sites for the future Durham Fire Station (2009/10 Council goal). Councilor Smith SECONDED the motion.

Councilor Mower asked why an architect was needed to do the space needs assessment, rather than Fire Department staff.

Chief Landry said Fire Department staff had talked about their space needs, and had come up with

some numbers. But he explained that he had subsequently spoken with an architect at a training session who had knocked down these numbers, and as a result of speaking with him, had been convinced that having an architectural consultant do the space needs assessment would be worthwhile. He said they would save money in terms of square footage, which justified the cost of paying for the assessment.

Councilor Stanhope asked how the figure of \$40,000 had been arrived at, and Chief Landry said 3-4 architects at the training session had estimated that the cost would be somewhere between \$30,000-40,000.

Councilor Stanhope asked if architects that practiced nationally would be sought with the RFP, with a practice specifically in this area.

Chief Landry said that was what he was hoping for, but said they would also open this up to local architects. He provided details on this.

Councilor Carroll noted that a location was needed for the building as well.

Chief Landry agreed and spoke about information compiled over time regarding possible locations. He said once the space needs assessment was done, his department would have the architect look at 4-5 sites to determine which one was the best, and then come up with a plan for it.

Councilor Carroll said her point was that an architect had done drawings and space needs a few years ago for a Library, but the Town still didn't have a site for the Library. She said she hoped these the space needs assessment and the determination of a site for the new Fire Department building would come together.

There was discussion that only the space needs assessment would be done now, and not the architectural drawings for the new building.

The motion PASSED unanimously 8-0.

C. Discussion relative to FY 2010 Budget preparation (2009/10 Council goal)

Administrator Selig said last year's Budget preparation process had been very successful, and said he wanted to check in with the Council to see what their sense was of how the process should be conducted this year. He noted that residents were struggling because of the economy, and said he and the Council needed to be very responsive to this.

But he said at the same time, the Council had a number of priorities for 2009. He said his thinking was that he should bring forward a meager budget that reflected finding additional savings if possible. But he said in specific areas, money would need to be spent, in a very targeted way, in order to achieve specific Council objectives.

He said spending was increasing in Durham by an average of 4.4 % per year. He said 2009 would be a difficult year for revenues, noting that the Town was bound to lose somewhere around \$160,000 from the State. He told Councilors that there had been a 12% reduction in health insurance rates, which would save about \$120,000, and would compensate for some of the

loss in State funds. He also noted that the Town was waiting for a response to its most recent proposal to UNH that it reimburse the Town \$200,000 for policing services.

He said he and Ms. Jablonski would start meeting with department heads shortly to go through the process of developing the Budget. He noted that the square footage that would be needed for a new Fire Department building would impact the cost estimate for the facility, and said these numbers would be put into the long range fiscal forecast.

Councilor Clark said he thought Administrator Selig's assessment of the situation was dead on. He said he thought this year would be much tougher than last year, and said his sense was that the only way to achieve what the Council had been talking about was to take a comprehensive look at the overall structure of Town government. He said he thought it had become very siloed, functionally speaking, and asked if there would be the opportunity to take a new look at how to organize things so that skills could be shared and functions could be consolidated.

Councilor Carroll said the Council had just voted to spend \$40,000 on a space needs assessment. She asked if some of this money would come from UNH.

Administrator Selig said UNH would contribute 50% of this. He said the Town would tap its capital reserve fund to pay its share of the assessment, and the University would match this.

Councilor Carroll said she was pleased that Administrator Selig continued to work to get a reimbursement agreement with UNH so that it really did contribute more money toward the Town's police department. She noted that in recent months, the Town had had some difficult cases to deal with, some of which had involved University students.

She said the Police department was down on manpower yet had all of this difficult work to do, and said she didn't want to see them get burned out. She said if this happened and they decided to look elsewhere for work, the Town would lose its investment. She said she would not be surprised if the Council was asked to reinstate the position that had been lost last year.

Administrator Selig said the long term benefit of the memorandum of understanding was that the two police departments would work more cooperatively with each other.

Councilor Needell asked Administrator Selig if he was optimistic that the Town would receive the money from UNH, and Administrator Selig said he was. Councilor Needell then asked how the stimulus money would play into the Budget.

Administrator Selig said Town staff hadn't factored this in yet, and said the entire fiscal forecast would have to be retooled. He said it would certainly help with the out years.

Councilor Needell asked if it would have any impact on the operating Budget.

