

A regular meeting of the Board of Aldermen was held Wednesday, February 12, 2020, at 7:30 p.m. in the classroom at the Nashua Police Department, 28 Officer James Roche Drive, Nashua.

President Lori Wilshire presided; City Clerk Susan Lovering recorded.

Prayer was offered by City Clerk Susan Lovering; Alderman Brandon Michael Laws led in the Pledge to the Flag.

The roll call was taken with members of the Board of Aldermen present.

Mayor James W. Donchess, Corporation Counsel Steven A. Bolton, Mary Greene, Hunt Legacy Trustee, and Jane Hanle-Olsson, Ira F. Harris Lecture Trustee were also in attendance.

REMARKS BY THE MAYOR

Mayor Donchess

Thank you very much Madam President. I just have a few things. First, of all I want to thank the Police Department for hosting us here. This is a very nice place to meet when the Chamber is not available. Second, I wanted to mention, of course, the Election, the Primary which we held yesterday. It seemed to go very smoothly, a little bit better than Iowa and that is due to the efforts of all of the people who work in the polls as volunteers and as Selectmen and Moderators and everything. But principally to Sue Lovering, who as City Clerk is responsible for making all this happen. It went off, of course, very smoothly, it was Sue's first National Primary. She reported at 4:00 a.m. and didn't deliver the results to the Bedford Police Department, which is part of the duty, until 4:00 a.m. the following day. So a 24 hour shift and here she is. Thank you Sue.

I wanted to mention just a couple things on the Agenda. First there is the Community Choice Power Proposal. Again we discussed that at some length before so I won't get into the details on that. I know you will just refer that to a Committee and we will come to the Committee and explain everything that is being proposed. I wanted to make sure that Doria Brown, who is the City's Energy Manager; if you have not met her, you should. She is doing a great job trying to make the City more energy efficient and reduce greenhouse gases and emissions. So we will see you at the Committee Meeting wherever that goes.

Also, while we are here, we are doing a green project here at the Police Station. You all approved the authorization for the bonding of that project. The first stage was to repair all the windows; I think some of you saw those, so bad that snow was coming in in the winter. The next stage will be to replace the HVAC System which not only will service the building better, but also use a lot less energy. So that is a green project we have going on right here in this building.

I wanted to mention the Performing Arts Center Legislation. I discussed this in a lot of detail at the Public Hearing just a few days ago so I won't repeat any of that; other than to say that the Committee made an amendment to extend the deadline for the raising of the private funds, the outside City money by 18 months. That most definitely works, so thank you to the Committee for doing that.

And finally, we have a couple of people who have agreed to serve on various boards on two boards and commissions who are here to be sworn in. I wanted to thank them for their service; Megan Villacis will go on the Dog Park Committee, the Animal Committee and Bill Ackerman will be Conservation Committee. So thank you very much for your volunteering and your willingness to continue to serve the City of Nashua.

Beyond that, Madam President, I don't have anything and thank you very much.

RESPONSE TO REMARKS OF THE MAYOR

President Wilshire

Thank you Mayor. OK responses to remarks by the Mayor.

Alderman Jette

I would just like to point out that you are having your meeting in Ward 5. I just wanted to welcome everyone to Ward 5.

President Wilshire

It's a pleasure to be in Ward 5, Alderman Jette.

Alderman Lopez

I just want to point out that you usually have your meetings in Ward 4.

President Wilshire

I'd just like to echo the comments that the Mayor made about the City Clerk and her staff and the phenomenal job they did yesterday. I can't say enough about how hard those Ward workers work and the City Clerk staff worked, yeoman's work. They are there 24 hours, not most of them but some 18 hour days, I mean that's a long day. People, they show up, and they do the work, it is really awesome. So thank you Madam Clerk.

RECOGNITION PERIOD - None

READING MINUTES OF PREVIOUS MEETINGS

There being no objection, President Wilshire declared the minutes of the Board of Aldermen meetings of January 27, 2020, January 28, 2020, and February 6, 2020 accepted, placed on file, and the reading suspended.

COMMUNICATIONS REQUIRING ONLY PROCEDURAL ACTIONS AND WRITTEN REPORTS FROM LIAISONS

From: Mary Greene, Hunt Legacy Trustee
Re: Request for a Joint Convention to Nominate Trustee

There being no objection, President Wilshire accepted the communication, placed it on file.

From: Jane Hanle-Olsson, Ira F. Harris Lecture Trustee
Re: Reappointment of Judith Cudhea

There being no objection, President Wilshire accepted the communication, placed it on file.

PERIOD FOR PUBLIC COMMENT RELATIVE TO ITEMS EXPECTED TO BE ACTED UPON THIS EVENING

President Wilshire

We have 9 people signed up to speak and we do have a 15-minute public comment period. I know a lot of people spoke at the Public Hearing so if you could keep your comments so that other people have an opportunity that haven't spoken. Please give your name and address for the record please?

Jay Brooks 55 Lake Street, and I am the owner of the one of our local businesses and I believe that the Performing Arts Center is something that we do need for our City. I believe that will help not only my business, but our children's and basically turn this into a City that people want to come to, to come to our downtown. Our downtown needs work. If you are going to compete with Manchester, if we are going to compete with Boston, if we are going to bring cultural aspects into our City, we need to have a place to do those things. The Performing Arts Center is one of those places to do that. So I don't have a lot more to say other than, thank you very much.

Deb Novotny 65 McKenna Drive, I'm here on behalf of the Capital Campaign Committee I am in support of the amendment we heard at the Budget Committee. This extra time will give us the extra time to obtain our goal. Thank you.

Karen Bill Hi Karen Bill, Nashua, New Hampshire, 95 Parnell Place. I am not a business that is going to benefit from the Arts Center, I'm not a restaurant that is going to benefit from the Arts Center. I have no stake in downtown and I have no stake in the Arts Center bringing any revenue into my pocket whatsoever. It kind of made me wonder since the last meeting about the monetary benefit that the establishment that's running or who is set to be hired to run the event center what they bring or what Nashua gets out of it. I don't know what Nashua as a town gets out of it, what benefits, monetary benefits. I know that that building brought in \$47,000.00 worth of taxes per year in 2012 and in 2017, \$50,000.00 worth of taxes. So that's \$100,000.00 lost in the last two years and again the next two years going forward, so that's \$200,000.00 of tax money that we are not getting.

I assume that since it will be a non-profit that we will get zero tax dollars going forward, correct me if I'm wrong. Also, I was looking at the Tupelo Center. The Tupelo Music Hall in Derry now, it was in Londonderry, it was born in 2004 with 200 seats. It took them 13 years until 2017 to move venue location and have it be a 700 seat arena, 13 years of growth. So although the plan for the Performing Center calls for an increase from 500 to 750 seats, you can say we are going to put 2,000 seats in some place, but it doesn't mean you are going to have butts in those seats. And when it all comes down to it, it's butts in seats because that's dollars in the kitty, ok?

So I know that there is a recommendation to go forward with this, I am not in favor of the recommendation; I think that the promises have not been kept from the original vote that the voters of this City entrusted the people to do. The costs have gone up, they are going to go up more, mark my word they will go up more. Because it's a year and a half out. So I am very concerned that the \$15.5 bond, somewhere along the line, I mean if in your decision-making process you go forward with this that there is a – you know – you can't just keep, again, extending and you know extending the deadline or extending a monetary amount because it would be wrong to those voters that voted for it. Remember 155 people more voted for it but remember again as I mentioned last week 551 people did not even answer the question which begs the ... you have to wonder why. I have the actual ballot with me. The question is this long. So you have to wonder why 551 people didn't even vote for it if they were confused or just didn't want it. But I am not in favor of moving forward and if you do, please keep in mind all these statistics that I have brought to your attention. Thank you very much.

Mary Theresa Freund My name is Mary Theresa Freund, 3 Masfield Road in Nashua. A Performing Arts Center would not only be a cultural boon for the City but would be a source of revenue for local businesses who in turn I'm supposing would pay more in taxes. Whenever Great American Downtown sponsors a cultural event, there is an influx of visitors from surrounding communities; from paid events like Taste of Downtown to free events like the Nu Muse. It doesn't matter if it's in the winter like the Holiday Stroll or temperate seasons like the Nu Muse, the Roots Festival.

For practical reasons, however, very few events are held in the colder seasons. The Performing Arts Center would be a venue to attract local and not-so-local patrons in all seasons benefiting Nashua Restaurants and Shops.

While Nashua is a town with many advantages, one think we lack is a regionally recognized Performing Arts Center which could attract both local performers and bigger names. My family personally travels to Boston, Lowell, Worcester, Hampton Beach, Concord, NH, Littleton, Massachusetts and even Porchester, New York to attend music performances and cultural events. Even many smaller towns in our area and our State have public or private cultural centers like just mentioned Tupelos in Derry, Bull Run in Shirley, Massachusetts and the Monadnock Center in Peterboro. These venues draw audiences from local and distant areas and shows are routinely sold out. I was recently at a concert at Tupelos and spoke to a woman who drove up from Beverly, Massachusetts which was over an hour away from Derry and that's when it is not rush hour.

Nashua is strategically placed so a Performing Arts Center here will surely be successful. I for one would appreciate not having to drive to the Capital Center for the Arts or into Boston. A Nashua Performing Arts Center will be a source of pride as well as a source of revenue for our community. It is my understanding that the architectural plans have already been drawn up and a significant portion of the required private fund for this project have been raised, including a recent \$250,000.00 pledge from Bank of America. Please not let the Performing Arts Center so far along in its planning and supported by so many people, crash and fall. Please vote to approve the 18 month extension of the deadline for private fundraising.

The next phase of the fundraising from small business owners and the public has not even yet begun. Thank you for your opportunity to speak.

Michael O'Connor Yeah Good Evening, Michael O'Connor, 42 Berkeley Street, in Ward 3. I unfortunately could not attend the Hearing the other day but I am here also speaking as this lady against the approval of the amendment. My reason, it is mixed feelings, I also enjoy Arts, I've been to many of the places that the lady just mentioned. I just think the issues to me are basically affordability, the fact that you know as the Mayor said, and I'm taking an excerpt from the minutes back in February 13, 2018, "the voters voted on the version that is before you. There are many ways that we can raise funds towards the project. I think we should just vote on the version of the Resolution that we put to the voters and which they approved".

I don't know these individuals, but when I was reading through the minutes, it was a very lengthy presentation by Tyler Gouveia, I may not be presenting the name correct, a 19 year old college student who went through his projections on the financing. Some pretty strong arguments were in there. Dick Iannacone, who said it was contingent on raising the \$4 million. In those same minutes, Alderman Klee, my Alderman from Ward, she talked about driving many people crazy including today. I visited a few people, asking questions, I've gone all the way up to Manchester and spoke with Mr. Ramsey to get questions answered about fundraising and how it affects the community.

Alderman Caron said one of the reasons that she was going to support it was the stipulation in there that the \$4 million had to come from the private sector before we put nail to hammer, to wood. So there seems to be, I think, an understanding for most of the – I shouldn't say "most" I will anecdotally I talked to a lot of you know tax payers here and there seems to be concern that you are really going against what was voted on several years ago.

On the website I will draw your attention to something I realize this in the Capital Campaign Feasibility Study, that was presented by Betsy McNamara back in September 2018 and where they were looking at, and of course these are just excerpts, but reasons for the opposition to the project which she boiled down into terms of concerns about the project. Two themes rose immediately to the top during the interview process. There is a deep distrust of the City's ability to manage this project and this has to be done right or it will fail.