Administrator Selig said no, and said the money would be for longer term projects, with one exception. He said if the Town got some money for policing, an additional officer could potentially be funded. He also noted that the Fire Department was pursuing funds for a new Fire Station.

Councilor Needell said the Roads Program had taken a beating in recent Budgets, and said he

thought this program should be kept alive.

Administrator Selig noted that paving costs had gone up in the mean time, and said what had cost \$340,000 would cost \$500,000 now.

Councilor Stanhope said in building the Budget, he hoped that each program the Town had would be looked at. He said the cost/benefit to the Town for each program should be considered, and it should be determined whether it was appropriate to eliminate some of them. He also said if cost comparisons with other towns were done, and it was found that Durham's costs were significantly higher because of UNH, this would not just be the result of the police issue. He said it would be better to look at this in more of global sense.

Councilor Stanhope noted that Goffstown, NH had decided to eliminate its individual fire department and police department, and both departments were turned over to the police chief. He said this had turned out to be a poor decision, and he cautioned that the Council go slow with this kind of radical change.

Administrator Selig said the idea of having a combined public safety department had crossed the mind of Town staff. He said he was very familiar with the situation in Goffstown, but said in some places, like Waterville Valley, a combined public safety department worked.

Councilor Clark said he had no intention of compromising public safety, and Councilor Stanhope said he hadn't meant to suggest that. Councilor Clark also said he thought the kind of analysis he had spoken of would determine when it was appropriate and cost effective and when it wasn't to have outside contractors for projects.

Councilor Mower said there were several areas of the Budget she was concerned about. She noted that Administrator Selig had put money in for planning in several Budget cycles, but said this money had subsequently been removed. She said she would like to see more money for planning, whether this money was used to pay a consultant or professional staff.

She said she also wondered if it was time to consider having a deputy code officer, since this was a university town. She also said she was concerned about the various demands being placed on the DPW, noting among other things some federal mandates they were faced with. She said this might be an area where investment would be needed.

Councilor Mower also said she wondered if there was anything the Council could do to encourage more environmentally sound practices. She noted that there was an initial increase in cost to use organic methods for turf management, but said over time, maintenance was cheaper. She said she would like the Town to investigate this.

She also spoke about the idea of the Town picking up the cost of septic inspections in order to make sure septic systems were inspected regularly, for the protection of Great Bay and its estuaries.

Councilor Sievert asked what the impacts would be from a tax perspective of taking the federal money from the Stimulus Package .

Administrator Selig said this calculation hadn't been done. But he said overall he believed they

would see a savings.

Councilor Sievert said he wondered what the shorter, negative impacts were of artificially stimulating the economy.

Chair Niman said he thought the Town was fortunate that it was receiving the money for projects that had already been on the books. He said having this money would release the Town from some of the borrowing costs it would otherwise have had. He provided some details on this, and said it would be different if the funding was for something where there was an ongoing cost, such as the police officer position.

But he said this money was not free, and said they all would pay for it over time, through inflation and higher interest rates. He said the economy was being stimulated now at the cost of longer term economic development. But he said right now, Durham was a beneficiary at the local level.

Councilor Sievert said he thought this should be looked at, instead of just approving all of this money and taking it.

Chair Niman said he thought the federal stimulus spending would end relatively soon, stating that he didn't think the public had the stomach for more of it.

Councilor Sievert said along with this money were accountability requirements, and said this would make it harder to do work in-house instead of hiring outside contractors.

Councilor Stanhope said he had some serious concerns about the fact that the Town Assessor would be coming forward soon with recommendations on 90 tax abatement applications. He noted that he had been concerned when the Town had moved to a shared assessment system with the town of Lee. He said the Council would be asked to review these applications within a two week period, and said this was unreasonable. He said he thought there should be a separate entity reviewing these applications.

He spoke about the fact that the Assessor had not been able to present the Council with what they needed within a reasonable time. He said this was an example of where the Council should be going with an outside contractor in order to improve efficiency, and treat the taxpayers fairly.

Councilor Stanhope noted that resident Jerry Gottsacker had analyzed some departments in Town as to how they could be run more efficiently. He said as the Council went through the Budget process, he would like to know what efficiencies had been accomplished as a result of this analysis, and how the Town had used Mr. Gottsacker's services.

Administrator Selig said that regarding the assessing services, this was the second year that the Assessor had provided services for both Durham and Lee. He said this had worked fairly well for both communities, and provided details on this. He said State statute did require that a town act on abatements by July 1st or there was an automatic denial. But he said State statute did allow the Council to grant abatements.

He said the plan was to get the recommendations to the Council before the end of June. He said

they would not adhere to the July 1st deadline, and would follow up with people who had filed abatements, to let them now that although the date for them to appeal the Town's decision was July 1st, that they were still being worked on, and would be brought before the Council for consideration after that date. He said the goal was not to have a situation where Councilors were pressed for time, and said Town staff was trying to make this a more comfortable process.

Councilor Needell said he was disappointed that the deadline would not be meant, and said it wasn't a good situation. He also said he was concerned that the Council was not fully following the process it should be following. He asked what the legal ramifications of this were for property owners, whose abatement requests were effectively denied as of July 1st.

There was discussion as to whether there was a window of opportunity in which the Council needed to act, so that property owners would have time to file an appeal of the denial of an abatement request.

Councilor Stanhope said Durham had failed as a Town to adhere to the Statue statute concerning this, and provided details on this.

Councilor Needell said from a property owner's point of view, they were eligible to appeal a decision as of July 1st. He said it needed to be made clear to them that the longer it took the Council to act, the less time they would have to file their appeal. He said it was a disturbing situation.

There was discussion about why the Lee assessments had been completed first.

Chair Niman agreed that Durham had failed as a municipality, and said this was something that needed to be investigated after they got thorough the abatement process.

Councilor Stanhope said if the Council was going to review the abatement requests, it might need a special meeting to go through them. He said he thought they should get the requests within 10 days, and should either take the majority of the July 6th meeting for them or have a special meeting.

Administrator Selig said this would be time well spent, and also said he shared the Council's frustration that the assessments were not completed. He said it wasn't clear when the assessments would be completed.

Chair Niman said he would try to move this process along as expeditiously as possible.

Regarding the Budget, he said was not in favor of hiring new personnel for 2010, and said they had to go after the mid-hanging fruit in terms of the Budget, since the low-hanging fruit had already been picked. He said he believed that was what Councilor Clark was referring to, but said he didn't think there was going to be a combined fire and police department.

Regarding Councilor Stanhope's idea on doing a study to find out if Durham was spending more than comparable towns for policing, he said he had looked at those numbers, and the answer was yes. He said he had convinced himself that this was directly related to hosting the University, but said he had reached a different conclusion as to what to do about it.

He said it was more expensive for Durham to host the University, but said he didn't believe that the Town had really taken advantage of what the University had to offer in terms of helping Durham develop its tax base. He said if a study was done of other university towns and the impact on their tax bases of hosting a university, the numbers would show that these towns had reaped some benefits. But he said this hadn't happened in Durham.

Chair Niman said the University was starved for public funding, but said if the Town worked in partnership with the University to take advantage of what it had to offer, he thought the Town's tax base could grow, which would offset the cost of hosting them.

Councilor Stanhope said he agreed, and said the current University administration was a breath of fresh air. He also said the Council and Administrator Selig had done an excellent job of developing a relationship with them. He agreed there was a lack of state funding for the University, but said there were things it could do, and really had to do to make up for this. He said the proposed business school was a good example of this, and was something that would also be good for the Town.

Councilor Mower noted that what the University cost the Town was not measured just in monetary terms.

Chair Niman said there was an interesting situation now where the University understood that the market for higher education had changed, and that it had to compete for out-of-state dollars. He said UNH realized that they needed an attractive downtown in Durham as part of being competitive, and said this meant that the Town no longer had to ask them for help with this.

He said over the past year, the discussion had been about what the Town and the University could do to help each other and work together, and said this was the essence of the change in the relationship. He said perhaps for the first time, what served the Town also served the University, so they were receptive to the redevelopment of the downtown.

Councilor Carroll said she agreed with what Chair Niman, Councilor Stanhope, and Councilor Mower had said. She also noted that the University's budget was paid for by the people of New Hampshire, and said when she met people from around the state, they said Durham residents were lucky to live near the University. She said many of these people who helped pay for the University didn't live close enough to be able to use its amenities, and she said the benefits the Town received from the University were something to keep in mind as the Council looked at Budget issues.