So it's quite a lengthy presentation but there's a lot of concerns. I think people are just basically concerned about the runaway costs and I think again it somewhat of a trust that you had to meet that deadline, sort of a sunset deadline of 2 years. You didn't meet it and I think there's a very strong message in that. So I think you are really kind of ignoring the will of the voters on this one. And I think you should really take that into consideration on your vote tonight.

Rich Lannan Good evening, Rich Lannan, 11 McGrath Road in Pelham, with offices here in Nashua. As the Mayor said, I am going to try to be brief. I have a couple different topics because I spoke a couple times last week and I won't be repetitive. I think one of the things that I hear in social media is about how this is really about downtown Nashua and that's the only benefactors. There has been a lot of testimony from different people and even in the study how that's really not the case. How this is really a Performing Arts Center, not just for downtown, but the City as a whole and the whole area.

And two quick examples that just happened; Deb Novotny and myself were very recently in Nashua at the Milford Rotary at noon today at their weekly meeting. We were invited to go there because they were interested in hearing about this Performing Arts Center. They had about maybe 40 or 50 people. Deb and I both spoke, kind of an update, similar to what we did here a week ago, showed a form and asked questions. They had some great questions. But while we were having lunch, Deb and I were having lunch with a couple people and the conversation just was about, "yeah that would be great". And Milford Rotary is like Milford, Amherst, Mount Vernon, Wilton, sorry if I missed a town so it is from that area. And they talked about you know sometimes they would come down to Nashua and hit you know MT's, Martha's, whatever, but a lot of times people on their way will stop because those places might be busy the night before a performance so they are still going to maybe eating in Milford. If you are coming from Hudson maybe eat somewhere in Hudson. So it's not just Nashua.

There was a lot of discussion about the fact about how the surrounding towns and Milford and was a very positive, a lot of great questions and answers. We were literally approached by a couple people at the end of the meeting who said, "We'd like to get together with you". We don't know if that means dollars and cents, we hope so. But they wanted to know more about because I know one of them has a business in Nashua but they are up in Milford. So it shows that even Rotary out of Nashua has an interest in this. There was also talk about a lot of the donors, probably downtown businesses; well a lot of them are. But as an example, and I know Deb at the last presentation talked about 30 plus lead donors. We are not just talking downtown businesses; we literally – one of those 30 people is a restaurant on Daniel Webster Highway and they really saw it and myself and another gentleman on our Committee met with them. One meeting, a couple of follow up e-mails and they have committed to be a donor because they want their name and be part of the building because they are part of Nashua even though they are very close to the Massachusetts line and it is a national chain.

So it just shows that this is not just about downtown. And one last thing that kind of threw me back, because I looked some minutes too. And a couple years ago, more than that, when we were talking about this, we actually had 2 different gentlemen that came kind of unexpectedly to talk to the Board of Aldermen. One was the head of the Currier Museum that has, there's nothing in Nashua they are in Manchester and I remember him quoting that they consider themselves the State Museum, they represent the whole State. He talked a lot about the fact of how important this should be to Nashua. And Peter Ramsey, the Palace Theater, who was mentioned a few minutes ago, he not only came and showed up, he talked passionately and may look at him as a competitor but he talked passionately about if Nashua doesn't do this, they are missing out on maybe a once in a lifetime thing. I'm not quoting him but those are the words, and then he invited about 8 of us and I believe 1 or 2 Aldermen that came. Alderman Klee came and there might have been another Alderman that at the time came as well. He invited us to tour and brought us through and told us, you know, "you guys shouldn't do this" or maybe, "you should do this and think about this and that". He was giving us a lot of great ideas, volunteered, "Call me anytime, gave us his card". And this is somebody, they are more theater oriented obviously than we are, so it is a little different but it just shows that people even outside the region that have no gain to this whatsoever can see.

Even from Manchester and throughout the State and even a restaurant that is a very large regional restaurant chain thinks this is great for Nashua. So I'd like you to consider that and we support obviously what the Budget Committee recommendation is thank you.

Judith Carlson 15 Manchester Street, Ward 3. I've lived in Nashua since 1973 and brought my daughter up here. And after working in high tech, advertising and public relations for a number of years, I've been doing mostly volunteer work for the past 10 and been very involved in the Arts and in this project since it started. But what I wanted to say today, is like some of the previous speakers, our family goes, my husband and I go to Portsmouth a lot. We go to Portland, Maine. We go to a lot of entertainment in other cities and since we are both of that age where we are supposed to be retired, we run into a lot of people our age who have moved to Portland or to Portsmouth because from New York City and other large cities because they love the idea that they are in a smaller city, very affordable with wonderful things to do and good entertainment and excellent restaurants. And I think that is something that Nashua is going to see that we have been talking about. It is not just that having the Performing Arts Center would be a boon for recruiting workers, that we all know as part of the whole economic development reason for doing this. But I think there's a lot of empty nesters and retired people who live in big cities who would love to come to Nashua as Nashua evolves and the things we are doing on the waterfront as well as what we are doing with the Performing Arts Center.

Then on a personal note, I said I'd brought my daughter up here in Nashua. She and her husband, her husband is a Colonel in the Air Force, they've been traveling all over the world and they are in Belgium now and he's about to retire. They were thinking for a long of moving to Portsmouth, Portland, maybe even up into one of the nicer cities in Vermont until they heard about this project. And they said, "wow, this coming to Nashua, that's going to make such a huge distance". Now they are looking around and I would love to have them come back home. Thank you.

Paul Shea Hi my name is Paul Shea, I live at 102 Toll Street, I'm a resident of Ward 3. I am also the Executive Director for Great American Downtown. I just wanted to touch on the breadth of public support for this project independent of the timeline that you are considering extending tonight. In 2017 when this Ordinance was first considered, the timeline was not included. During that period of time, we did some public outreach to determine the scope of support among people in the public and we had 510 commit and sign their name up on-line that lived in Nashua or had a business in Nashua to reflect their support. 190 of those people, because we wanted to ensure that we were showing authenticity in these as opposed to an on-line thing which can be gamed, we had 190 people physically come to sign a notarized petitions and their address was certified to indicate that they are a Nashua Resident or someone that was a business owner.

We continue to support this project, we believe that there is a breadth of public support for the project independent of the timeline. But we also recognize that having the timeline in place is a good thing and now that we know what we know, extending the timeline is also a good thing. Thank you.

COMMUNICATIONS REQUIRING FINAL APPROVAL

From: Mayor Jim Donchess

Re: Awarding a Multi-Year Contract for Portable Toilets with United Site Services in the amount of \$32,140

MOTION BY ALDERWOMAN HARRIOTT-GATHRIGHT TO ACCEPT, PLACE ON FILE, AND AWARD THE CONTRACT FOR PORTABLE TOILETS TO UNITED SITE SERVICES IN THE AMOUNT OF \$32,140 BY ROLL CALL

ON THE QUESTION

Alderman Lopez

Just a comment, we should vet some of these services. I know I've used United Site Services for a number of events. I've also used other competing vendors and in the past United Site Services has not always been the most cost effective one. However, they have a huge amount of heritage with our City, we've been working with them; for a long time. So I don't necessarily have an objection this year, but I would just say we should probably look at that every now and then and make sure they are still the best vendor.

MOTION CARRIED

PETITIONS

A Petition for Street Discontinuance: A Portion of Palm Street

There being no objection, President Lori Wilshire accepted the Petition for Street Discontinuance, referred it to the Committee on Infrastructure, the Nashua City Planning Board, the City Engineer, and scheduled a public hearing for Wednesday, March 25, 2020 in the Auditorium at City Hall

NOMINATIONS, APPOINTMENTS AND ELECTIONS

Joint Convention with Hunt Legacy Trustees

There being no objection, President Lori Wilshire declared that the Board of Aldermen meet in joint convention with the Hunt Legacy Trustees for the purpose of electing a trustee and called for a nomination.

Trustee Mary Greene nominated Nadine Parker for a two-year term to expire on December 31, 2021

There being no objection, President Wilshire closed the nomination.

A viva voce roll call was taken on the appointment of Nadine Parker which resulted as follows:

Yea: Alderman O'Brien, Alderman Klee, Alderwoman Kelly, Alderman Dowd, Alderman Caron, Alderman Clemons, Alderman Lopez, Alderman Tencza, Alderwoman Lu, Alderman Jette, Alderman Schmidt, Alderman Laws, Alderman Cleaver, Alderman Harriott-Gathright, Alderman Wilshire, Trustee Mary Greene, Mayor Donchess

Yea: 17

Nay: 0

MOTION CARRIED

President Wilshire declared Nadine Parker duly appointed to the Hunt Legacy Trustees for a term to expire December 31, 2021.

Oath of Office administered by Corporation Counsel.

There being no objection, President Wilshire declared that the Joint Convention now arise.

Joint Convention with Ira F. Harris Lecture Trustees

There being no objection, President Lori Wilshire declared that the Board of Aldermen meet in joint convention with the Ira F. Harris Lecture Trustees for the purpose of re-electing a trustee and called for a nomination.

Trustee Jane Hanle-Olsson nominated Judith Cudhea for a two-year term to expire on December 31, 2021

There being no objection, President Wilshire closed the nomination.

A viva voce roll call was taken on the re-election of Jane Hanle-Olsson which resulted as follows:

Yea: Alderman O'Brien, Alderman Klee, Alderwoman Kelly, Alderman Dowd, Alderman Caron, Alderman Clemons, Alderman Lopez, Alderman Tencza, Alderwoman Lu, Alderman Jette, Alderman Schmidt, Alderman Laws, Alderman Cleaver, Alderman Harriott-Gathright, Alderman Wilshire, Trustee Mary Greene, Mayor Donchess

Yea: 17

Nay: 0

MOTION CARRIED

President Wilshire declared Judith Cudhea duly appointed to the Ira F. Harris Lecture Trustees for a term to expire December 31, 2021.

Oath of Office administered by Corporation Counsel.

There being no objection, President Wilshire declared that the Joint Convention now arise.

REPORTS OF COMMITTEE

Committee on Infrastructure 01/22/2020

There being no objection, President Wilshire declared the report of the January 22, 2020, Committee on Infrastructure accepted and placed on file.

Personnel/Administrative Affairs Committee 02/03/2020

There being no objection, President Wilshire declared the report of the February 3, 2020, Personnel/Administrative Affairs Committee accepted and placed on file.

Finance Committee 02/05/2020

There being no objection, President Wilshire declared the report of the February 5, 2020, Finance Committee accepted and placed on file.

Budget Review Committee..... 02/06/2020

There being no objection, President Wilshire declared the report of the February 6, 2020, Budget Review Committee accepted and placed on file.

Human Affairs Committee..... 02/10/2020

There being no objection, President Wilshire suspended the rules to allow for the oral report of the Human Affairs Committee meeting held Monday night regarding proposed Resolution R-20-005.

Alderwoman Kelly gave an oral report of the Human Affairs Committee meeting of February 10, 2020 with respect to Resolution R-20-005.

Alderwoman Kelly

Thank you Madam President; so the Human Affairs Committee met on Monday evening. We heard from Mr. Slottery regarding the 10 Paxton Terrace. It is a duplex that would be available to Veterans who are also eligible from an income perspective based on the Habitat for Humanity Program. They can make that accessible. In terms of the cost of the project, it is in line with projects that they have done in the past, there's a little bit extra in there because they have to bring the elevation. But he did a wonderful job of explaining what was going to happen there and obviously Habitat does a great for affordable housing in our City.

President Wilshire

Thank you Alderwoman Kelly.

CONFIRMATION OF MAYOR'S APPOINTMENTS

Animal and Dog Park Advisory Committee

There being no objection, President Wilshire confirmed the appointment of Megan Villacis, 76 Beauview Avenue, Nashua, to the Animal and Dog Park Advisory Committee with a term to expire January 31, 2023.

Oath of Office administered by Corporation Counsel.

Conservation Commission

There being no objection, President Wilshire confirmed the appointment of Joel Ackerman, 13 Woodcrest Drive, Nashua, to the Conservation Commission with a term to expire December 31, 2020.

Oath of Office administered by Corporation Counsel.

Downtown Improvement Committee

There being no objection, President Wilshire confirmed the reappointments of the following to the Downtown Improvement Committee: James Tobin, 36 Dogwood Drive, Nashua, with a term to expire November 22, 2022; Edward Hayes, 137 Main Street, Nashua; Steve Saxe, 74 Musket Drive, Nashua; and Amanda Schneck, 26 Chester Street, Nashua, with terms to expire December 31, 2022.

Oath of Office administered by Corporation Counsel will be administered at a later date.

Historic District Commission

There being no objection, President Wilshire confirmed the reappointment of Mariellen MacKay, 9 Webster Street, Nashua, to the Historic District Commission with a term to expire December 31, 2020.

Oath of Office administered by Corporation Counsel will be administered at a later date.

Nashua Housing and Redevelopment Authority

There being no objection, President Wilshire confirmed the reappointments of the following to the Nashua Housing and Redevelopment Authority: James Tollner, 1 Sequoia Circle, Nashua, with a term to expire October 14, 2021; and Eric Wilson, 60 Indian Rock Road, Nashua, with a term to expire October 14, 2022.

Oath of Office administered by Corporation Counsel will be administered at a later date.

Alderman Jette

Before we move on to Unfinished Business, I would like to move that the rules be suspended, there were various communications that we sent to the Board of Aldermen by e-mail and I would move that they be accepted and placed on file. They were both in favor and against the upcoming Resolution. I remember Joseph (inaudible) is the latest one that I saw but there were others before that.

President Wilshire

We don't have those with us to accept and place on file, we can do that a later date, Aldermen Jette, but there's nothing here for us to accept.

Aldermen Jette

I thought we had talked about this before. When Communications are sent to the Full Board of Aldermen by e-mail, that they somehow find their way into the record. I can't remember what the issue was before, one of the other Aldermen, I think it was Alderman Lopez that brought that up. So anything we can do to correct that situation I would appreciate.

President Wilshire

We will thank you very much Alderman Jette.

Alderman Lopez

If I may add, just for posterity? None of the letters that were sent to the Board of Aldermen on the Smoking Ordinance never did make it to the record.

Alderman Clemons

I will just say I think we should maybe and hopefully this will end the conversation tonight on this debate. But maybe we can think about that and we can amend the agendas at a later Board of Aldermen and add these things to where they are appropriate.

President Wilshire

Thank you.

UNFINISHED BUSINESS – RESOLUTIONS**R-20-001, Amended**

Endorsers: Mayor Jim Donchess
Alderman-at-Large Lori Wilshire

SECOND AMENDMENT TO R-18-001 “AUTHORIZING THE MAYOR AND CITY TREASURER TO ISSUE BONDS NOT TO EXCEED THE AMOUNT OF FIFTEEN MILLION FIVE HUNDRED THOUSAND DOLLARS (\$15,500,000) FOR THE PERFORMING ARTS CENTER LOCATED AT 201 MAIN STREET”

Given its second reading;

MOTION BY ALDERMAN SCHMIDT TO AMEND R-20-001 BY REPLACING IT WITH THE PROPOSED BLUE COPY AMENDMENTS MADE AT THE BUDGET REVIEW COMMITTEE MEETING BY ROLL CALL

ON THE QUESTION

Alderman Lu

I just have to point out that currently it seems that even if this passes, there is still an unknown funding gap and it seems precarious to me with the amount of discussion that we've had on this, that our \$15.5 million dollar bond, our \$4 million dollars coming from the private group ...

President Wilshire

Can you save this for the discussion on the – we are asking for comment on the amendment at this point. So that would be in order when we ...

Alderman Lu

The amendment is to extend the ...

President Wilshire

So yeah if you are talking on the amendment that we made, that's fine.

Alderman Lu

The amendment though is to either not continue this authorization or to continue it. Is that correct? Well what could I talk about possibly except the value or something to the effect, something that pertains to the Resolution itself.

President Wilshire

It's whether or not you support the amendment or you have a discussion about the amendment itself; the date the extension of time?

Alderman Lu

OK I feel we should not be extending the Resolution to bond something that we don't have a clear idea of where the rest of the funds are going to come from. I'm not just talking about not understanding how well the Capital Campaign is going but at this point, the cost of the project has increased to \$24 million and it seems to be me we really need to get a sense of you know why \$15.5 million when we know that is not going to get us to the price tag?

President Wilshire

Thank you. Further discussion on the amendment?

Alderman Lopez

I mean I have to point out similar concerns that it doesn't matter whether we go with the Golden Rod Copy or the Blue Copy if we are already assuming that there's an extra \$4 million dollars that we will come up with somewhere. If we are contingent on the blue amendment that has been proposed, depends on us getting \$4 million dollars of the New Market Tax Credits. We didn't get the New Market Tax Credits last time we applied for it. We didn't get word that we weren't getting the New Market Tax Credit. Why do we think things are going to be different? Why should we include that in this amendment and continue enabling a system that doesn't seem to producing what it was proposed to do?

Alderman Dowd

Yes this Legislation change right here allows us to be eligible to get that money and if this Legislation isn't in place, we will never get the \$4 million dollars. So the question is to pass this amendment, make us eligible to get the \$4 million dollars that are awarded through Tax Credits. We won't know that for approximately six months. In six months we can then take another look at the entire funding picture when we have a better idea of what exactly the funding level is at that point.

Alderman Harriott-Gathright

I am comparing the two amendments here and the only thing I see different is paragraph four which says, the last sentence talks about deleting the struck through language and adding the bold, italicized language as follows. So we have just added some verbiage there and adding the bold, italicized language. So I'm not sure this one is just verbiage that's different. So this is the one we are finally going to vote on.

Alderman Jette

I too am confused by the blue and famous Golden Rod copies, it looks the same except on the back there is analysis that says, the last sentence of the analysis says, "this amendment removes the two year time period to raise the private money".

Steve Bolton, Corporate Counsel

The analysis is prepared when the Legislation is first introduced. Last week, in Committee, the Committee decided to make an amendment. There was no request of my office to prepare any modified analysis. The amendment that the Committee was proposed was merely to add the language that is at the bottom of the page in bold italics. In reviewing that proposed amendment, my office determined that if that language was to be added in the paragraph ahead, which had previously said that the only amendment was to delete the struck through language, merely putting this at the bottom did not explain what it was doing at the bottom. So we added, in the blue copy, where it says, "In adding the bold italicized language" that was done in order to effectuate what the Committee had intended. We were never asked, nor did we undertake, to do a different analysis.

Alderman Jette

Thank you for explaining. Is the Golden Rod copy trashcan material?

Attorney Bolton

Essentially yes.

Alderman Jette

So could I speak on that? The reason that Resolution, the R-20-001 was presented is that the original Resolution authorizing bond says will expire tomorrow, February 13th unless \$4 million dollars in private funds have been raised. So unless we amend that original Resolution it is going to expire tomorrow unless we resurrect it somehow the project be at least interrupted. So I know that a lot of people have talked about how the original Resolution was that the voters passed and that we passed two years ago was \$4 million dollars in private funds had to be raised in order for the project to go beyond tomorrow. It expired unless the \$4 million was raised. A lot of people are pushing that we do that, that we allow it to expire, but there are a lot of people who have spent a lot of time, you know, volunteers, who have spent a lot of time trying to get this project off the ground. I would be reluctant to pull the rug out from underneath them to allow this thing to expire tomorrow.

But the other night, and I know the Capital Campaign Committee is trying to raise \$2.5 million dollars and they feel that they are getting close to that and they are assuring us that they are going to succeed in doing that because they are about to get the fruits of all of their efforts, I don't want to stop them. But the truth is you have to raise \$4 million not \$2.5 million but \$4 million. And the project has changed since we were first looking at a couple of years ago. The project initially was that we were going to build it on the second and third floors; the first floor was going to be used for retail service, we were going to get rent for the retail. That part of it, I assumed would generate some real estate property taxes. That has been changed; it is going to be build on the first floor. It is going to be bigger than what we talked about and it is going to cost a lot more money than what we talked about. The sources of that money that have been identified by Director Cummings, include \$4.2 million dollars in New Market Tax Credits. So as it is presently structured, if we don't get those New Market Tax Credits, we didn't get them last year, we were hoping that we would, but we didn't get them. And we are hoping now to get them this year, and that would be announced sometime this summer.

So let's be honest with ourselves and with the public, if we don't get the \$4.2 million dollars in New Market Tax Credit, we are going to have - as Director Cummings would say, "A robust discussion" about how we are going to come up with the money. I think when this project first started we weren't talking New Market Tax Credits but then I think that came up after this project started and became available and Director Cummings jumped on it. But that program is about to expire, if we don't get it this year they might not be available to us at all.

I think what I would like to do, I am in favor of extending the time, I originally said, "Let's extend it to August" and Director Cummings pointed out that that was too close to when the New Market Credits announcement would come out and may harm our chances of getting the New Market Tax Credits. The people who allocate this money see that our Resolution may expire before it closes. So you, Madam President, suggested that we extend it out to August of 2021. I would like to move to amend the date to make it November 30, 2020. That would allow us to find out whether we are going to get the New Market Tax Credits or not. And if we get them, fine. We are all set. If we don't get them, then I think we owe it to ourselves and the public to talk about how are we going to replace that money and whether or not we are willing to go ahead with this project. It is going to cost us not just \$15.5 million dollars in borrowing money but \$19 to \$20 million more.

If we don't get the New Market Tax Credits and we decide we still want to go ahead with this project and we identify the source of the funds then we can come up with a new Resolution. But I think by making it November 30, 2020, that gives us time to do that, it gives us time to explore the alternatives and make a decision. It also gives us the opportunity, if we decide we don't want to go ahead with this, to terminate it without to continue to spend money on something that may never happen. So I would like to amend what is before you by changing the date of August 31, 2021 to November 30, 2020.

MOTON BY ALDERMAN JETTE TO CHANGE THE DATE TO NOVEMBER 30, 2020

ON THE QUESTIONAlderman Clemons

Thank you. I'm not going to support the amendment to put it to November 30th. And the reason being is it is two-fold. One, I don't think that provides us enough stability for the New Market Tax Credit to my own opinion. I think that puts everything to jeopardy and maybe I am speaking out of turn because I don't have the facts. But I would say, however, that the further out we go, the better off we are going to be when it comes to those as far as a question mark is concerned.