The Council stood in recess from 8:40-8:50 pm

XI. New Business

- A. Receive report from the Town Administrator on orientation session for board chairs and vice chairs held on June 3, 2009

Administrator Selig noted that a number of the Agenda items that evening were Council goal

items, and said this was one of them. He said the orientation session had gone well. He said in addition to items on the work session agenda that were discussed, two additional issues had come up, one of which was the issue of recusal vs. abstention. He said the second issue, which was brought to his attention before the meeting by some residents, was that the Planning Board and ZBA needed to be fully prepared when they heard a case.

He said it was a constructive session, and said one of the primary areas of focus was the Council goals document. He noted that there had also been discussion on this at the Planning Board's most recent meeting, in terms of how the Council goals aligned with the Board's goals.

Councilor Mower said this had also been discussed at the Energy Committee meeting that day.

Councilor Clark asked Administrator Selig if there was receptivity regarding the idea of alignment of committee agendas with the Council's goals.

Administrator Selig said he had suggested that before committees and boards chose the topics they would be moving forward with, they should check the Council goals, or check with him or the Council to see if what they were planning aligned with these goals. He said this approach seemed to resonate with them.

Councilor Carroll said she had attended the recent orientation session, and said it was wonderful. She asked if the Council would be meeting with committee chairs so there would be the opportunity to continue the dialogue.

Administrator Selig said the Council hadn't quite gotten to that step yet. He noted that the second step in meeting the Council goal regarding the Town's boards and committee was the gathering that would be held the following evening at the Hickory Pond Inn, to recognize outgoing board and committee members for their service to the Town.

He said the third step was having a meeting of the Council with board and committee chairs. He noted that one of the benefits of the orientation session had been for these chairs to have the opportunity to get to know one another, and said among other things, this would help with the transfer of information.

Councilor Mower suggested that each year, there should be some kind of gathering for new chairs to have the opportunity to get to know one another.

Chair Niman thanked Administrator Selig for a job well done on this goal.

- B. Discussion regarding the New Hampshire Economic Revitalization Zone Program sponsored by the New Hampshire Division of Economic Development to encourage new investments in Durham's commercial core area (2009/10 Council goal)

Administrator Selig said he and Chair Niman had had a number of discussions on how to possibly build in some incentives for developers to develop in the central business core. He noted that the Council had moved forward on RSA 79-E, which was specifically focused on redevelopment of existing structures, especially those with historical importance. He said he had

recently read that there was a legislative committee at the State level that was looking at the idea of making this Statute applicable to new structures in some circumstances, and not just redeveloped structures.

Administrator Selig noted that there was also a State Program, called the Economic Revitalization Zone Program, which was sponsored by DRED. He said with this program, a local municipality could identify an area where it would like to focus some state attention on redevelopment.

He said there were a number of ways in which areas in a town could qualify for this program. He said it could be a Brownfields zone, or could be an area that met one or more of the following criteria:

- An area where there had been a population decrease over the past 20 years according to the Census Bureau;
- an area where at least 51% of incomes were less than 80% of the median income for households in the State. He said it was quite likely that the Central Business District would qualify under this, primarily because of the high density of student rentals there. He suggested moving forward with an application to the program, and as part of this identify particular areas of the downtown, including the Central Business District core, and perhaps parts of Madbury Road and Church Hill.
- An area where at least 20% of the households had a median income below the poverty level
- Underutilized industrial parks.

Administrator Selig said once the State approved an economic revitalization zone, the rest was up to individual property owners, who could apply to the State for a credit against their property taxes and business and enterprise taxes. He said the State had identified about \$875,000 per year to put toward the program.

He said this program would not cost the Town anything, and would allow the Council to target the Central Business District core. He asked for feedback on this approach, and said if the Council expressed interest in it, staff would put an application together and the Council could then talk more about it.

Councilor Sievert asked if this program would apply to the area of the downtown where there the hotel/conference center would possibly be located.

Administrator Selig said that was precisely the area that was being looked at for this. He said they were trying to find ways for that project and other projects downtown to be as economically viable as possible.

Councilor Clark asked if there was any reason why the Durham Business Park, which seemed to be an unused industrial park, couldn't be focused on as well.

Administrator Selig said there was no reason why it couldn't be considered as well.

Chair Niman said he and Administrator Selig had simply been trying to make this as uncontroversial as possible. But he said if Councilors wanted to consider inclusion of the Durham Business Park, they could talk about this.

Councilor Needell noted that it would be the State that approved the revitalization district, and he asked where the data on household income for particular properties came from.

Administrator Selig said the data already existed, and came from the Census Bureau.