The second reason I am not supporting this is regardless of what date we put on the end of that, of course I feel the further the better. But regardless of what date we put on the end of that, if we don't get the New Market Tax Credits, we are going to have to have this conversation anyway. But we can't have this conversation unless we extend the deadline somewhere or another. My preference is to go out until August 31st, add the 18 months because that way if we somehow do not get these Tax Credits, at least the project is still considered "shovel ready" and you know, it is not going to expire in a few months, it is going to expire in a year from that point in time. So I would urge my colleagues not to support this.

Alderman Tencza

Just a point of clarification, Madam President, Alderman Schmidt made the motion to amend and for final passage. So right now we are just on the amendment that came from the Budget Committee, debating the amendment that came from the Budget Committee, whether we are going to accept that amendment. If we accept that amendment then we will have a full discussion on the Resolution?

Attorney Bolton

Right now what is before us is Alderman Jette's motion to change the date to November 30th, 2020. After that, what will be before you, depending on whether that motion passes or fails, you will be talking about substituting the blue copy which is essentially which is what was done at the Budget Committee, either with or without the change of date as proposed by Alderman Jette. Whether you want to substitute that for what was originally put before you back in January. That will either pass or fail and then you will be voting on whether, presumably other amendments could get made, but as the state of play right now is, once you dispose of the amendment to the amendment, you are back to either what we call the main motion which at that time will be either as originally presented back in January or as you've amended it tonight in those one or two changes.

Alderman Tencza

Madam President, because I don't think it is appropriate right now, I'd like to have more about the New Market Tax Credits. But I think it is just on the amendment I will hold off and maybe Attorney Bolton can give me like an explanation all by himself.

Alderman Lopez

Two things, first I guess the point of clarification, I guess Alderman Dowd is Chairing the Committee. I thought the Committee, I was watching from home, I thought the Committee went around like a ton of amendments and then ultimately concluded it was too late, all the amendments were coming out of nowhere and so they voted to just move forward with the originally proposed amendment so that we could then come up with a timeframe and amount that was specific to what the fundraising committee suggested?

Alderman Dowd

First of all, I will not support any additional amendments, I think that puts us at risk. We went round and round and round with numerous different types of amendments and it got to the point of we weren't getting anywhere. Alderman Wilshire made an amendment to do what is on the this blue copy, everybody agreed to it unanimously and I think that we ought to vote on this, get it passed and move forward.

Alderman Lopez

Thanks for answering my question. So I am sympathetic as to what Alderman Jette is proposing because we have the opportunity to review, in the fall the New Market Tax Credits. It's not like this came out of nowhere. In 2018 we all met and we all talked about this, we talked to Betsy McNamara. I definitely remember bringing up the fact that there were not two full years and the amount that was being raised was already looking different and I believe it has been confirmed since then that we don't need the endowment so we need a far smaller number. These were issues that I believe were known and then in the ensuing several months, all we got was "this needs to be a quiet phase, this needs to be something that isn't publicized". This is the loudest quiet phase I've ever heard of in my life. This whole process of "we are not going to announce what our numbers are or who our donors". I can understand the donors, but we haven't, as a Board, been getting any updates as to how much money was being raised by the private fundraising committee and we weren't scaling that against what they actually needed to fundraise, versus what we imagined that they needed to fundraise at the beginning.

So all of that was in the play these last two years. There was much discussion on this Board about, you know, what's going with the New Market Tax Credit. How come we haven't seen a report from Director Cummings lately? I thought the estimate was that we would have numbers in August and all of this back and forth but we didn't meet to talk about this and make any decisions about the amendment. So I can understand where Alderman Jette would say maybe we should wait 18 months is because what is likely to happen is no conversation until 17 ½ months and then we will have "It is expiring tomorrow and we need to do something right away". So I am not against figuring out a way forward so that we don't lose everything that's been invested but do think it is important to include some kind of inception part. As it is written right now, the blue amendment gives the Mayor the ability to say, "We did it, we reached our goal. I am now announcing that we will move forward with the bond". But it doesn't have anything built in to clarify that the Aldermen intend to actually review the situation. And we have a track record of not having done this over the past year.

Alderman Clemons

Maybe you misunderstand what is here but it says that "nothing can be done until we've raised \$4 million dollars in private funds, including New Market Tax Credits". So the Mayor can't just arbitrarily decide to move forward with the project unless there is \$4 million dollars to show for it. So you know, I don't understand where you are coming from but what you said is not what it reads. What it reads is that \$4 million dollars has to be raised in order for this to move forward.

Alderman Lopez

So I didn't say they Mayor could arbitrarily do anything, I specifically said that the Mayor could declare that we had actually gotten the money. I was not inferring the Mayor would lie, that's the only cut off point. So I get that the Mayor can say there's victory, but there's nothing built into this that says we will agree to actually review it and see if there's anything. The second point I raised is \$4 million dollars is about to become a dinosaur, there is \$4 million dollars that we need to raise, but as a private fundraising vehicle, we could focus on just the amount that they have to raise for the endowment and say, if I'm remembering it's like \$1.2 or something along those lines, in that range. Why not focus on just that part and then as Aldermen look at the rest of the cost. Because we are going to have to anyway. If we get the New Market Tax Credit we may still have a shortfall.

So why wouldn't we look at the bond itself and say, "We need to amend the bond at some point" and why wouldn't we plan on doing that now rather than waiting 18 months and the only way out of this for everything to succeed for 18 months to be passed, versus having a way of saying, "OK well we know that we've raised the private fund money, they did it, they reached their goal". I think by lowering the amount we probably could accelerate their completion of that. Then we could start facing the reality that we probably will have to bond more of this. And rather than doing nothing until 18 months have passed or until we do get New Market Tax Credit, why don't we do something to move this project along before it becomes more expensive.

Alderwoman Kelly

Thank you. I will not support the amendment by Alderman Jette. I appreciate a lot of the concerns that have been brought up. This is not the last time we are going to talking about this. I know that there is a lot of pieces that need to fall into place to (inaudible) it is not unusual for project of this caliber. Just a clarification that the 18 months has come because the Committee, the Capital Campaign Committee had said two years, what we were given, we weren't able to start until July can we have the rest of that time? And I think given that they have the momentum, that we've invested a little bit over a million dollars, that's a fair thing to allow them to continue to do the work that they are doing.

And it's not only that but there are volunteers also on the Steering Committee that have done the kind of work on figuring out how this going to work. So I will not support that I think the 18 months is reasonable.

Alderman Klee

Thank you I am going to echo what Alderwoman Kelly just said. What I won't really talk to is that the New Market Tax Credits until we get there. I do want to point out that we did only have about 6 or 7 months to work on it. Giving them the extra 18 months gives them the whole 2 years which is what we promised them. And somewhat to the New Market Tax Credits, I know it's kind of bantered about at the beginning that we may or may not get it. And I agree, I don't have a crystal ball. So in that respect though I did a lot of homework and the area that they are talking about, from French Hill all the way through the Main Street all the way down is what is referred to as the Severe Distress Area. It's one of few severely distressed areas. So it's called eligible NMTC Severe Distress which does kind of follow up to the top of it. Again we don't have a crystal ball, we don't know if we will get it. They didn't get it last time around. I am hoping that because we didn't get them the last time around we are more eligible for it. I don't put all my eggs into that basket though. I do think the conversation as far as the \$4 million dollars and so on, I think it is too soon to do that I think we should find out whether or not we get the New Market Tax Credits and I think we should talk about it then. Same thing with the bond, until we have a full notice as to whether or not we are going to get the New Market Tax Credit, I think we should premature to try to push money up in the bond and so on. And the one thing I really want to say, the shorter window that we give them is \$2.5 is we put other donators in jeopardy because they are going to feel that we don't have confidence in this. I think by showing that we do have confidence by giving them the promise from the beginning, we will give the confidence to them. We have already heard that two people have approached to speak about possibly making donations and so on. I think we need to let the momentum grow and give them what they need.

Alderman Caron

Thank you. I won't support this 6 month extension, I think the 18 months is really worth it. And as I said last week, if you take out that \$4 million dollar need, I will not support anything. And I think the problem that everybody seems to be talking about is the New Market Credits. When that amendment was put in, 2017 or whatever it was, it said \$4 million dollars of private donations. It didn't say New Market Credits, it didn't say this grant, it said come up with \$4 million dollars. It didn't matter how. So to keep saying that this group who are trying to raise this money only needs \$2.5 million dollars is really not true, because how can you support something that you are asking for \$4 million; hoping that you are going to get New Market Credit. And I have to agree with Alderman Lopez, we never got an update as to why we didn't get them.

So that's not a guarantee, you know? So we keep talking about that, but really the campaign fundraising is for \$4 million dollars. And I agree also and I won't elaborate, but we don't get any information you know about what we have in the bank. Oh I hear this, I hear that; and it's not fair to the Board because you can't make a great decision and it's not fair to the public, especially those who are not in favor of this because they feel we are just not getting told what is happening out there. And I worked on a campaign for the City for a project and the minute the gentleman came out and said, "I want my name in lights" we said, "can we use your name" and when we did, more people came out and made donations, because they trusted that person, they believed in the project. We don't know anything, I mean other than Bank of American and then Enterprise Bank comes out? You know people want to get their name out when they are making these kinds of donations for this. We are a public entity it's not like the Y trying to do a major campaign project. We are a public entity so we have a responsibility to the people here. So I won't vote for your short term extension. I don't mind the 18 months, I don't mind giving them more time but I will not as long as I am sitting here, will not vote if there is not \$4 million dollars in the bank. I don't care about the manager I don't care about – that \$4 million dollars was there to make sure people were involved in this project and I have lived through a lot of projects that died because once the public walked away we did nothing. Thank you.

Alderwoman Lu

I want to just point out, I don't understand what some of you are basing your resistance to the, what you call the short-term, because I was for something being sent through the end of the year. So is it just a sense that you need a longer term? I mean it would be easier, I actually tried to get that information, if they are giving out the tax credits some time during the middle of the year, I don't understand why you would jeopardize, if our bond is contingent on funds being gathered by December 1st. It is way past the time when the New Market Tax Credit, for instance, will help and build up. There has been a lot of just poor communication and it is just built into feelings from the resident. But for instance in 2018 at one of the Committee meetings it was said that we are actually meeting with people now, we are having face to face conversations now. This was 2018. Then in 2019 in July we were told that the Capital Campaign Committee is doing really well. But now we find out they didn't really start until September. So it's just ... and if you are not putting all of your eggs in that basket where else are you putting those? I just want to know what are the options that you are working on if this doesn't pan out.

Alderman Laws

Thank you Madam President, if it's ok with you, I see him sitting in the corner over there and I would like to just ask Director Cummings if it is even a possibility that we can, if Alderman Jette's amendment would jeopardize our qualification for the New Market Tax Credits, regardless of whether or not we agree with the process of the New Market Tax Credits. I mean it be a non-starter anyways if we can't get them because of that time period.

President Wilshire

Director Cummings did you want to answer that question for the Board please?

Tim Cummings, Director of Economic Development

For the record, Tim Cummings, Economic Development Director, I would not recommend that you move forward with the Jette amendment at this time, it is too short of a window. In my opinion, I think it would be not giving this Committee enough time for whenever those announcements are being made.

Alderman Laws

That being said, would it disqualify us from competing for the New Market Tax Credits if we were to pass Alderman Jette's – I'm just curious.

Mr. Cummings

So if you were to pass the Jette amendment and New Market Tax Credits were announced and they were announced not in the timeline that we are discussing, then the City would not be in a good standing or a good position to actually be a recipient of the New Market Tax Credit.

Alderman Laws

Thank you.

Alderman Tencza

So I'm not going to talk about the New Market Tax Credits now because we've talked about it so much. So I think what the Board needs to realize is that in order for a project to qualify for New Market Tax Credit there has to be this funding gap. So if we were to do what Alderman Lopez suggested and increase the bond, then we would no longer be eligible for New Market Tax Credits. So that's why I think there hasn't a discussion about increasing the bond or finding some other source. Also I don't know there is the will of this Board to increase the bond past the \$15.5 million dollars.

So let us say that we don't get the New Market Tax Credit this round. If we adopted a timeline where once the end of summer comes and we don't have the \$4 million dollars, \$6 million dollars, then again the New Market Tax Credits aren't necessarily the be all end all. We can think of and try to find other ways to fund the shortcomings and maybe our fundraising is doing better than we expect and they raise \$4 million dollars and we only have to make up \$2.5 million dollars. We can find a way to do that through grants or other programs.

I understand the want to keep this on a tight timeline, but I think we also need to realize, like any project, somebody mentioned, you know, construction of the Y or the Capital Campaign. Groups have to make decisions and plans change and you have to be a little bit flexible. So I think that this 18 months that President Wilshire suggested at the Committee meeting gives us the flexibility. It doesn't mean that we can't address this later this year, again anytime anyone brings up a piece of legislation before this Board we have to address it. But the 18 months gives us an additional of time for people to raise money, for the Board and the Community to maintain decisions going forward, how we want to deal with this project. You know, if I went back and looked at the meeting notes from 2017 when the timeline was put in place, Alderman Siegel at the time suggested that two year time period.

He did say at that time he was concerned about this piece of property just sitting out there and not collecting tax dollars for the City. At our last community meeting he talked about his reasoning for that, which is not necessarily borne out in the minutes of the Board of Aldermen meeting. He didn't quite say, well I was told you know, we wouldn't be able to raise this \$4 million dollars in just two years. He just said, Sometimes within 2 years, we should you know, this should be the time line and people agreed with him. So again that two year time period that was put in place in 2017 was doing exactly what it was intended to do. It is making us re-look at the bond and how we are going to move forward with the project. We've made so much progress now on the project, it doesn't seem like we need to come back, well it seems like another 18 months will be a good time period. We can have another discussion at that point if necessary. Hopefully we will get these New Market Tax Credit, the money is raised and the project goes forward and we start construction this fall.

Alderman Dowd

Just two things, one I believe that this amendment had been vetted by Legal and Bond Counsel. And I may be wrong and I will let Attorney Bolton cover it, but if we make an amendment to this, I think it has to go back for Legal review and come back to a future Board Meeting. That's ridiculous in my mind. So we have a deadline of tomorrow. The other point is that the New Market Tax Credits, there is no set date and time that they are going to be reviewed and we need that flexibility, you know, this is Federal Funds.

We all know how flexible that is so we have to be available, we have to have the Legislation in place and we have to be there when the funds are available in order to get them. So I was going to make a motion to move the question but I think Attorney Bolton can clarify.

Attorney Bolton

The amendment proposed by Attorney Jette would not require us to hold another Public Hearing on this. There would be amendments that I can imagine that would require that. But shortening this time frame would not require another Public Hearing.

Attorney Dowd

In that case and based on the fact that the other night at the Budget Meeting we went round and round and round like this, I make a motion to move the question.

**MOTION BY ALDERMAN DOWD TO MOVE THE QUESTION
MOTION CARRIED**

President Wilshire

The motion before is to further amend by changing August 31, 2021 date to November 30, 2020.

A viva voce roll call was taken which resulted as follows:

Yea: Alderwoman Lu, Alderman Jette 2

Nay: Alderman O'Brien, Alderman Klee, Alderwoman Kelly, Alderman Dowd,
Alderman Caron, Alderman Clemons, Alderman Lopez, Alderman Tencza,
Alderman Schmidt, Alderman Laws, Alderman Cleaver,
Alderwoman Harriott-Gathright, Alderman Wilshire 13

MOTION FAILED

President Wilshire

Back to the blue copy, I will entertain further discussion on that.

Alderman Lopez

To clarify I had sympathy for what Alderman Jette's concerns were because with reference to what Alderman Lu was pointing out, I am concerned that we are planning on waiting until the end of the 18 month period. I know people can say, like, No, we will just keep an eye on this. I would like to ask Attorney Bolton what points of discussion we actually have. What Legislation can you foresee? Do we have to extend the contract? Or do we have to go authorize New Market Tax Credit Application. Do you foresee within the next couple of months any renewed opportunity to revisit this Legislation without building into or as an amendment?

Attorney Bolton

You could introduce Legislation at the next meeting to require that you get monthly reports. You could introduce Legislation at the next meeting to require the Economic Development Director to appear before you at two week intervals to let you know what has happened. If you want to have more meetings and more discussions on the subject you are perfectly able to require that and not be any amendment to this Legislation but by scheduling meetings of an appropriate Committee and asking him to come. If you want to give it even more force Legislation.

Alderman Lopez

Can I ask what the repercussions of that would even be though, hypothetically if he didn't or if he stopped coming?

Attorney Bolton

I guess you could defund his position.

Director Cummings

Thank you members and again Tim Cummings, Director of Economic Development. I would be happy to come before this body whenever you would like, whether it is one month or two week interval or make it a standing agenda item for every time there is a Board of Aldermen meeting, to give you status updates. Thank you.

President Wilshire

Thank you Director Cummings.

Alderman Lopez

May I clarify that I don't plan on legislating you?

President Wilshire

Thank you Alderman Lopez.

Alderwoman Kelly

Thank you, Alderman Lopez actually brought up what I was going to talk about that I think that there has been a discussion around, it's been two years and now we are getting some of the information. I think that it is critical that we have more information going forward. I don't think we need to legislate it. I actually think what I heard – weekly or monthly – more updates. So I think we can work with Mr. Cummings or Director Cummings to come up with something that's appropriate. But I think we definitely need to have more information at more regular intervals.

President Wilshire

I agree, we will work to make that happen.

Alderman Klee

I just want to address something that was stated earlier about the face to face conversations that had occurred back in 2018. Some of that was probably not explained well enough, was more when in essence when they had done the Feasibility Study and they were talking to people to find out what it was that they would like about the project and what they wouldn't like about the project. They were having those preliminary discussions with leaders from – they chose a group of people that they felt would be able to, not necessarily would or wouldn't donate, but to speak to them about what they felt about the project.

I know there was some negative comments that had been reported on the Full Circle Report but there were a lot of positive comments too. We truly did I think the Steering Committee focused sometimes on the negative comments because that's what helps you grow. If everybody agrees with you, you don't move, you don't change.

So I think that we looked towards some of those negative comments as how can we assure the community that this is going to happen, how can we do this? So I think that it was good to get negative comments because it makes you, you know, cross your T's and dot your I's a little bit better. So I think some of that was part of the face to face conversations that were happening. It wasn't necessarily asking for specific amounts. I believe that some of the questions might have been, would you donate, who would donate, so on and so forth. So I think that's where that came from.

Alderwoman Kelly

Just to add to that quickly, I don't know how many people here have been on a Capital Campaign, this has been new for me. But I think potentially the other thing that they were talking about it is a longer relationship kind of thing when you are asking for \$1 million dollars. You don't sit someone down once and they go, here you go. It's sit down, you have coffee, you talk about it, you follow up, have maybe another conversation. So especially in that beginning phase where you are going for the big dollars, it takes a bit of time to get those conversations going. So the Committee definitely was starting them and were able to really talk to those people in earnest.

President Wilshire

Just to clarify the deadline for this was February 20th, so it's not tomorrow it is actually a week out.

Alderwoman Lu

I just want to clarify that I was referring to a conference call with the fundraising committee that was reported in October of 18 in which they were currently actively soliciting funds. So I was just pointing out that it sounded like that Committee didn't begin until September 2019.

Alderman Clemons

Yes they were soliciting funds but they didn't have a vehicle to accept them and I don't believe that they had a vehicle to accept them until well after, I think it was right around the time when Alderman McCarthy might have passed away. I think it was a receivership from the Arts Nashua I think and I think even then, you know, so obviously you have conversations with people in the community about who you think might support something or whatever. I don't think that a comment from 2018 about we are talking to people should necessarily disqualify us from saying, well they were talking about it in 2018 so we shouldn't extend the deadline. Because even if they had that conversation there was no way to collect that money from that person. And so, I don't know. I just am going to leave it at that.

Alderman Jette

So I am going to support the amendment to make it August 31, 2021 because obviously we have to change it. But you know that was based upon stuff that we were told. Director Cummings told us he wanted to start this project in the fall. That if we didn't start in the fall, the prices were going to go up and costs will. He was hoping that in order to start we needed \$4 million dollars and was hoping to get the New Market Tax Credits to do that. So my timing, my date was just going along with his desire to get this thing moving and again, we are going to – if we don't get those New Market Tax Credits, we are going to have to figure out where the money is going to have to come from. And you know, I hear people talk about the \$2.5 million; we never voted \$2.5 million, the people never voted \$2.5 million. That was something that the fundraising professionals verified as a reasonable goal for this community, the businesses and the residents of this community is a reasonable goal for them to come up with.

I just got a copy of the newsletter from the Nashua Soup Kitchen. And they are renovating the old Sacred Heart School on Spring Street into shelter housing. And they, a year ago, their newsletter said, they identified or they set a goal of raising I think it is \$4.5 million. They are happy, their newsletter says, "we are happy to announce we raised \$3.7 million" in a year.

So I don't know if that is a reflection on how much support this project has in the community that we are having trouble coming up with \$1.75. Hopefully not but I think we have to identify pretty soon where this money is going to come from. Hopefully we get the New Market Tax Credits and that takes care of it. But if we don't, as soon as that announcement comes out, hopefully it is favorable, but if it is not favorable, I think we are going to have to have some discussion, not wait 18 months, force a discussion about how are we going to continue this project or should we look at something that is going to cost less money. If we do continue this project, where is the money going to come from. But I will vote for this.

Alderman Lopez

So just for context, I know Alderwoman Kelly is just going to hit the same area, but the concern that we had with the Feasibility Study that they identified how much money could be easily raised. And I remember bringing up at the time, like yeah you have \$2.5 million dollars available in the community to be raised, I say available, or sitting around. You have the most non-profit dense City in the Northeast and they are all going to be competing for that. And we saw the Soup Kitchen project on the horizon, I mentioned that, I mentioned Harbor Homes Older Point Project, the YMCA; there a whole bunch of other capital building projects. They are all fighting over the same fundraising source, plus we just had an election. Well we just had the municipal elections and we are in the middle of a primary season.

So there's a lot of competition for that same general amount of money. So that alone was a concern that I brought up previously that just because there is that much potential raised, that doesn't mean it is all going to go to our project. That relies heavily on relationships as Alderman Kelly and Alderman Klee have mentioned be cultivated which is why when we were originally discussing this, I was under the impression that we would be using a non-profit like intermediary, whether it was Great American Downtown or City Arts Nashua or somebody who had existing relationships and reputation in the community and we really didn't do that. Like we waited a whole year, Great American Downtown created their own fundraiser like they had a pop up art gallery and then they didn't know where to spend the money.