Chair Niman said he and Administrator Selig had looked at the 2000 census data, and he provided some details on this. He said this data had indicated that area they were talking about met the median household income level. He said it appeared to be a sure thing that the area would qualify as a revitalization district.

Councilor Needell said there was competition for this money from the State, and asked if there was a cap in terms of what a particular business could get in terms of tax credits. There was discussion on this.

Chair Niman said they thought this was a great program, noting that they had seen places where these revitalization zones had been adopted. He said they were very targeted, and also noted that there didn't have to do just one district. He said they could perhaps do one for the downtown now, and one for the Business Park another time.

Councilor Stanhope said he liked the idea of not biting off more than they could chew. But he said going forward, the Business Park and the Route 108 corridor could benefit from this kind of revitalization. He said there were some grossly underutilized properties especially in the area of Young Drive up to the intersection with Route 108, and noted that this was one of the Town's gateways.

Chair Niman said he and Administrator Selig had discussed perhaps looking at revitalization according to Zoning district, and including the Central Business District, the Professional Office District, the Church Hill District and the Courthouse District in the application. He asked if there was general support for including those four districts in an application.

Councilor Needell asked why they wouldn't want to include as much as they could.

Administrator Selig said they were trying to move forward with something that everyone would feel good about. He said it made perfect sense to extend this as far down as the Courthouse District and perhaps to the Business Park. But he said he wasn't sure about the Coes Corner District.

Chair Niman said he didn't think the Coes Corner District would qualify based on the census data. He asked Councilors if they were ok with including the other four districts.

Councilor Carroll said it was hard to respond, and said she was trying to see the ramifications of doing all four districts.

Chair Niman said he and Administrator Selig were trying to get a sense right now of how narrowly the Council would want to focus this. He said he personally didn't think they should go beyond those four districts. He said an application that included them could be developed, and said Councilors could then discuss this, and perhaps pull some out.

Administrator Selig said his sense was that this program would help developers who were on the margin.

Councilor Needell said this program only applied if there was job creation involved in a development, so developers planning residential development couldn't apply.

Councilor Mower gave as an example a restaurant development where Cumberland Farms now was, which would create jobs.

Chair Niman said the State was looking to expand the economic tax base, so developments which resulted in room and meal taxes would be very attractive. He said right now, there was a problem in that student housing was often the highest and best use in the Central Business District. He said this area would benefit from a diversity of uses, and said this program was a free way to try to hopefully promote economically viable development that did not include student housing, or at least didn't need to include as much of it.

Councilor Needell noted the Crape redevelopment project on Jenkins Court, and the fact that the owner struggled because of the amount of commercial space he was required to have according to the Zoning Ordinance. He said presumably, the commercial space for projects like that would qualify under this program.

Chair Niman said that was correct. Asked by Councilor Mower if the program could apply retroactively to projects that had been approved but that hadn't been started, Chair Niman said he believed there was language in the program rules that allowed this.

Councilor Needell noted that a developer doing a project that qualified under this program would receive a credit on the business profits tax, so would have to be contributing to the economy of the Town in order to reap this benefit.

Chair Niman said once the Town created the zone, it was out of the process, and the State made the decisions.

There was discussion that the Town would promote this program to developers if it was available in Durham.

Councilor Needell noted that the goal had been to put offices in the Professional Office district, and said this program would encourage that. He also said Church Hill was a predominantly residential district, and that there had been previous discussion about expanding the Central Business District there. He said applying to the economic revitalization program would be an overt step toward commercializing that zone, and asked whether it should be included in the application.

Chair Niman said it would be good to have a conversation about this. He said he and Administrator Selig would move forward with the application process, and would then bring it back to the Council for further discussion.

C. Discussion regarding the marketing of Durham and creating "municipal wealth" (2009/10)

Council goal)

Chair Niman said a number of strategies had been outlined regarding this goal, and Administrator Selig provided details on them: better signage denoting the downtown core; using sign boards to promote the downtown as a whole; the use of table tent advertising at the University to promote local businesses; signage at the corner of Jenkins Court and along Main Street.

He noted that there had been discussion about doing a video to promote Durham, and said this was being investigated the cost of doing this.

Councilor Mower suggested contacting Paul Gasowski, who had done some video for the ORSD and DCAT.

Administrator Selig noted that the Town website was being updated. He also noted that the Executive Council and the Governor were coming to Durham in July, and said the hope was to promote what Durham was doing to increase the tax base, including collaboration with the University. He said this should help in terms of economic revitalization zone applications that were submitted.

There was discussion on the flyer that had been developed by UNH marketing students. Councilor Needell asked whether the brochure would be brought to the Council first for approval before being distributed

Administrator Selig said that was not typically done, and said under his authority, it would be run by the EDC to make sure that it had been professionally done.

D. Discussion regarding the development of a Request for Proposal (RFP) for the possible sale or redevelopment of the Town Office site

Administrator Selig noted that if it turned out that Strafford Regional Planning Commission didn't move into the Courthouse building, there would be an RFP put out for that building as well.

He provided some history on discussion on the possible redevelopment of the Town Office site. He said the consensus last year was that the Town would not put any more money into the Town Hall, would look for alternative locations for the Town offices, and would look at marketing the property.

He said one of the challenges of marketing it was the Courthouse, and the large parking area needed on the Town Hall site to accommodate it. But he said now that the District Court was being moved to Dover, that parking no longer needed to be available. He said the Town was therefore in a better position to market the property, and said he wanted to get a sense of whether this was something the Council wanted to move forward with.

Councilor Needell said a few months ago, Administrator Selig had made a pointed comment about the idea of the Town Hall staying at its current location. He said he was curious about what he had said then, and how this related to what he was asking for now.

Administrator Selig said for some time they all had been looking at various possible Library sites and Town Hall sites, and said a challenge was to reach consensus on this. He said historically the Town offices had always been in this area of Durham, which was the historical center of Town. He spoke in some detail on this, and said it was a good location for the Town offices because although the site was not in the central core, it was within walking distance of the downtown core and the neighborhoods.

He said the Courthouse building was one of Durham's treasures, and also said the visual image of this gateway to the Town was important. He said he was concerned that if the Town Hall property was sold, some of the connection to the rest of the Historic District would be lost. But he said if the site was redeveloped as a new Town Hall with a new Library, it could be developed in a way Durham would be proud of, and that would work for the Town for years to come. He said he felt it was a good site for a municipal complex.

Administrator Selig said he realized that the highest and best use of the site was a commercial use, and noted that the Town had been offered \$2 million for the property before the economic downturn. He said that price would have to be revisited, but said a commercial development there would likely be combined with the existing Irving station, and would include shared access.

He said a question was where the Town Hall would move if this happened. He said there was tremendous consensus to stay at the present location. He said if it was moved, he believed this would create a rift in the community, and said he would like to avoid that.

Councilor Clark said his problem was that the discussion on this issue was never-ending because they considered things one project at a time. He said the Town had needs and wants extending beyond the Town Hall. He said one of the most encouraging things that had happened was the current collaboration between the Library people and youth center people.

He said this conversation needed to take place at a level where more than one project was taken into account at the same time. He said as part of this, they needed to list the land that was available, along with the needs, and then be matchmakers, because otherwise, they would make some bad compromises.

Councilor Sievert noted that the Town had previously tried to look at the Library and Town Hall pieces together.

Councilor Clark said some cost savings had been demonstrated, but said the next step wasn't taken.

Councilor Smith said if a place at the Town Hall site was offered for the new Library, he thought the Trustees would come back to this site.

Councilor Sievert asked if there was enough room for a combined Town Hall/Library on the site.

Administrator Selig said there was enough room. He noted that when the original assessment concerning this had been done, the plan that was developed didn't provide enough parking. But he said now that the District court was not using the building, the parking for it was no longer

needed, which increased the square footage available. He said there would be a significant cost savings from combining the two facilities.

He explained that at the time the assessment was done, some members of the Council didn't think it was a good location for a combined site in part because of concerns about children crossing Route 108 to get there. He said there had also been some Council members who wanted the Town to acquire the Smitty' site, but there hadn't been sufficient will to move ahead with that purchase. He provided details on some of the discussion at that time, and said that property was subsequently sold to Scott Mitchell and was developed.

Councilor Mower asked if there could be discussion with Mr. Mitchell about the land between the Courthouse and the Town Hall site.

Councilor Clark said he thought the Irving station was completely insufficient as it was, and needed more space, not less.

Administrator Selig said Mr. Mitchell had been adamant about having that access along Newmarket Road, and said it was the deal breaker for the Council. He said he believed that if the Town decided it wanted to redevelop the site, he thought Mr. Mitchell would be willing to cooperate, and that better access for the whole area could be developed.