So I think the public has been chomping at the bit to do this and if anything we have been squandering, that's where my concern is coming from. We had a lot from Stella Blue that the owner said they would open a whole new day, they were hiring more people and they sold their business to a new partners. We had a lot of support from Dave Manganello with Riverside Barbeque, and Riverside is closed. Riverwalk was looked at as the example of all the live performances and they switched over to like, I like talk behind a desk for four minutes, I guess. I don't even know what to call it. But it is definitely not the same music venue that we were talking about. So there is a lot of passion in the community when we were first doing this and that's where a lot of the confidence that we could fundraise and built and I don't know that that really panned out because of the way we did it; hiring a consultant, building Committees, and all the political process took time. And they had to develop their relationships and figure out what they were going to do. I also would want to point out that the Soup Kitchen's fundraising mechanism also includes grants and endowments and other pursuits, we have been focusing mostly on donors just dropping money.

So they are very different situations in terms of what they have been using as a strategy for bringing revenue in; it doesn't reflect on our inability to fundraise with PAC. I think we have just been getting in our own way, just making it too complicated and not focusing on the passion and energy that originally gave us the authority to do this. People showing up and voting and increasing voter turnout in order to weigh in on this on the ballot, that was something that gave us the validity and authority to move forward as a Board. Several Board Members that are currently here campaigned largely on that platform of we need to be progressive and we need to be aggressive. So this is what my concern is, is that we are losing that momentum because we are not focusing on how are we going to actively as a Board be engaged in helping this thing along and moving it forward. We are being treated as a pariah that is only useful at the every end of every extended deadline.

So I will support the amendment too, my purpose in debating with Alderman Jette's was I want to make sure that are being attentive to this because if we just politically say it is easier for someone else rise or fall, then we are not helping the people of Nashua who actually this to succeed. And even like getting old, this could literally rise and fall while we are just still working on this project that we thought we could knock out of the park in 3 years.

Alderwoman Kelly

Yeah thank you Alderman Lopez did cover some of the things that I was going to say. But it's not a fair comparison to the Soup Kitchen. Everything that they have raised so far has been grant money and because of the project that it is, they do have some of liberty to be kind of ahead of the line and be in the center. So they are not engaged in a Capital Campaign at this moment, which is different from what we are doing with our people and our Capital Campaign.

Alderman Schmidt

Thank you, the City voted on an idea. We voted on an idea. And I think that was a terrific idea, it really mattered to a lot of people. It's not just downtown, it's not just business, it's people coming, it is growing the City, it is growing downtown living which is beneficial for this City. This started out as an idea, and because we are Government, we can't do things like non-profits do. We have to be open to everything. We have to be sure that everything is done exactly correctly and we started out with an idea and for a year and a half it took that idea to grow. Now we have the design, we have the people that are getting the money for us, we have a plan for the future, and I think it is way too early to say throw it all away. 18 months is a small, small amount of time to give this a chance to finish growing. I really think that we need to pass this. Thank you.

Alderman Klee

I want to mention also, Alderman Kelly mentioned about not being the same donors and the perfect example of it is when I went with another member of the Steering Committee to get the Certificate and they awarded the City up in Concord and I spoke to one of the people that made the decision. And one of the things that she said to me was we are really excited about your project and I wish we could have given you more. But we gave the Soup Kitchen and therefore but if we didn't have that one we would have awarded Nashua more money, which to me that excited me. The fact that we didn't get it, it went to a good cause, it went to the Nashua Soup Kitchen. So when you lose out to something like the Soup Kitchen I can understand. But I want to make a note of that the donors that donate to the arts are not the same that donate to programs such as the soup kitchen or some kind of social services. They are completely different type of donor; there is some crossover, don't get me wrong. Some people will give to both. But a lot of people that give to the arts, they give to the arts because that's where their passion is. It is not saying that they don't have empathy and sympathy, but they tend to give to a particular type of venue. So we are talking apples and oranges and you know sometimes we are talking apples and steak, just not really talking about the same animal.

Alderman Clemons

Thank you I would be remiss if I didn't mention this. So we are at the point here where we are amending this to go to August 31, 2021. So to speak to that I want to stay two things. One, is that I have heard that maybe we shouldn't do this because of the donors, we don't know about the donors. And I want to just stress this to the public that Bank of America and Enterprise Bank have both donated between them \$350,000.00 to this. Those two banks are not going to donate to something that isn't viable. They are just not going to let their money go to something that is not viable. And it would be a very big disappointment and it would probably be a very long time from ever, if the City was ever doing something again like this project that they would ever donate again if we turned our backs on this project at this point.

The other point I want to make is there was some suggestion that maybe this Board should try to dig and find out who are the donors? So you know there was some discussion that we should somehow like find out who the donors are or how much has been raised. At a Planning Board Meeting, this was on the news, there was a Planning Board Meeting up in Bedford, New Hampshire where they went to build a new project where the Macy's used to be, they want to put some apartments and things like that. One of our local business owners was mentioned at the Planning Board meeting as somebody that wanted to definitely put a restaurant in there and you know, you want to have that. It was Surf, Michael Buckley went on Channel 9 and said, "absolutely I 100% never said I am putting a restaurant up there". And I doubt that Michael Buckley would go back to Bedford even if he was planning on doing it because he was outed at a public meeting for what his private plans were going to be. And I don't blame the man for being upset at that. So when we are talking about big donors for a project like this, and the Capital Campaign is saying we want to keep it in our quiet phase, that's why. That's why. So there are big risks to this, we have to have faith that the Capital Committee is doing what they say they are doing, we have to have faith that our Director of Economic Development is going to get those New Market Tax Credit, that's his job, that's what we pay him to do.

President Wilshire

No pressure.

Alderman Clemons

If it doesn't happen then we are going to have to have a discussion. But the bottom line is that we need to extend this deadline in order to have that discussion. So thank you.

Alderwoman Kelly

I am just going to put one final point on this. I think that Alderman Schmidt really put it nicely. There are people who were sitting on this Board because we were at that very first meeting and one of them until 1:00 in the morning when it was voted down. And I remember feeling of the room and the people who came to speak (inaudible) Michael Buckley yes there were people who spoke against it as well but the feeling was what do we want to do as a City. What do we want people to think about when they think about Nashua. And I think that pulling the rug out from under we invested and I think it is easy to kind of forget those things and the energy and what we are looking forward to in looking in these dollars and cents. I think you need to keep an eye on the big picture while we are still looking at the numbers and the fiscal responsibility and the things we have to do as Aldermen to make sure this project is on track. So that's my final thought.

Alderman Lopez

So I want to agree with Alderman Kelly that energy and that passion is what is driving the project. I just also want to say that we, if this project fails, it's because we let it fail. It is something that I have said before. And if this project doesn't meet its guidelines then we need to acknowledge our role in that too. So this Board is entrusted with oversight and with the responsibility that goes along with the authority that we have and the opportunity to enable projects like this to move forward. We need to take this very seriously and need to continually be involved and not look at ourselves as an extraneous factor but rather as a necessary governance and prompt to get things done. So to Alderman Clemons' point, I don't want to interfere and alienate donors or anything like that. I do think we need to be diligent and I think we need to have further discussions about how exactly we should be diligent appropriately, but we need to move this project forward and we don't want to be waiting for my 8th term, hopefully, for this thing to be built because as Alderman Klee pointed out earlier this is the center of some of the poorest areas in Nashua. We really need the economic opportunities and developments. I am thrilled that we are losing in some ways in our metrics to the Soup Kitchen because I would not want to build this on the bones of people being gentrified or put aside, their needs not being met .

I am glad we have non-profits and the charities to work with and collaborate and the City does many things at once. I think this is a huge opportunity and it could be the cornerstone as Director Cummings said, at some of the previous meetings, it's at the 50 yard line of downtown. It's right where the location should be. But we need to make sure this project actually moves forward.

President Wilshire

So the Motion is to amend. I've been pretty liberal about the discussion on the motion to amend. So seeing no more discussion on that, roll call please.

A viva voce roll call was taken which resulted as follows:

Yea: Alderman O'Brien, Alderman Klee, Alderwoman Kelly, Alderman Dowd,
Alderman Caron, Alderman Clemons, Alderman Lopez, Alderman Tencza,
Alderman Jette, Alderman Schmidt, Alderman Laws, Alderman Cleaver,
Alderwoman Harriott-Gathright, Alderman Wilshire 14

Nay: Alderwoman Lu, 0

MOTION CARRIED

MOTION BY ALDERMAN SCHMIDT FOR FINAL PASSAGE OF R-20-001 AS AMENDED BY ROLL CALL

ON THE QUESTION

Alderman Schmidt

And I'd like to speak to that. I would only like to say one thing, I am getting a lot of messages from people who are saying, please go ahead with this. What they have been glad about lately is all the information that they are finally getting. I know when the Committee was working they worked within themselves and you didn't hear anything and now we are and thank you. That's it.

Alderman Tencza

Thank you. So I just want to say too to speak to something Alderman Lopez said before about oversight. All the work that Alderman Laws has been doing and Alderman Klee and Alderman Kelly and Alderwoman Melizzi-Golja last term, I don't think that there hasn't been oversight. There are people who have been very, very involved in what is going on. So I think communication is the issue because as you know sitting on Planning & Economic Development last term, Director Cummings did come and he gave us, told us what was going on with New Market Tax Credit, how the project was going, we knew that anytime we asked he would give us all the details. So I hope that this is a lesson for all of us that communication going forward to be better within the Board.

And then I also just want to say, something that was said earlier today about people supporting the bill, who will benefit the downtown shop owners. You know downtown shop owners are our small business owners, it's not easy being a small business owner. Those people work hard, just because they own their business it doesn't mean they are, you know, it doesn't mean they are rich. It makes they are making their way and they enjoy running their own business. You know, so we need to remember that, they do come out in support of this because it will benefit them. But those small businesses give the downtown a character that it has. Any time I travel especially down south and it's one strip mall after another strip mall and to the next Chick-fil-A and to the next Chili's. You realize how much or how special it is in our small town and our downtown. So yeah they do come out but they are also doing us a service by keeping downtown.

Alderman Lopez

I would like to move the question because we all have our Aldermanic remarks to make.

**MOTION BY ALDERMAN LOPEZ TO MOVE THE QUESTION
MOTION CARRIED**

President Wilshire

The motion is for final passage as amended made by Alderman Schmidt.

A viva voce roll call was taken which resulted as follows:

Yea: Alderman O'Brien, Alderman Klee, Alderwoman Kelly, Alderman Dowd, 14
Alderman Caron, Alderman Clemons, Alderman Lopez, Alderman Tencza,
Alderman Jette, Alderman Schmidt, Alderman Laws, Alderman Cleaver,
Alderwoman Harriott-Gathright, Alderman Wilshire

Nay: Alderwoman Lu 1

MOTION CARRIED

Resolution R-20-001 as amended declared duly adopted.

R-20-004

Endorsers: Mayor Jim Donchess
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman Patricia Klee
Alderman Richard A. Dowd
Alderman-at-Large David C. Tencza
Alderman Jan Schmidt
Alderman-at-Large Brandon Michael Laws
Alderman Linda Harriott-Gathright
Alderman-at-Large Lori Wilshire

**RELATIVE TO THE SUPPLEMENTAL APPROPRIATION OF \$350,000 OF FY2020
UNANTICIPATED REVENUE FROM DEPARTMENT #152 "FIRE", ACCOUNTING
CLASSIFICATION #44 "CHARGES FOR SERVICES" INTO DEPARTMENT #152 "FIRE",
ACCOUNTING CLASSIFICATION #51 "SALARIES & WAGES"**

Given its second reading;

MOTION BY ALDERMAN JETTE FOR FINAL PASSAGE OF R-20-004 BY ROLL CALL

A viva voce roll call was taken which resulted as follows:

Yea: Alderman O'Brien, Alderman Klee, Alderwoman Kelly, Alderman Dowd, 15
Alderman Caron, Alderman Clemons, Alderman Lopez, Alderman Tencza,
Alderwoman Lu, Alderman Jette, Alderman Schmidt, Alderman Laws,
Alderman Cleaver, Alderwoman Harriott-Gathright, Alderman Wilshire

Nay: 0

MOTION CARRIED

Resolution R-20-004 declared duly adopted.