Councilor Mower said perhaps the game had changed, now that the Courthouse was not an issue.

Councilor Stanhope said if the Town Hall wasn't at its present location, and the Town was looking at the site itself, it would be a challenge to convince Councilors to spend \$2 million for the site. But he said if they continued discussions with Mr. Mitchell, he believed they could resolve some of the public safety issues with the Irving station.

He said that long term, he thought this would be a relatively small site to put a municipal complex on, noting that the Town would continue to grow. He said other towns were generally looking for larger sites for such facilities, in order to have long-term growth potential. He said it was likely that Durham would need a new police station, and said perhaps the Council should be looking at the idea of having a public safety complex, to allow for synergies between the Police Department and the Fire Department

Councilor Stanhope said there could also be synergies from combining a Town Hall and a Library on larger site. He said going forward with the RFP would give the Council a better understanding of what the possibilities were for this site, and said it would be irresponsible if they didn't do this. He also noted that he had no problem with the Coes Corner location that had been discussed recently.

Councilor Needell stated that Mr. Mitchell had offered the Town \$2 million to build a drugstore on the site, and said the site was not otherwise worth \$2 million.

Administrator Selig said an appraisal had indicated that was worth closer to \$1 million.

Councilor Needell said he was puzzled as to why the RFP was just for this site, and agreed with Councilor Clark that they needed to address the big picture. He said there should be an RFP that

was on a much broader scale, to do an overall assessment of the Town's need for land and facilities. He also said that while a public safety complex might come out of this assessment, he was not ready to advocate for that yet.

Administrator Selig noted that he had envisioned that an RFP would solicit private development interest in the property, and not an architect to redesign the site.

Councilor Needell said until a lot more assessment was done, he was not interested in doing that.

Administrator Selig said there was room for expansion going to the rear of the site, and said the Town could perhaps acquire this land over time. He said the Town hadn't discussed this with the owners of those properties yet, but could do so.

Councilor Carroll said her question had been regarding the expansion possibilities, which would make the Town Hall site more valuable to the Town. She said she would like to see this property stay a municipal property, noting that it was important from an historical perspective among other reasons. She said 2-3 years ago, it had been estimated that the Town got about \$80,000 in taxes from the Irving station. She said she wasn't sure that she would be willing to give up the municipal potential of the Town Hall site for \$80,000 per year.

Councilor Sievert said it might be interesting to do the RFP in order see what the property's value was. He said he wasn't sure that attaching the commercial uses on the Irving property and the Town Hall property was a good idea. He said changing the grade of the Town Hall site and attaching it to the Irving site would be a disaster traffic-wise. But he said this didn't mean the Town Hall site couldn't be developed commercially by itself.

He said he could be convinced that there should be a new location for the Town Hall. He said it should be determined whether the Town Hall site was viable for a combined facility, and if not, the Town should sell it. He said he didn't know if an RFP was needed, and suggested that Mr. Campbell could consolidate information that had already been developed.

Councilor Mower said she thought outside people were needed to look at this, and Councilor Sievert said the Council should sit down with the information that was available before going outside for help.

Chair Niman asked Councilor Sievert if he was saying that the Council should use the approach Councilor Clark had described.

Councilor Sievert said yes, and noted that the Town had already paid for appraisals of various properties. He suggested that the information that was available should be put together, and they could then determine what had already been done and what wasn't completed yet. He said the Council could then figure out what if anything it needed from an RFP.

Administrator Selig said the Police Department was not bursting at the seams, and also noted that there was additional space available on the property

Councilor Mower said she kept thinking about the visions for the Mill Plaza redevelopment that had come from beyond Town staff. She said she agreed with Administrator Selig's vision as well

as Councilor Clark's, and said she wondered how the Town Hall site could be used for a municipal facility.

She said its value to the Town went far beyond its dollar value, and also said that if it was used right, this would have potential economic value for the Town. She said maintaining the continuity of this part of Town got at the heart and soul of Durham, and also said re-use of the property should meet real needs.

Chair Niman said he agreed with Councilor Stanhope and Councilor Clark, but said the reason for the RFP was to find out what other kinds of uses could happen there. He said the Council would then still have the option to say that it didn't want any of them.

Regarding the traffic at the Irving station, he said this might mean that it was providing a good service for the Town. He said perhaps the Town Hall site could satisfy the need for other services in Durham, and said perhaps the RFP might be able to identify some of these needs.

Chair Niman said he didn't agree concerning the history issue, and provided details on this. He also said he agreed that having room to grow in the future was important, and said he didn't like the idea that the only way to do this was to take properties off the tax rolls. He said he thought this was a luxury the Town couldn't afford, but said if acquiring more property in that area was a goal, the Council should be upfront about that when discussing redevelopment of the Town Hall site.

Councilor Needell said he was fairly ambivalent about the ultimate location of the Town Hall. He said he was concerned about the responses the Council would get to the RFP for this site if it didn't make clear what the intent was. He said he was open to the idea that what Administrator Selig had proposed was an excellent use of the property, but said it was premature to single this site out.

Councilor Clark said he agreed with most of what he was hearing, and said the logical thing to do sequence wise was to say they were starting from nothing, and wanted to see what the ideal way would be to configure a municipal center and public safety center, and then see where the most logical place to put this would be.

He said if it turned out that the Town Hall site was the most logical place, then the RFP wasn't needed. He said if turned out it was not the most logical site, the Council would then need to see where to go from there. But he said the conversation on this site was premature.

Councilor Smith said he was not interested in marketing this site unless the Council was committed to moving closer to the Town center, which would probably required taking a large vacant piece of property and the taking of an access across Mill Plaza to that property. He said he didn't think they had the will to do this. He said he would therefore prefer the approach Administrator Selig had suggested, to commit to the Town Hall site for the new Town Hall and the new Library. He said if they needed more space, there was the apartment building behind the site.

Chair Niman asked if there was consensus on the Council that the RFP was premature, and that they needed to figure out the bigger picture first, which would then drive the RFP. He said he

was also hearing that the Council needed to figure out a way to develop this bigger picture.

Councilor Needell asked if perhaps a Council work session was needed to figure this out, including who should be involved in working on this.

Councilor Sievert suggested that they work with Councilor Clark's list of sites, and said he could help with this. He also suggested getting Mr. Campbell and Administrator Selig involved in pulling information together, and bringing it back to a meeting. He said the Council should talk about what they had, what they needed, what they didn't have, and then should group things together, similar to the process used for the Jackson's Landing project.

He said the Library Trustees, the Police Department, etc., should then be brought into the process, and after that it should be opened up to the larger public to get feedback. He said then there would be the RFP.

Chair Niman said in other words, there would be a small subcommittee to get the information together, which would then be brought back for a special Council work session.

Councilor Clark said a work session on this was the right idea. He said the subcommittee would first organize the list, and come to agreement on how broad they wanted to go in terms of meeting needs and properties. He said this could then be brought back to the Council. He said the different needs and properties could be bundled as a first pass, and the RFP could then be created for the different bundles.

Administrator Selig suggested that Kelly Davis from Sumner Davis should look at the list and go through the pros and cons, as part of an efficient way to bring this forward. It was noted that Mr. Davis had looked at a lot of these sites.

Chair Niman asked if he was hearing that Councilor Sievert and Councilor Clark, etc, along with Mr. Campbell and Administrator Selig, would figure out what information they had, and would then have Kelly Davis organize and facilitate a special Council work session. He said at the work session, the Council would then try to develop an understanding of the various needs and goals, decide who to reach out to as potential partners, and then meet with them to gauge their interest.

Councilor Needell said one piece to add was that this work session would be a public meeting. He said the point was for the Council to have this discussion, but said it was a public process.

Councilor Sievert asked when Mr. Davis would be brought in, and Administrator Selig said the subcommittee could consider this.

Councilors agreed to have this work session. There was extensive discussion on when the meeting should be held.

Councilor Smith said he would raise this concept with the Library Trustees at their meeting on Thursday.

Chair Niman thanked Councilor Sievert and Councilor Clark for agreeing to organize this effort. He confirmed that all Councilors were in agreement with what had been proposed, and said he

would check with Councilor Van Asselt as well. He also said he would try to come up with some workable dates for the work session.

Councilors agreed that they could nail down a date for the work session at a future Council meeting.

XII. Nonpublic Session (if required)

XIII. Extended Councilor and Town Administrator Roundtable (if required)

XIV. Adjourn (NLT 10:30 PM)

Councilor Stanhope MOVED to adjourn the meeting. Councilor Clark SECONDED the motion, and it PASSED unanimously 8-0.

Adjournment at 10:08 PM.

Victoria Parmele, Minutes taker