R-20-005

Endorsers: Mayor Jim Donchess
Alderman-at-Large Lori Wilshire
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman Richard A. Dowd
Alderman June M. Caron
Alderman Thomas Lopez
Alderman-at-Large David C. Tencza
Alderman Jan Schmidt
Alderman-at-Large Brandon Michael Laws
Alderman Linda Harriott-Gathright

**APPROVING THE USE OF U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
HOME INVESTMENT PARTNERSHIP PROGRAM FUNDS BY HABITAT FOR HUMANITY FOR 10
PAXTON TERRACE**

Given its second reading;

There being no objection President Wilshire suspended the rules to allow for the second reading of R-20-005.

Resolution R-20-005 was given its second reading;

MOTION BY ALDERWOMAN HARRIOTT-GATHRIGHT FOR FINAL PASSAGE OF R-20-005

ON THE QUESTION

Alderman Klee

Yes I would like to comment on this. Mr. Slottery came and gave us the view of the renderings and so on and the ability of when they assess who it will be that one will apply to that they could make adaptations for a home for someone who was physically unable to go through normal doorways and stairs and so on. For our Veterans and keeping that in mind, I think it's a brilliant idea. I think we should support this. I just want it to be known and it was made very clear this is not a give to someone. They will have a mortgage that they will have to pay. They will have taxes that they have to pay on.

They are responsible for everything. What Habitat does in essence is help them to build it, help them to finance it and finance through Habitat Mortgage. So it is not a freebie. They will give sweat equity, they will work towards this. They have a set of qualifications, that have to prove that they will have the ability to be able to pay to maintaining and I asked a simple question about what if something catastrophic happens it can it be adapted. They do a constant maintain and adaptation of anything that happens to the Veteran maybe even the same Veteran as times goes on that something that was unforeseen happens. I think this is a great project that we should support.

MOTION CARRIED

R-20-007

Endorsers: Mayor Jim Donchess
Alderman June M. Caron
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman Patricia Klee
Alderman Richard A. Dowd
Alderman-at-Large David C. Tencza
Alderman Linda Harriott-Gathright
Alderman-at-Large Lori Wilshire

**CHANGING THE PURPOSE OF FUNDS FOR A PARKS & RECREATION CAPITAL
IMPROVEMENT PROJECT FROM "CROWN HILL POOL REPAIRS" TO "ROTARY POOL FILTER
REPLACEMENT"**

Given its second reading;

MOTION BY ALDERMAN CARON FOR FINAL PASSAGE OF R-20-007ON THE QUESTIONAlderman Caron

And I'd like to speak to it. Thank you. First of all I apologize I was not there when this was brought up. But this fund being from Crown Hill Pool was leftover funding and it much needed at Rotary Pool because the originally filter that was built back in the 70's failed at the end of the season. So this was a good way of utilizing those funds for that.

My other suggestion would be that in the future when something like this comes before Budget or Finance, especially Capital Improvement money; that someone representing that Department or that Division should be there to answer questions. Because the person who puts the Legislation in does not necessarily know the backstory of it. I knew it because I was aware of the issue at the Rotary Pool. So I think it's important that representation be at these Committee Meetings so that you have a better sense of what is being expended. Thank you.

President Wilshire

To your point Alderman Caron, I would ask the Chairs of all the Committees, that when you look at your agenda when it comes out, that you reach out maybe to the person that wants the work done and ask them to come in to your Committee. Your point is well-taken, thank you Alderman Caron.

Alderman Caron

Thank you.

Alderman O'Brien

I would just like to remind that Park & Rec was there at the meeting.

Alderman Caron

I was told they were not there.

Alderman O'Brien

This was the one in Room 208?

Alderman Caron

No, they were not there. And I wasn't either.

Alderwoman Kelly

So I get your point on that. I just wanted to thank Parks & Rec for taking such good care of our pools. I know it is just to upgrade the Rotary Pool filter replacement, but these are really places for our children in the summer spend a lot of time there and for some of them that is their summer vacation and our city does a great job of keeping them up.

Alderman Clemons

I think the fact that the pool filter is older than I am is a testament to the fact that it was kept up well and we got our money's worth.

MOTION CARRIED

Resolution R-20-007 declared duly adopted.

R-20-009

Endorsers: Mayor Jim Donchess
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman Patricia Klee
Alderman Richard A. Dowd
Alderman Thomas Lopez
Alderman-at-Large David C. Tencza
Alderman Jan Schmidt
Alderman-at-Large Brandon Michael Laws
Alderman Linda Harriott-Gathright
Alderman-at-Large Lori Wilshire

ESTABLISHING AN ELECTRIC AGGREGATION COMMITTEE

Given its second reading;

MOTION BY ALDERMAN CLEAVER FOR FINAL PASSAGE OF R-20-009ON THE QUESTIONAlderwoman Kelly

Just a quick point to the Personnel Committee this is just to establish the Committee that will then look at the electric aggregation.

MOTION CARRIED

Resolution R-20-009 declared duly adopted.

R-20-010

Endorsers: Mayor Jim Donchess
 Alderman Richard A. Dowd
 Alderman Patricia Klee
 Alderwoman-at-Large Shoshanna Kelly
 Alderman Thomas Lopez
 Alderman-at-Large David C.Tencza
 Alderman Jan Schmidt
 Alderman Linda Harriott-Gathright
 Alderman-at-Large Lori Wilshire

**RELATIVE TO THE TRANSFER OF \$65,000 FROM DEPARTMENT 194 "CONTINGENCY",
 ACCOUNT 70112 "CONTINGENCY FOR EDUCATIONAL PRIORITIES"**

Given its second reading;

**MOTION BY ALDERWOMAN KELLY FOR FINAL PASSAGE OF R-20-010
 MOTION CARRIED**

Resolution R-20-010 declared duly adopted.

R-20-011

Endorsers: Mayor Jim Donchess
 Alderman Richard A. Dowd
 Alderman-at-Large Michael B. O'Brien, Sr.
 Alderman Patricia Klee
 Alderwoman-at-Large Shoshanna Kelly
 Alderman Thomas Lopez
 Alderman-at-Large David Tencza
 Alderman Jan Schmidt
 Alderman Skip Cleaver
 Alderman Linda Harriott-Gathright
 Alderman-at-Large Lori Wilshire

**RELATIVE TO THE TRANSFER OF \$1,000,000 FROM DEPARTMENT 194 "CONTINGENCY",
 ACCOUNT 70112 "CONTINGENCY FOR EDUCATIONAL PRIORITIES"**

Given its second reading;

MOTION BY ALDERMAN DOWD FOR FINAL PASSAGE OF R-20-011

ON THE QUESTION

Alderman Dowd

And if anybody has any questions, they can ask me.

Alderwoman Lu

Just a quick question, was that surplus left over from last year and is that going to ESL funds?

Alderman Dowd

Yes it was a very complex situation where the money that we were getting from the State was passed so late that they just put it towards the tax rate and we had monies that we had allocated, we re-allocated it is a really long story.

But this is the million that went to the School Department and they called me as early as today. They need the money.

MOTION CARRIED

Resolution R-20-011 declared duly adopted.

President Wilshire

I did talk to Deb Chisolm and we took that off because the minutes just came out on Monday, I didn't know it was going to be on the Agenda as anticipated from Human Affairs on Monday. So we will take up at our next meeting, she was OK with that.

UNFINISHED BUSINESS – ORDINANCES

O-20-002

Endorsers: Alderman-at-Large Ben Clemons
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman Patricia Klee
Alderman June M. Caron
Alderman Thomas Lopez
Alderman Linda Harriott-Gathright

ESTABLISHING ELECTION POLL HOURS

Given its second reading;

MOTION BY ALDERMAN CLEMONS FOR FINAL PASSAGE OF O-20-002

ON THE QUESTION

Alderman Jette

I'd like to just ask why, under current law, you know we set the date and the times for polling places every time there is an election. The law requires that we do that 30 days in advance. I was just wondering why you feel it is important to adopt this by Ordinance instead of doing it be Resolution every time an election comes up?

Alderman Clemons

Sure so there's a couple of reasons. One is historically Nashua's elections have been from 6:00 AM to 8:00 PM and for good reason. A lot of our people who live in the City work in Massachusetts, myself one of them. I used to commute to Cambridge so I would have to leave here at 6:00 AM and if I was lucky I would get back by like 6:45 or 7:00. So if it was an election day and I had to rush, I'm hoping there's no traffic or I'm hoping that you know or that I can get out of work early that day. So what this does is it sets the polling hours for what historically we have had here in Nashua.

The second reason for doing that is because and I'm sure our Clerk would agree, NH does not make it easy to vote absentee. It is easy to vote absentee if you are, for example, like my parents go to Florida for the winter every year. They were able to just get an absentee ballot before they left for Florida I think they probably handed it right to the Clerk right before they left or they mailed it in. So if you have an expected thing where you are not going to be, then an absentee ballot is fairly easy to get. But if something unexpected comes up, you know for somebody to have that option, the State does not make it easy. And the State also puts a penalty on you if for some reason you take an absentee ballot and you vote absentee and then all of a sudden you decide that, or let's say you get back into town earlier or whatever and you want to go vote or if even somebody just sees you in town, they can challenge your ballot.

So ideally what I would like is for the State to make it easier to vote, no excuse absentee ballots, extend the deadline for doing that, maybe doing it both by mail, early voting, something like that. But until the State does that, we in my opinion, we need to set our hours so that the people in Nashua know and can count on that no matter when we set the election date, the times are going to be from 6:00 AM to 8:00 PM.

The other reason that I bring this up is because at any point in time the way that our rules are now, we can just randomly change the time of an election as long as it is 30 days beforehand. You know, if we are setting an election, let's say we decide as a Board next year, "Oh we only want it to be 7:00 to 7:00". Theoretically we could do that. Now if we put this into Ordinance, we can still do that, but it's a lot harder. Because now you've got to introduce an Ordinance, people get notice, people can debate it, they can say, "I don't agree with this". And so it just puts into place a little bit more protection for the people who vote and giving them those hours that we know Nashua uniquely needs. So that was the emphasis why I was doing it; I want to protect people's right to vote and I want to protect those traditional hours that we have, at least until a point when the State can come out with something better and then we can re-address it at that time.

Alderman Jette

Thank you for that explanation. My initial thought and I have been a voter protection attorney for over 20 years and so I have been at the polls at 5:00 in the morning until, in some cases, midnight. So I know what a long day our poll workers put in. So when you have a Federal Election, they are busy, you know, it is pretty steady all day long, there are some lulls but pretty steady all day long. But some of our special and municipal elections, you know, there's unfortunately a lot of our people don't exercise their opportunity to vote and the people who come after 7:00 at night are few. So I originally thought well it seems like a lot of other towns do it 7 to 7 a lot of other commuter towns do it 7:00 to 7:00 and I thought, not being a commuter like you, I thought that you ought to be able to get there either after 7 or before 7 at night.

But I understand your reasons and other people have said that anything we do to reduce the opportunity for people to vote is a bad idea. So I recognize that, so I am going to vote for this. I would encourage our State Representatives to see what can be done about making voting easier. You mentioned about the absentee, you are right. Our rules are archaic and it ought to be easier if because of work you are not able to get to the polls, you ought to be able to get an absentee ballot, not necessarily because you are going to be out of town. But I will leave it to our capable State Representatives to figure that out and hopefully they will come up with something.

Alderman Schmidt

Every year we come up with something and every year it is either vetoed or it does not pass. We try to make it easier for people to vote and is protected apparently by historical happenings

Alderman Klee

I want to echo what Alderman Schmidt said that yes, we can put that forward. I also want to mention something that you said about like after 7:00 we really don't get more. Since 2016 I have been every single year standing at the polls being an Alderman and a State Rep. I can testify and attest to the fact that anywhere between 7:00 and 8:00 we literally have people that running into the polls because they just picked up their kids from Day Care and so on and they are running in. They didn't think they would make it on time because they think the polls are closing at 7:00. And even last night and I know that was more of a Federal Election, I was sitting in the gym when someone came in 2 minutes of eight and he was like, Did I make it, did I make it, did I make it. So we do get those people that are rushing from work. And some people rush from work, I work in Bedford at the VA Hospital in Bedford, Massachusetts and I had to do that horrible route 3 traffic through all of the construction and so on. I know what it's like to hit traffic in both directions. If you don't leave by a certain time, but I can't imagine having to rush home, pick up your children from Day Care and you're going to be late. And I've seen men and women with babies in their arms running in to vote. So I think for our residents who do commute, as well as residents who can't leave their children, the longer we have it, I'd like to see that we change the rules for the polls.

People that have worked 10 hours they get full pay or they work 6 hours of usual pay but that's another conversation.

Alderman Dowd

Yeah I just want to say last night I was watching CNN and the State of New Hampshire and I have to give high praise our City Clerk and her staff for having the vote numbers come out a heck of a lot sooner than the vast majority of the rest of the State. I don't know why some of these small towns wait so long to count a heck of a lot fewer ballots. I mean it's crazy. And they close an hour earlier So if you guys at the State want to pass Legislation, do something to help them count their votes faster because it is ridiculous.

President Wilshire

Ok the motion before us is for final passage or Ordinance 20-002. Further discussion on that. Seeing none all in favor?

MOTION CARRIED

Ordinance O-20-002 declared duly adopted.

NEW BUSINESS – RESOLUTIONS

R-20-015

Endorsers: Mayor Jim Donchess
Alderman Thomas Lopez
Alderman Patricia Klee
Alderman-at-Large Shoshanna Kelly
Alderman Richard A. Dowd
Alderman June M. Caron
Alderman-at-Large Ben Clemons
Alderman-at-Large David C. Tencza
Alderman Jan Schmidt
Alderman-at-Large Brandon Michael Laws
Alderman Skip Cleaver
Alderman Linda Harriott-Gathright
Alderman-at-Large Lori Wilshire

AUTHORIZING THE WAIVER OF CITY BUILDING PERMIT AND INSPECTION FEES FOR THE RENOVATIONS TO THE NASHUA POLICE ATHLETIC LEAGUE BUILDING AT 52 ASH STREET

Given its first reading; assigned to the BUDGET REVIEW COMMITTEE by President Wilshire

NEW BUSINESS – ORDINANCES

O-20-005

Endorser: Alderman-at-Large Ben Clemons
Alderman-at-Large Brandon Michael Laws

RELATIVE TO TITLES OF MEMBERS OF THE BOARD

Given its first reading; assigned to the PERSONNEL/ADMINISTRATIVE AFFAIRS COMMITTEE by President Wilshire

O-20-006

Endorser: Alderman Thomas Lopez
Alderman Patricia Klee
Alderman-at-Large Shoshanna Kelly
Alderman Linda Harriott-Gathright

ALLOWING PERMITTED OVERNIGHT ON-STREET PARKING ON A PORTION OF PRESCOTT STREET

Given its first reading; assigned to the COMMITTEE ON INFRASTRUCTURE by President Wilshire

O-20-007

Endorser: Alderman Patricia Klee
Alderman Tom Lopez
Alderman Linda Harriott-Gathright

REMOVING THE HANDICAPPED PARKING SPACE IN FRONT OF 7-9 LEMON STREET

Given its first reading; assigned to the COMMITTEE ON INFRASTRUCTURE by President Wilshire

PERIOD FOR GENERAL PUBLIC COMMENT

Peter Schaefer 15 E Street. I had one question that I heard somebody talking about the New Market Tax Credit and about French Hill or something. Is that for the whole community, because Alec's Shoe Store is one block from City Hall but that's not really the posterior is it?

Alderman Klee

It is, I'm sorry, I apologize, I forgot.

Mr. Schaefer I have two recommendations about the Arts Center and that's really all I have. One of them is trying to end the silent phase of this fundraising, as soon as you can, I know you don't have full control. I actually looked it up because it sounded kind of weird the "silent phase" for fundraising but that actually does exist, it's a strategy, a real strategy and I get that.

The second thing is that everybody else kind of goes, "what's going on" and all the people talked to (inaudible) so my recommendation is as soon as you get out of the silent phase, put up a really big billboard with a big bottle on it and show how filled up it is, you can use blue for what has been pledged and green for what you actually have in the bank and you can put a number of how many donors or whatever. You don't have to mention anybody's name, but it gets people fired up. They want to be able to fill that bottle like right now, I'm retired but I am willing to buy one of those seats. You've 750 seats they are trying to sell, I don't mind buying one, OK. There needs to be some fliers after this silent phase and hopefully that ends pretty soon.

The other comment I have is we have a bunch of bumps in the road, that's why we are here you know several days before all of this was going to blow up on us and it is going to be designed and everything else, it's a difficult process. My own opinion is there are going to be some more bumps in the future and it is not going to be all smooth sailing. You know, an expert told us that if you have 750 seats it's not going to cost you anything. But you don't even know that you know he could come back later and say he was wrong and it's going to cost you money. Well, all of you are going to have make a vote one way or another when these things arise. You don't really know if your constituents have your back, right? You don't know at the moment. So yesterday for the vote there were 24,369 votes in Nashua. That's a good part of the City. My recommendation is in November, put something on the ballot so you can tell what your constituents want. Try to get their support so when you have to make a difficult decision, you know that they've got your back when you are making that decision. Because I think at the moment, you don't know that. Thank you.

REMARKS BY THE MEMBERS OF THE BOARD OF ALDERMENAlderman Klee

Thank you very much and I apologize for speaking out of turn there. But to answer the gentleman's question there is what they call the census track and then you don't have anything to write down but for the public that area that I spoke about, the census track is 330 110 10600 and it goes from French Hill all the way up to a little past Globe Plaza and it goes all the way back to the River to Mine Falls. It's a big chunk of it and then surrounding that is an area called Eligible New Market Tax Credit Distressed. So when you look at this map and you see that big chunk of blue which is the severely distressed, surrounded by green and then the rest of the surrounding which would be up to Merrimack and down towards Salmon Brook which would be considered eligible for other incentives but not necessarily New Market Tax Credit. So literally Alec's Shoe Store is in the middle of that severely distress area which makes it ideal. People talked about putting it up towards the Elm Street School, Keefe and so on, that would put it on the edge. So by putting it into the center of it where our downtown area is the most logical place for it. We couldn't have asked for a better place. Thank you.

Alderman Lopez

So some of you may be aware that I may be traveling to Honduras, February 29 to March 6. If there are many major meetings, I'll try to Skype in. But I put a little invite on everybody's desk for Noche Mexicana. Margarita's Restaurant does fundraisers with 501(c)3's, our Honduras trip is organized by a 501(c)3 called "Involved to Impact". So next Wednesday anybody who happens to be over there, if you use the little coupon and we get a proceed of that and just in general if anybody is working with a non-profit it's a really good way to raise revenue in like a social way instead of just and obviously I'm not suggesting we try this with the Performing Arts Center. It's a good way to build a little bit of comradery and get some information about what ever non-profit you have. Any of the proceeds we get, we've already raised our traveling expenses so it will just go straight up towards our program which is largely painting murals, working on clean water and nutrition programs. And then working on a solar project.

Alderwoman Kelly

Thank you I just wanted to let people know that Energy & Environment Community is hosting a two part presentation on climate change and there is one tomorrow night at the City Hall Auditorium at 6:30 and put on by Climate Reality.

Alderman Clemons

Thank you, I would have been remiss had I not congratulated our City Clerk on a wonderful job at the Presidential Primary, you did a great job. You know what, I tell this to everybody especially after Iowa, we do it, in NH, we do it right, we do it the best and here in Nashua we are a model for the State. So kudos to you.

Alderman Lopez

Can I just ask, CNN reported that Ward 3 was the first reporting ward?

Susan Lovering, City Clerk

I believe it was Ward 4.

Alderman Lopez

I just wanted to draw attention to our moderator/clerk. I believe Madam President was sitting there and you registering some of us.

Alderman Tencza

I will also just echo congratulations to Ms. Lovering on the flawless day yesterday and we shouldn't be surprised that things are across the State, former Clerk Trish Piecuch is running the State Elections. So obviously all good things in the State come through Nashua.

Alderman Schmidt

Ward 1 as usual, I worked for 3 hours inside the polls, man you guys work hard, I don't know how you do that, the rest of the day I stood outside and held signs and it is wonderful to do this because you meet all your neighbors. Everybody comes by they say hello, they bring you a hot cup of cocoa.

President Wilshire

It's warmer inside Alderman Schmidt.

Alderman Schmidt

But thank you very much it was very well done, more check ins and we didn't have lines, people were calm and relaxed it was really great so thank you.

Alderman O'Brien

Thank you I think I saw on Facebook, I'd like to wish a Happy Birthday to my Ward 9 compadre there, Linda Harriott-Gathright.

President Wilshire

So I too once again would like to thank the City Clerk and all the work that she does and her staff and all the Ward Workers who do yeoman's work, I can't even say enough about the work they do. We all know how awesome they are but I like to say it every now and again. I'd also like to thank the Nashua Police Department for allowing us to use this room, very generous of them.

Committee announcements:

Alderman Schmidt

Substandard Living Conditions Special Committee meets tomorrow night in Room 208 at City Hall.

Alderman Tencza

PEDC and Infrastructure will hold a joint committee on Wednesday, February 18 after the Mayor's State of the City.

Alderman Dowd

I'm sure nobody would be upset but because of lack of things to discuss the Joint Special School Building Committee on 2/20/20 is cancelled.

Alderman O'Brien

Yes I would like to thank the PEDC Committee for offering light refreshments during that committee. I just want to give a heads up, that does not mean that Infrastructure is done, somewhere around the week of the 25th, we are going to have our own separate Infrastructure Meeting. Thank you.

ADJOURNMENT

**MOTION BY ALDERMWOMAN KELLY THAT THE FEBRUARY 12, 2020, MEETING OF THE BOARD OF ALDERMEN BE ADJOURNED
MOTION CARRIED**

The meeting was declared adjourned at 10:01 p.m.

Attest: Susan K. Lovering, City Clerk